

SB 1306

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THE STATE SENATE
Monday, February 13, 2006

Senate Bill No. 1306
As Amended

SENATE BILL NO. 1306 - By: GUMM of the Senate and CAREY of the House.

[motor vehicles - creating 180th Infantry National Guard license plate - effective date]

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

SECTION 1. AMENDATORY Section 11, Chapter 504, O.S.L. 2004, as amended by Section 3, Chapter 416, O.S.L. 2005 (47 O.S. Supp. 2005, Section 1135.2), is amended to read as follows:

Section 1135.2 A. The Oklahoma Tax Commission is hereby authorized to design and issue appropriate official special license plates to persons in recognition of their service or awards as provided by this section.

Special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year.

Special license plates shall be renewed each year by the Tax Commission or a motor license agent. The Tax Commission shall annually notify by mail all persons issued special license plates.

1 The notice shall contain all necessary information and shall contain
2 instructions for the renewal procedure upon presentation to a motor
3 license agent or the Tax Commission. The license plates shall be
4 issued on a staggered system except for legislative plates and
5 amateur radio operator license plates.

6 The Tax Commission is hereby directed to develop and implement a
7 system whereby motor license agents are permitted to accept
8 applications for special license plates authorized under this
9 section. The motor license agent shall confirm the applicant's
10 eligibility, if applicable, collect and deposit any amount
11 specifically authorized by law, accept and process the necessary
12 information directly into such system and generate a receipt
13 accordingly. For performance of these duties, motor license agents
14 shall retain the fee provided in Section 1141.1 of this title for
15 registration of a motor vehicle. The motor license agent fees for
16 acceptance of applications and renewals shall be paid out of the
17 Oklahoma Tax Commission Reimbursement Fund.

18 B. The special license plates provided by this section are as
19 follows:

20 1. Prisoner of War License Plates - such plates shall be
21 designed for honorably discharged or present members of the United
22 States Armed Forces and civilians who were former prisoners of war
23 held by a foreign country and who can provide proper certification

1 of that status. Such persons may apply for a prisoner of war
2 license plate for no more than two vehicles with each vehicle having
3 a rated carrying capacity of one (1) ton or less. The surviving
4 spouse of any deceased former prisoner of war, if the spouse has not
5 since remarried, or if remarried, the remarriage is terminated by
6 death, divorce, or annulment, may apply for a prisoner of war
7 license plate for one vehicle with a rated carrying capacity of one
8 (1) ton or less. The fee provided by this section for the special
9 license plate authorized by this paragraph shall be in addition to
10 all other registration fees provided by law, except the registration
11 fees levied by Section 1132 of this title;

12 2. National Guard License Plates - such plates shall be
13 designed for active or retired members of the Oklahoma National
14 Guard. Retirees who are eligible for such plates shall provide
15 proof of eligibility upon initial application, but shall not be
16 required to provide proof of eligibility annually;

17 3. Air National Guard License Plates - such plates shall be
18 designed for active or retired members of the Oklahoma Air National
19 Guard. Retirees who are eligible for such plates shall provide
20 proof of eligibility upon initial application, but shall not be
21 required to provide proof of eligibility annually;

22 4. United States Armed Forces - such plates shall be designed
23 for active, retired, former or reserve members of the United States

1 Armed Forces, and shall identify which branch of service, and carry
2 the emblem and name of either the Army, Navy, Air Force, Marines or
3 Coast Guard, according to the branch of service to which the member
4 belongs or did belong. Former members who have been dishonorably
5 discharged shall not be eligible for such plates. Persons applying
6 for such license plate must show proof of present or past military
7 service by presenting a valid Uniformed Services Identity Card or
8 the United States Department of Defense Form (DD)214. Retired or
9 former members who are eligible for such plates shall provide proof
10 of eligibility upon initial application, but shall not be required
11 to provide proof of eligibility annually;

12 5. Congressional Medal of Honor Recipient License Plates - such
13 plates shall be designed for any resident of this state who has been
14 awarded the Congressional Medal of Honor. Such persons may apply
15 for a Congressional Medal of Honor recipient license plate for each
16 vehicle with a rated carrying capacity of one (1) ton or less.
17 There shall be no registration fee for the issuance of this plate;

18 6. Missing In Action License Plates - such plates shall be
19 designed to honor members of the United States Armed Forces who are
20 missing in action. The spouse of such missing person, if the spouse
21 has not since remarried, or if remarried, the remarriage is
22 terminated by death, divorce, or annulment, and each parent of the
23 missing person may apply for a missing in action license plate upon

1 presenting proper certification that the person is missing in action
2 and that the person making the application is the qualifying spouse
3 or the parent of the missing person. The qualifying spouse and each
4 parent of the missing person may each apply for the missing in
5 action license plate for each vehicle with a rated carrying capacity
6 of one (1) ton or less;

7 7. Purple Heart Recipient License Plates - such plates shall be
8 designed for any resident of this state presenting proper
9 certification from the United States Department of Veterans Affairs
10 or the Armed Forces of the United States certifying that such
11 resident has been awarded the Purple Heart military decoration.
12 Such persons may apply for a Purple Heart recipient license plate
13 for vehicles having a rated carrying capacity of one (1) ton or
14 less. The surviving spouse of any deceased veteran who has been
15 awarded the Purple Heart military decoration, if such spouse has not
16 since remarried, or if remarried, the remarriage has been terminated
17 by death, divorce or annulment, may apply for such plate for one
18 vehicle with a rated carrying capacity of one (1) ton or less;

19 8. Pearl Harbor Survivor License Plates - such plates shall be
20 designed for any resident of this state who can be verified by the
21 United States Department of Veterans Affairs or the Armed Forces of
22 the United States as being:

- 1 a. a member of the United States Armed Forces on December
2 7, 1941,
3 b. stationed on December 7, 1941, during the hours of
4 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor,
5 the island of Oahu, or offshore at a distance not to
6 exceed three (3) miles, and
7 c. a recipient of an honorable discharge from the United
8 States Armed Forces.

9 Such person may apply for a Pearl Harbor Survivor license plate
10 for each vehicle with a rated carrying capacity of one (1) ton or
11 less;

12 9. Iwo Jima License Plates - such plates shall be designed for
13 any resident of this state who can be verified by the United States
14 Department of Veterans Affairs or the Armed Forces of the United
15 States as being:

- 16 a. a member of the United States Armed Forces in February
17 of 1945,
18 b. stationed in February of 1945 on or in the immediate
19 vicinity of the island of Iwo Jima, and
20 c. a recipient of an honorable discharge from the United
21 States Armed Forces.

22 Such person may apply for an Iwo Jima license plate for each
23 vehicle with a rated carrying capacity of one (1) ton or less.

1 Such license plate shall have the legend "Oklahoma OK" and shall
2 contain three letters and three numbers. Between the letters and
3 numbers shall be a logo of the flag-raising at Iwo Jima. Below the
4 letters, logo and numbers, the plate shall contain the words "FEB."
5 at the left, "Iwo Jima" in the center and "1945" at the right. Such
6 plates shall not be subject to the design requirements of any other
7 license plates prescribed by law other than the space for the
8 placement of the yearly decals for each succeeding year of
9 registration after the initial issue;

10 10. D-Day Survivor License Plates - such plates shall be
11 designed for any resident of this state who can be verified by the
12 United States Department of Veterans Affairs or the Armed Forces of
13 the United States as being:

- 14 a. a member of the United States Armed Forces on June 6,
15 1944,
16 b. a participant in the Allied invasion of the coast of
17 Normandy on June 6, 1944; provided, if such
18 participation cannot be verified by the United States
19 Department of Veterans Affairs or the Armed Forces of
20 the United States, the Tax Commission may, in its
21 discretion, accept evidence of such participation from
22 the person applying for the license plate, and

1 c. a recipient of an honorable discharge from the United
2 States Armed Forces.

3 Such person may apply for a D-Day Survivor license plate for
4 each vehicle with a rated carrying capacity of one (1) ton or less;

5 11. Killed in Action License Plates - such plates shall be
6 designed to honor members of the United States Armed Forces who were
7 killed in action. The spouse of the deceased person, if the spouse
8 has not remarried, or if remarried, the remarriage is terminated by
9 death, divorce, or annulment, may apply for a killed in action
10 license plate upon presenting proper certification that the person
11 was killed in action and that the person making the application is
12 the qualifying spouse of the deceased person. The qualifying spouse
13 may apply for a killed in action license plate for no more than two
14 vehicles with each vehicle with a rated carrying capacity of one (1)
15 ton or less. The fee provided by this section for the special
16 license plate authorized by this paragraph shall be in addition to
17 all other registration fees provided by law, except the registration
18 fees levied by Section 1132 of this title;

19 12. Gold Star Parents License Plates - such plates shall be
20 designed to honor members of the United States Armed Forces who were
21 killed during a war. The parents of the deceased person may apply
22 for a gold star license plate upon presenting proper certification
23 that the person was killed during a war and that the person making

1 the application is the parent of the deceased person. The parent
2 may apply for a gold star parent license plate for no more than two
3 vehicles with each vehicle having a rated carrying capacity of one
4 (1) ton or less. The fee provided by this section for the special
5 license plate authorized by this paragraph shall be in addition to
6 all other registration fees provided by law, except the registration
7 fees levied by Section 1132 of this title;

8 13. Military Decoration License Plates - such plates shall be
9 designed for any resident of this state who has been awarded the
10 Distinguished Service Medal, the Distinguished Service Cross, the
11 Distinguished Flying Cross, the Bronze Star military decoration or
12 the Silver Star military decoration. Such persons may apply for a
13 military decoration license plate for each vehicle with a rated
14 carrying capacity of one (1) ton or less;

15 14. Vietnam Veteran License Plates - such plates shall be
16 designed for honorably discharged or present members of the United
17 States Armed Forces who served in the Vietnam Conflict. Such
18 persons may apply for a Vietnam veteran license plate for each
19 vehicle with a rated carrying capacity of one (1) ton or less;

20 15. Police Officer License Plates - such plates shall be
21 designed for any currently employed or retired municipal police
22 officer. Police officers may apply for police officer license
23 plates for vehicles with a rated capacity of one (1) ton or less

1 upon proof of employment by or retirement from a municipal police
2 department by either an identification card or letter from the chief
3 of the police department or the Oklahoma Police Pension and
4 Retirement Board. Retirees who are eligible for such plates shall
5 provide proof of eligibility upon initial application, but shall not
6 be required to provide proof of eligibility annually. The license
7 plates shall be designed in consultation with municipal police
8 departments of this state;

9 16. World War II Veteran License Plates - such plates shall be
10 designed to honor honorably discharged former members of the United
11 States Armed Forces who are residents of this state and who can be
12 verified by the Oklahoma Military Department, the Department of
13 Veterans Affairs or the Armed Forces of the United States as having
14 served on federal active duty anytime during the period from
15 September 16, 1940, to December 7, 1945. The former members may
16 apply for a World War II Veteran license plate for vehicles with a
17 rated carrying capacity of one (1) ton or less.

18 The license plate shall have the legend "Oklahoma" and shall
19 contain, in the center of the plate, either the Thunderbird Insignia
20 of the 45th Infantry Division in the prescribed red and gold
21 coloring or the emblem of the Army, Navy, Air Force, Marines or
22 Coast Guard according to the branch of service to which the member
23 belonged. For the purpose of license plate identification, the

1 plate shall contain four digits, two digits at the left and two
2 digits at the right of the insignia or emblem. Centered on the
3 bottom of the license plate shall be the words "WORLD WAR II";

4 17. Korean War Veteran License Plates - such plates shall be
5 designed to honor honorably discharged former members of the United
6 States Armed Forces who are residents of this state and who can be
7 verified by the Oklahoma Military Department, the Department of
8 Veterans Affairs or the Armed Forces of the United States as having
9 served on federal active duty anytime during the period from June
10 27, 1950, to January 31, 1955, both dates inclusive. The former
11 members may apply for a Korean War Veteran license plate for
12 vehicles with a rated carrying capacity of one (1) ton or less.

13 The license plate shall have the legend "OKLAHOMA" and shall
14 contain, in the center of the plate, either the Thunderbird Insignia
15 of the 45th Infantry Division in the prescribed red and gold
16 coloring or the emblem of the Army, Navy, Air Force, Marines or
17 Coast Guard according to the branch of service to which the member
18 belonged. For the purpose of license plate identification, the
19 plate shall contain four digits, two digits at the left and two
20 digits at the right of the insignia or emblem. Centered on the
21 bottom of the license plate shall be the word "KOREA";

22 18. Municipal Official License Plates - such plates shall be
23 designed for persons elected to a municipal office in this state and

1 shall designate the name of the municipality and the district or
2 ward in which the municipal official serves. The plates shall only
3 be produced upon application;

4 19. Red Cross Volunteer License Plates - such plates shall be
5 designed to honor American Red Cross volunteers and staff who are
6 residents of this state. Such persons must present an
7 identification card issued by the American Red Cross and bearing a
8 photograph of the person. The license plate shall be designed with
9 the assistance of the American Red Cross and shall have the legend
10 "Oklahoma OK!" in the color Pantone 186C Red. Below the legend the
11 symbol of the American Red Cross and no more than three letters and
12 three numbers shall be in the color Pantone 186C Red. Below the
13 symbol and letters and numbers shall be the words "American Red
14 Cross" in black. The plates shall not be subject to the design
15 requirements of any other license plates prescribed by law other
16 than the space for the placement of the yearly decals for each
17 succeeding year of registration after the initial issue;

18 20. Veterans of Foreign Wars License Plates - such plates shall
19 be designed to honor the veterans of foreign wars and issued to any
20 resident of this state who is a member of a Veterans of Foreign Wars
21 organization in this state. Such persons may apply for Veterans of
22 Foreign Wars license plates upon proof of membership in a Veterans

1 of Foreign Wars organization. The license plate shall be designed
2 in consultation with the Veterans of Foreign Wars organization;

3 21. Desert Storm License Plates - such plates shall be designed
4 and issued to any honorably discharged or present member of the
5 United States Armed Forces who served in the Persian Gulf Crisis and
6 the Desert Storm operation. Such persons may apply for a Desert
7 Storm license plate for each vehicle with a rated carrying capacity
8 of one (1) ton or less;

9 22. Military Reserve Unit License Plates - such plates shall be
10 designed and issued to any honorably discharged or present member of
11 a reserve unit of the United States Armed Forces. Such persons may
12 apply for a Military Reserve Unit license plate for each vehicle
13 with a rated carrying capacity of one (1) ton or less;

14 23. Oklahoma City Bombing Victims and Survivors License Plates
15 - such plates shall be designed and issued to any victim or survivor
16 of the bombing attack on the Alfred P. Murrah Federal Building in
17 downtown Oklahoma City on April 19, 1995;

18 24. Civil Air Patrol License Plates - such plates shall be
19 designed and issued to any person who is a member of the Civil Air
20 Patrol. Such persons may apply for a Civil Air Patrol license plate
21 for each vehicle with a rated carrying capacity of one (1) ton or
22 less upon proof of membership in the Civil Air Patrol. The license
23 plate shall be designed in consultation with the Civil Air Patrol;

1 25. Ninety-Nines License Plates - such plates shall be designed
2 and issued to members of the Ninety-Nines. Persons applying for
3 such license plate must show proof of membership in the Ninety-
4 Nines. The license plates shall be designed in consultation with
5 the Ninety-Nines;

6 26. Combat Infantryman Badge License Plates - such plates shall
7 be designed to honor recipients of the Combat Infantryman Badge.
8 The plate shall have the legend "Oklahoma OK". Below the legend
9 shall be the Combat Infantryman Badge and three numbers. Below the
10 badge and the numbers shall be the words "Combat Infantryman Badge".
11 Such persons may apply for a Combat Infantryman Badge license plate
12 for each vehicle with a rated carrying capacity of one (1) ton or
13 less;

14 27. Somalia Combat Veterans License Plates - such plates shall
15 be designed and issued to any honorably discharged or present member
16 of the United States Armed Forces who saw combat in the United
17 Nations relief effort. Such persons may apply for a Somalia Combat
18 Veteran license plate for each vehicle with a rated carrying
19 capacity of one (1) ton or less;

20 28. Police Chaplain License Plates - such plates shall be
21 designed and issued to members of the International Conference of
22 Police Chaplains (ICPC) who have completed the ICPC requirements for

1 basic certification as a police chaplain. The license plates shall
2 be designed in consultation with the ICPC;

3 29. Joint Service Commendation Medal License Plates - such
4 plates shall be designed and issued to any resident of this state
5 who has been awarded the Joint Service Commendation Medal by the
6 United States Secretary of Defense;

7 30. Merchant Marine License Plates - such plates shall be
8 designed, subject to criteria to be presented to the Tax Commission
9 by the Oklahoma Department of Veterans Affairs, and issued to any
10 person who during combat was a member of the Merchant Marines as
11 certified by the Oklahoma Department of Veterans Affairs. Such
12 license plate may be issued for each vehicle with a rated carrying
13 capacity of one (1) ton or less;

14 31. Legislative License Plates - such plates shall be designed
15 for persons elected to the Oklahoma Legislature and shall designate
16 the house of the Legislature in which the legislator serves and the
17 district number;

18 32. Disabled Veterans License Plates - such plates shall be
19 designed for persons presenting proper certification from the United
20 States Department of Veterans Affairs or the Armed Forces of the
21 United States certifying such veteran has a service-connected
22 disability rating of fifty percent (50%) or more, regardless which
23 agency pays the disability benefits, or that such veteran has been

1 awarded a vehicle by the United States government or receives a
2 grant from the United States Department of Veterans Affairs for the
3 purchase of an automobile due to a service-connected disability
4 rating or due to the loss of use of a limb or an eye. Such persons
5 may apply to the Tax Commission for a disabled veterans license
6 plate or to a motor license agent for a regular license plate for no
7 more than two vehicles with each vehicle having a rated carrying
8 capacity of one (1) ton or less. The surviving spouse of any
9 deceased disabled veteran, if the spouse has not since remarried, or
10 if remarried, the remarriage is terminated by death, divorce, or
11 annulment, may apply for a disabled veterans license plate for one
12 vehicle with a rated carrying capacity of one (1) ton or less. The
13 fee provided by this section for the special license plate
14 authorized by this paragraph shall be in addition to all other
15 registration fees provided by law, except the registration fees
16 levied by Section 1132 of this title.

17 If the person qualifies for a disabled veterans license plate
18 and is also eligible for an insignia as a physically disabled person
19 under the provisions of Section 15-112 of this title, the person
20 shall be eligible to receive a disabled veterans license plate that
21 also displays the international accessibility symbol, which is a
22 stylized human figure in a wheelchair. Upon the death of the
23 disabled veteran with a disabled veterans license plate with the

1 international accessibility symbol, the plate shall be returned to
2 the Tax Commission;

3 33. United States Air Force Association License Plates - such
4 plates shall be designed for members of the United States Air Force
5 Association. Persons applying for such license plate must show
6 proof of membership in the Association. The license plates shall be
7 designed in consultation with the Association;

8 34. Oklahoma Military Academy Alumni License Plates - such
9 plates shall be designed and issued to any resident of this state
10 who is an alumnus of the Oklahoma Military Academy. Such persons
11 may apply for an Oklahoma Military Academy Alumnus license plate for
12 each vehicle with a rated carrying capacity of one (1) ton or less.
13 The license plates shall be designed in consultation with the
14 Oklahoma Military Academy and shall contain the shield of the
15 Academy;

16 35. Amateur Radio Operator License Plates - such plates shall
17 be designed and issued to any person, holding a valid operator's
18 license, technician class or better, issued by the Federal
19 Communications Commission, and who is also the owner of a motor
20 vehicle currently registered in Oklahoma, in which has been
21 installed amateur mobile transmitting and receiving equipment.
22 Eligible persons shall be entitled to two special vehicle
23 identification plates as herein provided. Application for such

1 identification plates shall be on a form prescribed by the Oklahoma
2 Tax Commission and the plates issued to such applicant shall have
3 stamped thereon the word "Oklahoma" and bear the official call
4 letters of the radio station assigned by the Federal Communications
5 Commission to the individual amateur operator thereof. All
6 applications for such plates must be made to the Oklahoma Tax
7 Commission on or before the first day of October of any year for
8 such plates for the following calendar year and must be accompanied
9 by the fee required in this section together with a certificate, or
10 such other evidence as the Tax Commission may require, of proof that
11 applicant has a valid technician class or better amateur operator's
12 license and proof of his ownership of a vehicle in which radio
13 receiving and transmitting equipment is installed. Applicants shall
14 only be entitled to one set of special identification plates in any
15 one (1) year, and such calendar year shall be stamped thereon. The
16 right to such special identification plates herein provided for
17 shall continue until the amateur radio operator's license of the
18 person to whom such plates are issued expires or is revoked;

19 36. American Legion License Plates - such plates shall be
20 designed for members of the American Legion. Persons applying for
21 such license plate must show proof of membership. The license
22 plates shall be designed in consultation with the American Legion of
23 Oklahoma;

1 37. Deputy Sheriff License Plates - such plates shall be
2 designed for any currently employed or retired county sheriff or
3 deputy sheriff. County sheriffs or deputy sheriffs may apply for
4 such plates for vehicles with a rated capacity of one (1) ton or
5 less upon proof of employment by or retirement from a county
6 sheriff's office by either an identification card or letter from the
7 county sheriff or a government-sponsored retirement board from which
8 the county sheriff or deputy sheriff may be receiving a pension.
9 Retirees who are eligible for such plates shall provide proof of
10 eligibility upon initial application, but shall not be required to
11 provide proof of eligibility annually. The license plates shall be
12 designed in consultation with the county sheriff offices of this
13 state; ~~and~~

14 38. Surviving Spouse License Plates - such plates shall be
15 designed for any resident of this state who is the surviving spouse
16 of an honorably discharged veteran who died due to or as a
17 consequence of a service-connected disability. Such surviving
18 spouse may, if not since remarried, or if remarried, the remarriage
19 is terminated by death, divorce or annulment, apply for a Surviving
20 Spouse license plate for one vehicle with a rated carrying capacity
21 of one (1) ton or less; and

22 39. 180th Infantry National Guard License Plates - such plates
23 shall be designed in consultation with the 180th Infantry

1 Association for any resident of this state who is a current or
2 former member of the 180th Infantry National Guard. Persons
3 applying for such license plate must show proof of present or past
4 membership in the 180th Infantry National Guard by presenting a copy
5 of their service record or a memo from the 180th Infantry
6 Association verifying service.

7 C. Unless otherwise provided by this section, the fee for such
8 plates shall be Eight Dollars (\$8.00) and shall be in addition to
9 all other registration fees provided by the Oklahoma Vehicle License
10 and Registration Act. Such fees shall be deposited in the Oklahoma
11 Tax Commission Reimbursement Fund to be used for the administration
12 of the Oklahoma Vehicle License and Registration Act.

13 SECTION 2. This act shall become effective November 1, 2006.

14 COMMITTEE REPORT BY: COMMITTEE ON FINANCE, dated 2-7-06 - DO PASS,
15 As Amended and Coauthored.