

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1449

By: Miller (Doug)

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 1132, as last amended by Section 5, Chapter 250, O.S.L. 2000 (47 O.S. Supp. 2000, Section 1132), which relates to motor vehicle registration; modifying language; amending 68 O.S. 1991, Section 2106, which relates to motor vehicle excise tax; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 1132, as last amended by Section 5, Chapter 250, O.S.L. 2000 (47 O.S. Supp. 2000, Section 1132), is amended to read as follows:

Section 1132. A. For all vehicles, unless otherwise specifically provided by the Oklahoma Vehicle License and Registration Act, a registration fee shall be assessed at the time of initial registration by the owner and annually thereafter, for the use of the avenues of public access within this state in the following amounts:

1. For the first through the fourth year of registration in this state or any other state, Eighty-five Dollars (\$85.00);

2. For the fifth through the eighth year of registration in this state or any other state, Seventy-five Dollars (\$75.00);

3. For the ninth through the twelfth year of registration in this state or any other state, Fifty-five Dollars (\$55.00);

4. For the thirteenth through the sixteenth year of registration in this state or any other state, Thirty-five Dollars (\$35.00); and

5. For the seventeenth and any following year of registration in this state or any other state, Fifteen Dollars (\$15.00).

The registration fee provided for in this subsection shall be in lieu of all other taxes, general or local, unless otherwise specifically provided.

B. There shall be a credit allowed with respect to the fee for registration of a new vehicle which is a replacement for:

1. A new original vehicle which is stolen from the purchaser/registant within ninety (90) days of the date of purchase of the original vehicle as certified by a police report or other documentation as required by the Oklahoma Tax Commission; or

2. A defective new original vehicle returned by the purchaser/registant to the seller within six (6) months of the date of purchase of the defective new original vehicle as certified by the manufacturer.

The credit shall be in the amount of the fee for registration which was paid for the new original vehicle and shall be applied to the registration fee for the replacement vehicle. In no event will the credit be refunded.

C. Upon every transfer or change of ownership of a vehicle, the new owner shall obtain title for and, except in the case of salvage vehicles and manufactured homes, register the vehicle within thirty (30) days of change of ownership and pay a transfer fee of Fifteen Dollars (\$15.00) in addition to any other fees provided for in this act. No new decal shall be issued to the registant. Thereafter, the owner shall register the vehicle annually on the anniversary date of its initial registration in this state and shall pay the fees provided in subsection A of this section and receive a decal evidencing such payment. ~~Provided, used~~ Used motor vehicle dealers shall be exempt from the provisions of this section.

D. ~~In the event~~ If the vehicle is not registered, titled and tagged within thirty (30) days from the date of transfer of

ownership, the penalty for the failure of the owner of the vehicle to register the vehicle within thirty (30) days shall be twenty-five cents (\$0.25) per day, provided that in no event shall the penalty exceed Twenty-five Dollars (\$25.00).

SECTION 2. AMENDATORY 68 O.S. 1991, Section 2106, is amended to read as follows:

Section 2106. (a) The excise tax levied by this article is in lieu of all other taxes on the transfer or the first registration in this state of vehicles, including the optional equipment and accessories attached thereto at the time of sale and sold as a part thereof, except:

(1) Annual vehicle registration and license fees;

(2) The fee of One Dollar (\$1.00) for the issuance of a certificate of title; and

(3) Any fee charged under the jurisdiction of the Oklahoma Corporation Commission.

(b) This section shall not relieve any new or used motor vehicle dealer or any other vendor of vehicles from liability for the sales tax on all sales of accessories or optional equipment, or parts, which are not attached to, and sold as a part thereof and included in the sale of such vehicles.

SECTION 3. This act shall become effective November 1, 2001.

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