

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE

RESOLUTION HR1040

By: Erwin

AS INTRODUCED

A Resolution directing the Attorney General to properly investigate and if deemed appropriate, initiate legal action on behalf of the State of Oklahoma against the International Registration Plan; directing the Oklahoma Tax Commission to cooperate with the Attorney General; and directing distribution.

WHEREAS, the Oklahoma Attorney General is responsible for initiating or appearing in any action in which the interests of the state or the people of the state are at issue; and

WHEREAS, the Oklahoma Attorney General shall be responsible at the request of the Legislature, or any branch thereof, for appearing to prosecute any cause or proceeding in which the state may be a party or interested; and

WHEREAS, the House of Representatives recognizes that interstate trucking in Oklahoma is subject to the requirements of the International Registration Plan of which Oklahoma is a party; and

WHEREAS, the House of Representatives recognizes that Oklahoma has been subjected to decisions of the Dispute Resolution Committee of the International Registration Plan, Inc., including requirements that rules be promulgated by the Oklahoma Tax Commission with regard to established place of business; and

WHEREAS, the House of Representatives recognizes that the International Registration Plan threatened and later imposed sanctions upon the State of the Oklahoma for the failure of Oklahoma through the Oklahoma Tax Commission to promulgate rules regarding

established place of business that fulfill requirements of the provisions of the International Registration Plan as interpreted by the Dispute Resolution Committee of the International Registration Plan, Inc.; and

WHEREAS, the House of Representatives finds that rules promulgated by the Oklahoma Tax Commission on established place of business so as to be in compliance with the interpretation of the International Registration Plan according to the Dispute Resolution Committee of the International Registration Plan, Inc., exceed the actual requirements of the International Registration Plan; and

WHEREAS, the House of Representatives finds that the state and the people of Oklahoma are interested in remaining in good standing with the International Registration Plan, Inc.; and

WHEREAS, the House of Representatives finds that the Attorney General should properly investigate and if deemed appropriate, initiate legal action against the International Registration Plan, Inc. as Oklahoma has been required to promulgate rules which exceed what is required by the provisions of the International Registration Plan and what is required of other states who are members of the International Registration Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 48TH OKLAHOMA LEGISLATURE:

THAT the House of Representatives directs the Attorney General of the State of Oklahoma to properly investigate and if deemed appropriate, initiate legal action on behalf of the State of Oklahoma and the people of the state against the International Registration Plan, Inc. and the officers of the International Registration Plan, Inc. to protect the interests of the state and the people of the state with regard to interstate trucking.

THAT the Attorney General of the State of Oklahoma properly investigate and if deemed appropriate, initiate legal action on behalf of the state of Oklahoma and the people of the state to

address the requirements imposed by the International Registration Plan upon the state of Oklahoma as to established place of business.

THAT the Oklahoma Tax Commission shall, as requested by the Attorney General of the State of Oklahoma, comply to the greatest permissible extent allowed by law with the investigative efforts of the Attorney General and with any litigation initiated by the Attorney General on behalf of the State of Oklahoma and the people of the state against the International Registration Plan, Inc.

THAT a copy of this resolution be distributed to the Attorney General of the State of Oklahoma and to the Oklahoma Tax Commission.

48-2-9389          EAP          6/12/15