

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 319

By: Monson

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 854, as last amended by Section 1, Chapter 158, O.S.L. 1998 (47 O.S. Supp. 1998, Section 854), which relates to vehicle inspections; requiring Department of Public Safety and Oklahoma Tax Commission to promulgate rules for inspection of rebuilt vehicles; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 1991, Section 854, as last amended by Section 1, Chapter 158, O.S.L. 1998 (47 O.S. Supp. 1998, Section 854), is amended to read as follows:

Section 854. A. 1. The Commissioner of Public Safety shall require that every motor vehicle, trailer, semitrailer, and pole trailer, ~~as defined in Chapter 1 of this title,~~ registered or operated in this state, be inspected once a year at official inspection stations as provided in Section 851 et seq. of this title, and that an official certificate of inspection and approval be obtained for each such vehicle.

2. Vehicles owned or operated by a fire department may have the inspection performed at the fire station location or the principal location of the fire vehicle.

3. Motor carriers and express companies operating under the jurisdiction of the Interstate Commerce Commission, and/or the Department of Transportation and interstate and/or intrastate owners and/or operators of commercial, private, or public fleets of vehicles maintaining inspection and repair facilities which meet standards established by the Commissioner ~~of Public Safety,~~ may be

authorized by the Commissioner to perform such inspections in such carriers' own maintenance shops, without bond, on vehicles owned or operated by them.

B. Such inspections shall be made and such certificates obtained with respect to the mechanism and equipment of every such vehicle as shall be designated by the Commissioner ~~of Public Safety~~. An inspection shall not be done and a certificate shall not be issued pursuant to the provisions of Section 851 et seq. of this title for a vehicle which does not display a current Oklahoma license plate and decal, unless the vehicle is owned by a member of the Armed Forces of the United States assigned to duty in this state in compliance with official military or naval orders or the spouse of such a member of the Armed Forces; provided, the Department of Public Safety and the Oklahoma Tax Commission shall promulgate rules to provide for the inspection of rebuilt vehicles pursuant to the provisions of Section 1111 of this title prior to registration pursuant to the Oklahoma Vehicle License and Registration Act.

C. The Commissioner ~~of Public Safety~~ shall require that the owner of every motor vehicle equipped to be fueled by an alternative fuel shall obtain the annual inspection required by subsection A of this section from an official inspection station.

D. 1. Except for vehicles sold dealer to dealer, and wrecked, antique or classic vehicles not driven on the public roadway which have been certified as such under oath by the owner, every vehicle when sold by a licensed dealer shall have been inspected and shall meet the standards of inspection as provided in Section 851 et seq. of this title and shall display a current inspection sticker.

2. Every vehicle which has or has been converted to have, or upon conversion to have, the capability of being fueled by an alternative fuel, as defined by Section 130.2 of Title 74 of the Oklahoma Statutes, shall meet the standards of inspection as

provided in ~~Chapter 70~~ Section 851 et seq. of this title and shall display a current inspection sticker.

E. The Commissioner ~~of Public Safety~~ is hereby authorized and directed to promulgate necessary rules for the administration and enforcement of Section 851 et seq. of this title and to designate any period or periods of time during which owners of any vehicles, subject to this section, shall display upon such vehicle, except those vehicles exempted pursuant to Section 851 of this title, certificates of inspection and approval or shall produce the same upon demand of any officer or employee of the Department ~~of Public Safety~~ designated by the Commissioner ~~of Public Safety~~ or any police or peace officer when authorized by the Commissioner. As a part of such rules, the Commissioner ~~of Public Safety~~ shall include the requirement that every person subject to the in-lieu-of-tax fee under Section 723 of Title 68 of the Oklahoma Statutes display a current ~~Oklahoma~~ Tax Commission decal on the vehicle as described in Section 723 of Title 68 of the Oklahoma Statutes and that proper display of the decal shall be a requirement for the issuance of an official certificate of inspection and approval for any vehicle using an alternative fuel as defined in Section 130.2 of Title 74 of the Oklahoma Statutes.

F. The Commissioner ~~of Public Safety~~ may authorize the acceptance in this state of a certificate of inspection and approval issued in another state having an inspection law similar to Section 851 et seq. of this title and may extend the time within which a certificate shall be obtained by the resident owner of a vehicle which was not in this state during the time an inspection was required.

G. The Commissioner ~~of Public Safety~~ may suspend the registration of any vehicle which he or she determines is in such unsafe condition as to constitute a menace to safety or which after notice and demand is not equipped as required in Section 851 et seq.

of this title or for which a required certificate has not been obtained. Any person who shall have a vehicle registration suspended under the provisions of this section shall immediately forward the vehicle registration to the Department of Public Safety.

SECTION 2. This act shall become effective July 1, 1999.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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