

3 **Senate Bill No. 611**
4 **As Amended**

5 SENATE BILL NO. 611 - By: WILLIAMSON of the Senate and WRIGHT of the
6 House.

7 **[motor vehicles - Compulsory Insurance Law and license**
8 **plates and decals - effective date]**

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

10 SECTION 1. AMENDATORY 47 O.S. 2001, Section 7-601.1, is
11 amended to read as follows:

12 Section 7-601.1 A. Every carrier, upon issuing an owner's
13 policy, a renewal thereof, or a binder, shall supply a security
14 verification form in duplicate to an owner for each insured vehicle
15 on a form approved by the Insurance Commissioner.

16 1. The owner's security verification form shall contain the
17 following minimum information:

- 18 a. the name and address of the carrier,
19 b. the name and address of the agent or office where the
20 existence of security may be verified, if other than
21 the carrier,
22 c. the name of the named insured,

- 1 d. a notice that an owner's liability insurance policy
2 has been issued pursuant to the Compulsory Insurance
3 Law of this state,
4 e. the year of manufacture, make and at least the last
5 three (3) digits of the vehicle identification number
6 of each insured motor vehicle,
7 f. the inclusive dates the motor vehicle liability
8 insurance is in effect, and
9 g. a warning to the owner that state law:
10 (1) requires a current copy of the owner's security
11 verification form must be surrendered to the
12 motor license agent or other registering agency
13 upon application or renewal for a motor vehicle
14 license plate,
15 (2) requires the other copy of the owner's security
16 verification form to be carried in the motor
17 vehicle at all times, and produced by any driver
18 of the vehicle upon request for inspection by any
19 peace officer or representative of the Department
20 of Public Safety. In case of a collision, the
21 security verification form shall be shown upon
22 request of any person affected by the collision.

1 The security verification form shall not include the address of the
2 named insured.

3 2. The owner's security verification form shall contain the
4 following statement: "Examine policy exclusions carefully. This
5 form does not constitute any part of your insurance policy."

6 3. When a carrier issues an owner's policy providing blanket
7 liability coverage for a fleet of motor vehicles, the year of
8 manufacture, make and at least the last three (3) digits of the
9 vehicle identification number specified in subparagraph e of
10 paragraph 1 of this subsection may be deleted. The security
11 verification form shall bear the term "Fleet Coverage" and otherwise
12 meet the provisions of Section 7-600 et seq. of this title.

13 4. In the event the effective dates within an owner's policy
14 exceed one (1) year, the carrier shall furnish the owner a copy of
15 the owner's security verification form at least annually in addition
16 to the time of issuance or renewal in order for the owner to submit
17 such copy for motor vehicle registration purposes.

18 5. In the event an owner's policy also provides liability
19 coverage which meets the requirements of an operator's policy, the
20 carrier may also issue to each person entitled thereto an operator's
21 security verification form as provided in this section.

22 B. Every carrier, upon issuing an owner's policy, a renewal
23 thereof, or a binder, shall also issue a decal to an owner for each

1 insured vehicle that shall be affixed to the license plate of the
2 insured vehicle by the owner upon receiving the decal from the
3 carrier. The decal shall have the inclusive dates for which the
4 policy is in effect for the owner's liability insurance policy
5 pursuant to the Compulsory Insurance Law of this state. The design
6 of the decal shall be as the Insurance Commissioner, with the
7 concurrence of the Department of Public Safety, by joint rule, may
8 direct, but shall meet the requirements as provided for yearly
9 decals in subsection A of Section 1113 of this title.

10 C. Every carrier, upon issuing an operator's policy, a renewal
11 thereof, or a binder, may issue to the insured person a written
12 operator's security verification form of a size which may
13 conveniently be carried upon the person, containing the following
14 minimum information:

- 15 1. The name and address of the carrier;
- 16 2. The name and address of the person or office where an
17 inquiry may be made to verify the existence of security;
- 18 3. The name of the named insured;
- 19 4. A notice that in accordance with the Compulsory Insurance
20 Law of this state, liability coverage has been issued for the named
21 insured;
- 22 5. A statement reflecting the form may be carried in lieu of
23 an owner's form pursuant to the Compulsory Insurance Law while

1 operating a motor vehicle. Such form shall be produced upon request
2 of any peace officer or representative of the Department of Public
3 Safety. In case of a collision, the form shall be shown upon
4 request of a person affected by a collision with a vehicle operated
5 by the insured; and

6 6. The inclusive dates of liability coverage.

7 ~~C.~~ D. A carrier may provide any additional information
8 consistent with the Compulsory Insurance Law of this state in an
9 owner's or operator's security verification form, but shall not be
10 required to list the actual amounts of liability coverage thereon.
11 The security verification form shall not constitute nor be construed
12 as any part of an insurance policy, renewal or binder.

13 SECTION 2. AMENDATORY 47 O.S. 2001, Section 1113, as
14 last amended by Section 4, Chapter 534, O.S.L. 2004 (47 O.S. Supp.
15 2004, Section 1113), is amended to read as follows:

16 Section 1113. A. 1. Upon the filing of a registration
17 application and the payment of the fees provided for in the Oklahoma
18 Vehicle License and Registration Act, the Oklahoma Tax Commission
19 shall assign to the vehicle described in the application a
20 distinctive number, and issue to the owner of the vehicle a
21 certificate of registration, one license plate and a yearly decal.
22 For each subsequent registration year, the Tax Commission shall
23 issue a yearly decal to be affixed to the license plate. The yearly

1 decal shall have an identification number and the last two numbers
2 of the registration year for which it shall expire. Except as
3 provided by Section 1113A of this title, the license plate shall be
4 affixed to the exterior of the vehicle until a replacement license
5 plate is applied for. If the owner applies for a replacement
6 license plate, the Tax Commission shall charge the fee provided for
7 in Section 1114 of this title. The yearly decal will validate the
8 license plate for each registration period other than the year the
9 license plate is issued. The license plate and decal shall be of
10 such size, color, design and numbering as the Tax Commission may
11 direct. However, yearly decals issued to the owner of a vehicle who
12 has filed an affidavit with the appropriate motor license agent in
13 accordance with Section 7-607 of this title shall be a separate and
14 distinct color from all other decals issued under this section.

15 2. The license plate shall be securely attached to the rear of
16 the vehicle, except truck-tractor plates which shall be attached to
17 the front of the vehicle. The Tax Commission may, with the
18 concurrence of the Department of Public Safety, by Joint Rule,
19 change and direct the manner, place and location of display of any
20 vehicle license plate when such action is deemed in the public
21 interest. The license plate, ~~decal~~ all decals required to be
22 displayed and all letters and numbers shall be clearly visible at
23 all times. The operation of a vehicle in this state, regardless of

1 where such vehicle is registered, upon which the license plate is
2 covered, overlaid or otherwise screened with any material, whether
3 such material be clear, translucent, tinted or opaque, shall be a
4 violation of this paragraph.

5 3. Upon payment of the annual registration fee provided in
6 Section 1133 of this title, the Tax Commission or a motor license
7 agent may issue a permanent nonexpiring license plate to an owner of
8 one hundred or more commercial motor vehicles and for vehicles
9 registered under the provisions of Section 1120 of this title. Upon
10 payment of the annual registration fee, the Tax Commission shall
11 issue a certificate of registration that shall be carried at all
12 times in the vehicle for which it is issued. Provided, if the
13 registrant submits its application through electronic means, such
14 qualified owners of one hundred or more commercial motor vehicles,
15 properly registered pursuant to the provisions of Section 1133 of
16 this title, may elect to receive a permanent certificate of
17 registration that shall be carried at all times in the vehicle for
18 which it is issued.

19 B. The license plates required under the provisions of this
20 title shall conform to the requirements and specifications listed
21 hereinafter:

1 1. Each license plate shall have a space for the placement of
2 the yearly decals or any other decals required to be displayed for
3 each succeeding year of registration after the initial issue;

4 2. The provisions of the Oklahoma Vehicle License and
5 Registration Act regarding the issuance of yearly decals shall not
6 apply to the issuance of apportioned license plates, including
7 license plates for state vehicles, and exempt plates for
8 governmental entities and fire departments organized pursuant to
9 Section 592 of Title 18 of the Oklahoma Statutes;

10 3. Within the limits herein prescribed the Tax Commission shall
11 redesign the official vehicle license plates which currently bear
12 the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute
13 therefor the legend "Oklahoma Native America" as further described
14 in this paragraph. Except for personalized license plates and
15 license plates issued for motorcycles and mopeds, the emblem on the
16 state flag of Oklahoma as provided for in Section 91 of Title 25 of
17 the Oklahoma Statutes shall be a part of all license plates issued
18 after December 31, 1988. The Tax Commission may continue to issue
19 license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"
20 until any inventory of such license plates is depleted but the Tax
21 Commission shall not produce or cause to be produced any additional
22 license plates with these legends. Except for personalized license
23 plates, license plates issued for commercial vehicles, and license

1 plates issued for motorcycles and mopeds, the "Oklahoma Native
2 America" emblem shall be a part of all license plates issued after
3 December 31, 1993. The specifications for lettering style and
4 appearance for the legend "Oklahoma Native America" shall be
5 provided to the Tax Commission by the Oklahoma Tourism and
6 Recreation Department. The license plates shall be issued with the
7 letters and numerals in the colors of green and white. All license
8 plates and required decals shall be made with reflectorized material
9 as a background to the letters, numbers and characters impressed
10 thereon. The reflectorized material shall be of such a nature as to
11 provide effective and dependable brightness during the service
12 period for which the license plate or decal is issued;

13 4. Except as otherwise provided in this subsection, the Tax
14 Commission shall design appropriate official license plates for all
15 state vehicles. Such license plates shall be permanent in nature
16 and designed in such manner as to remain with the vehicle for the
17 duration of the vehicle's life span or until the title is
18 transferred to a nongovernmental owner;

19 5. Within the limits prescribed in this section, the Tax
20 Commission shall design appropriate official license plates for
21 vehicles of the Oklahoma Highway Patrol. The license plates shall
22 have the legend "Oklahoma OK" and shall contain the letters "OHP"
23 followed by the state seal and the badge number of the Highway

1 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
2 Highway Patrol" shall also be included on such license plates; and

3 6. Within the limits prescribed in this section, the Tax
4 Commission shall design appropriate official license plates for
5 vehicles of the Oklahoma Military Department. Such license plates
6 shall have the legend "Oklahoma OK" and shall contain the letters
7 "OMD" followed by the state seal and three numbers or letters as
8 designated by the Adjutant General. The words "Oklahoma Military
9 Department" shall also be included on such license plates.

10 C. Where the applicant has satisfactorily shown that the
11 applicant owns the vehicle sought to be registered but is unable to
12 produce documentary evidence of the ownership, a license plate may
13 be issued upon approval by the Tax Commission. In such instances
14 the reason for not issuing a certificate of title shall be indicated
15 on the receipt given to the applicant. It shall still be the duty
16 of the applicant to immediately take all necessary steps to obtain
17 the Oklahoma certificate of title and it shall be unlawful for the
18 applicant to sell the vehicle until the certificate has been
19 obtained in the applicant's name.

20 D. The certificate of registration provided for in this section
21 shall be in convenient form, and the certificate of registration, or
22 a certified copy or photostatic copy thereof, duly authenticated by
23 the Tax Commission, shall be carried at all times in or upon

1 commercial vehicles so registered, in such manner as to permit a
2 ready examination thereof upon demand by any peace officer of the
3 state or duly authorized employee of the Department of Public
4 Safety. Any such officer or agent may seize and hold such
5 commercial vehicle when the operator of the same does not have the
6 registration certificate in the operator's possession or when any
7 such officer or agent determines that the registration certificate
8 has been obtained by misrepresentation of any essential or material
9 fact or when any number or identifying information appearing on such
10 certificate has been changed, altered, obliterated or concealed in
11 any way, until the proper registration or identification of such
12 vehicle has been made or produced by the owner thereof.

13 E. The purchaser of a new or used manufactured home shall,
14 within thirty (30) days of the date of purchase, register the home
15 with the Tax Commission or a motor license agent pursuant to the
16 provisions of Section 1117 of this title. For a new manufactured
17 home, it shall be the responsibility of the dealer selling the home
18 to place a temporary license plate on the home in the same manner as
19 provided in Section 1128 of this title for other new motor vehicles.
20 For the first year that any manufactured home is registered in this
21 state, the Tax Commission shall issue a metal license plate which
22 shall be affixed to the manufactured home. The temporary dealer
23 license plate or the metal license plate shall be displayed on the

1 manufactured home at all times when upon a public roadway; provided,
2 a repossession affidavit issued pursuant to Sections 1110 and 1126
3 of this title shall be permissible in lieu of a current license
4 plate and decal for the purposes of removing a repossessed
5 manufactured home to a secure location. Manufactured homes
6 previously registered and subject to ad valorem taxation as provided
7 by law shall have a decal affixed at the time ad valorem taxes are
8 paid for such manufactured home; provided, for a manufactured home
9 permanently affixed to real estate, no decal or license plate shall
10 be required to be affixed and the owner thereof shall be given a
11 receipt upon payment of ad valorem taxes due on the home. The Tax
12 Commission shall make sufficient plates and decals available to the
13 various motor license agents of the state in order for an owner of a
14 manufactured home to acquire the plate or decal. A One Dollar
15 (\$1.00) fee shall be charged for issuance of any plate or decal.
16 The fee shall be apportioned each month to the General Revenue Fund
17 of the State Treasury.

18 F. The manufactured home license plate shall be designed so
19 that it is easily visible for purposes of verification by a county
20 assessor that the manufactured home is properly assessed for ad
21 valorem taxation. The plate shall be designed for a yearly decal.
22 In the first year of registration, a decal shall be issued for
23 placement on the license plate indicating payment of applicable

1 registration fees and excise taxes. In the second and all
2 subsequent years for which the manufactured home is subject to ad
3 valorem taxation, an annual decal shall be affixed to the license
4 plate as evidence of payment of ad valorem taxes. The Tax
5 Commission shall issue decals to the various county treasurers of
6 the state in order for a manufactured home owner to obtain such
7 decal each year. Upon presentation of a valid ad valorem tax
8 receipt, the manufactured home owner shall be issued the annual
9 decal.

10 G. Upon the registration of a manufactured home in this state
11 for the first time or upon discovery of a manufactured home
12 previously registered within this state for which the information
13 required by this subsection is not known, the Tax Commission shall
14 obtain:

- 15 1. The name of the owner of the manufactured home;
- 16 2. The serial number or identification number of the
17 manufactured home;
- 18 3. A legal description or address of the location for the home;
- 19 4. The actual retail selling price of the manufactured home
20 excluding Oklahoma taxes;
- 21 5. The certificate of title number for the home; and
- 22 6. Any other information which the Tax Commission deems to be
23 necessary.

1 The application for registration shall also include the school
2 district in which the manufactured home is located or is to be
3 located. The information shall be entered into a computer data
4 system which shall be used by the Tax Commission to provide
5 information to county assessors upon request by the assessor. The
6 assessor may request any information from the system in order to
7 properly assess a manufactured home for ad valorem taxation.

8 SECTION 3. This act shall become effective November 1, 2005.

9 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 2-21-05
10 - DO PASS, As Amended and Coauthored.