

1 ENGROSSED SENATE AMENDMENTS
TO
2 ENGROSSED HOUSE
BILL NO. 3326

By: Miller of the House

and

Jolley of the Senate

8 An Act relating to motor vehicles; directing reissue
9 of certain redesigned license plate; providing for
10 certain apportionment; requiring reissue of license
11 plates; authorizing promulgation of rules; providing
12 certain procedures; specifying certain construction
design and materials requirements; allowing for
certain future reissue; providing for codification;
providing an effective date; and declaring an
emergency.

14 AMENDMENT NO. 1. Page 1, line 22, after the word "the" and
15 before the word "Oklahoma" insert the words
16 "Oklahoma Department of Tourism and
17 Recreation with the approval of the
Department of Public Safety in accordance
with the report of the"

18 AMENDMENT NO. 2. Page 4, line 13, delete the number "seven
(7)" and insert the number "five (5)"

19 AMENDMENT NO. 3. Page 4, line 15 1/2, insert a new Section 2
and Section 3 to read

20 "SECTION 2. AMENDATORY Section 1, Chapter 322, O.S.L.
21 2006, as amended by Section 14, Chapter 326, O.S.L. 2007 (47 O.S.
22 Supp. 2007, Section 7-600.2), is amended to read as follows:
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1 Section 7-600.2 A. The Department of Public Safety shall
2 promulgate and adopt rules for an online verification system for
3 motor vehicle insurance or bond as required by the Compulsory
4 Insurance Law, subject to the following:

5 1. The Department shall cooperate with the Oklahoma Tax
6 Commission in the development of the verification system;

7 2. The verification system shall be accessible through the
8 Internet, World Wide Web or a similar proprietary or common carrier
9 electronic system by authorized personnel of the Department, the
10 Oklahoma Tax Commission, the courts, law enforcement personnel, and
11 any other entities authorized by the Department;

12 3. The verification system shall provide for direct inquiry and
13 response between the Department and insurance carriers and direct
14 access to insurers' records by personnel authorized by the
15 Department;

16 4. The verification system shall be available twenty-four (24)
17 hours a day to verify the insurance status of any vehicle registered
18 in this state through the vehicle's identification number, policy
19 number, registered owner's name or other identifying characteristic
20 or marker as prescribed by the Department in its rules;

21 5. The Department shall conduct a pilot project to test the
22 system prior to statewide use;

23 6. The verification system shall be installed and operational
24 no later than July 1, 2008, following an appropriate testing period

1 and after December 31, 2009, the verification system shall be
2 installed and operational through the Internet as a web-based portal
3 system;

4 7. The Department may contract with a private vendor to assist
5 in establishing and maintaining the verification system;

6 8. The verification system shall include appropriate
7 provisions, consistent with industry standards, to secure its data
8 against unauthorized access and to maintain a record of all
9 information requests;

10 9. Information contained in the verification system shall not
11 be considered a public record; and

12 10. Any law enforcement officer, during a traffic stop or
13 accident investigation, may access information from the online
14 verification system to establish compliance with the Compulsory
15 Insurance Law and to verify the current validity of the policy
16 described on a security verification form and produced by the
17 operator of a motor vehicle during the traffic stop or accident
18 investigation.

19 B. This section shall not apply to a policy issued pursuant to
20 paragraph 3 of subsection A of Section 7-601.1 of this title or
21 paragraph 3 of subsection A of Section 7-602 of this title to insure
22 a commercial motor vehicle.

23 C. Insurance carriers shall cooperate with the Department in
24 establishing and maintaining the insurance verification system and

1 shall provide access to motor vehicle insurance policy status
2 information as provided in the Department's rules.

3 D. The Department of Tourism and Recreation shall cooperate
4 with the Department of Public Safety to assure any license plate
5 designs which are created in consultation with their Department
6 shall incorporate features which assist in the effective
7 implementation of the online verification system.

8 SECTION 3. AMENDATORY 47 O.S. 2001, Section 1113, as
9 last amended by Section 4, Chapter 284, O.S.L. 2005 (47 O.S. Supp.
10 2007, Section 1113), is amended to read as follows:

11 Section 1113. A. 1. Except for all-terrain vehicles and
12 motorcycles used exclusively off roads and highways, upon the filing
13 of a registration application and the payment of the fees provided
14 for in the Oklahoma Vehicle License and Registration Act, the
15 Oklahoma Tax Commission or Corporation Commission, as applicable,
16 shall assign to the vehicle described in the application a
17 distinctive number, and issue to the owner of the vehicle a
18 certificate of registration, one license plate and a yearly decal.
19 The Oklahoma Tax Commission shall assign an all-terrain vehicle or
20 motorcycle used exclusively off roads and highways a distinctive
21 number and issue to the owner a certificate of registration and a
22 decal but not a license plate. For each subsequent registration
23 year, the Tax Commission shall issue a yearly decal to be affixed to
24 the license plate, except for an all-terrain vehicle or motorcycle

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

21 2. The license plate shall be securely attached to the rear of
22 the vehicle, except truck-tractor plates which shall be attached to
23 the front of the vehicle. The Tax Commission may, with the
24 concurrence of the Department of Public Safety, by Joint Rule,

1 change and direct the manner, place and location of display of any
2 vehicle license plate when such action is deemed in the public
3 interest. The license plate, decal and all letters and numbers
4 shall be clearly visible at all times. The operation of a vehicle
5 in this state, regardless of where such vehicle is registered, upon
6 which the license plate is covered, overlaid or otherwise screened
7 with any material, whether such material be clear, translucent,
8 tinted or opaque, shall be a violation of this paragraph.

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

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1 4. Every vehicle owned by an agency of this state shall be
2 exempt from the payment of registration fees required by this title.
3 Provided, such vehicle shall be registered and shall otherwise
4 comply with the provisions of the Oklahoma Vehicle License and
5 Registration Act.

6 B. The license plates required under the provisions of this
7 title shall conform to the requirements and specifications listed
8 hereinafter:

9 1. Each license plate shall have a space for the placement of
10 the yearly decals for each succeeding year of registration after the
11 initial issue;

12 2. The provisions of the Oklahoma Vehicle License and
13 Registration Act regarding the issuance of yearly decals shall not
14 apply to the issuance of apportioned license plates, including
15 license plates for state vehicles, and exempt plates for
16 governmental entities and fire departments organized pursuant to
17 Section 592 of Title 18 of the Oklahoma Statutes;

18 3. Within the limits herein prescribed the Tax Commission shall
19 redesign the official vehicle license plates which currently bear
20 the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute
21 therefor the legend "Oklahoma Native America" as further described
22 in this paragraph. Except for personalized license plates and
23 license plates issued for motorcycles and mopeds, the emblem on the
24 state flag of Oklahoma as provided for in Section 91 of Title 25 of

1 the Oklahoma Statutes shall be a part of all license plates issued
2 after December 31, 1988. The Tax Commission may continue to issue
3 license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"
4 until any inventory of such license plates is depleted but the Tax
5 Commission shall not produce or cause to be produced any additional
6 license plates with these legends. Except for personalized license
7 plates, license plates issued for commercial vehicles, and license
8 plates issued for motorcycles and mopeds, the "Oklahoma Native
9 America" emblem shall be a part of all license plates issued after
10 December 31, 1993. The specifications for lettering style and
11 appearance for the legend "Oklahoma Native America" shall be
12 provided to the Tax Commission by the Oklahoma Tourism and
13 Recreation Department. The license plates shall be issued with the
14 letters and numerals in the colors of green and white. All license
15 plates and decals shall be made with reflectorized material as a
16 background to the letters, numbers and characters displayed thereon.
17 The reflectorized material shall be of such a nature as to provide
18 effective and dependable brightness during the service period for
19 which the license plate or decal is issued;

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

3 5. Within the limits prescribed in this section, the Tax
4 Commission shall design appropriate official license plates for
5 vehicles of the Oklahoma Highway Patrol. The license plates shall
6 have the legend "Oklahoma OK" and shall contain the letters "OHP"
7 followed by the state seal and the badge number of the Highway
8 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
9 Highway Patrol" shall also be included on such license plates; and

10 6. Within the limits prescribed in this section, the Tax
11 Commission shall design appropriate official license plates for
12 vehicles of the Oklahoma Military Department. Such license plates
13 shall have the legend "Oklahoma OK" and shall contain the letters
14 "OMD" followed by the state seal and three numbers or letters as
15 designated by the Adjutant General. The words "Oklahoma Military
16 Department" shall also be included on such license plates.

17 7. Within the limits prescribed in this section, the Department
18 of Tourism and Recreation shall design any license plates required
19 by the initiation of a license plate reissuance by the Oklahoma Tax
20 Commission at the request of the Department of Public Safety
21 pursuant to the provisions of Section 1 of this act. Any such new
22 designs shall be submitted by the Department of Tourism and
23 Recreation to the Department of Public Safety for its approval prior
24 to being issued by the Oklahoma Tax Commission.

1 C. Where the applicant has satisfactorily shown that the
2 applicant owns the vehicle sought to be registered but is unable to
3 produce documentary evidence of the ownership, a license plate may
4 be issued upon approval by the Tax Commission or Corporation
5 Commission, as applicable. In such instances the reason for not
6 issuing a certificate of title shall be indicated on the receipt
7 given to the applicant. It shall still be the duty of the applicant
8 to immediately take all necessary steps to obtain the Oklahoma
9 certificate of title and it shall be unlawful for the applicant to
10 sell the vehicle until the certificate has been obtained in the
11 applicant's name.

12 D. The certificate of registration provided for in this section
13 shall be in convenient form, and the certificate of registration, or
14 a certified copy or photostatic copy thereof, duly authenticated by
15 the Tax Commission or Corporation Commission, as applicable, shall
16 be carried at all times in or upon commercial vehicles so
17 registered, in such manner as to permit a ready examination thereof
18 upon demand by any peace officer of the state or duly authorized
19 employee of the Department of Public Safety. Any such officer or
20 agent may seize and hold such commercial vehicle when the operator
21 of the same does not have the registration certificate in the
22 operator's possession or when any such officer or agent determines
23 that the registration certificate has been obtained by
24 misrepresentation of any essential or material fact or when any

1 number or identifying information appearing on such certificate has
2 been changed, altered, obliterated or concealed in any way, until
3 the proper registration or identification of such vehicle has been
4 made or produced by the owner thereof.

5 E. The purchaser of a new or used manufactured home shall,
6 within thirty (30) days of the date of purchase, register the home
7 with the Tax Commission or a motor license agent pursuant to the
8 provisions of Section 1117 of this title. For a new manufactured
9 home, it shall be the responsibility of the dealer selling the home
10 to place a temporary license plate on the home in the same manner as
11 provided in Section 1128 of this title for other new motor vehicles.
12 For the first year that any manufactured home is registered in this
13 state, the Tax Commission shall issue a metal license plate which
14 shall be affixed to the manufactured home. The temporary dealer
15 license plate or the metal license plate shall be displayed on the
16 manufactured home at all times when upon a public roadway; provided,
17 a repossession affidavit issued pursuant to Sections 1110 and 1126
18 of this title shall be permissible in lieu of a current license
19 plate and decal for the purposes of removing a repossessed
20 manufactured home to a secure location. Manufactured homes
21 previously registered and subject to ad valorem taxation as provided
22 by law shall have a decal affixed at the time ad valorem taxes are
23 paid for such manufactured home; provided, for a manufactured home
24 permanently affixed to real estate, no decal or license plate shall

1 be required to be affixed and the owner thereof shall be given a
2 receipt upon payment of ad valorem taxes due on the home. The Tax
3 Commission shall make sufficient plates and decals available to the
4 various motor license agents of the state in order for an owner of a
5 manufactured home to acquire the plate or decal. A One Dollar
6 (\$1.00) fee shall be charged for issuance of any plate or decal.
7 The fee shall be apportioned each month to the General Revenue Fund
8 of the State Treasury.

9 F. The manufactured home license plate shall be designed so
10 that it is easily visible for purposes of verification by a county
11 assessor that the manufactured home is properly assessed for ad
12 valorem taxation. The plate shall be designed for a yearly decal.
13 In the first year of registration, a decal shall be issued for
14 placement on the license plate indicating payment of applicable
15 registration fees and excise taxes. In the second and all
16 subsequent years for which the manufactured home is subject to ad
17 valorem taxation, an annual decal shall be affixed to the license
18 plate as evidence of payment of ad valorem taxes. The Tax
19 Commission shall issue decals to the various county treasurers of
20 the state in order for a manufactured home owner to obtain such
21 decal each year. Upon presentation of a valid ad valorem tax
22 receipt, the manufactured home owner shall be issued the annual
23 decal.

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1 G. Upon the registration of a manufactured home in this state
2 for the first time or upon discovery of a manufactured home
3 previously registered within this state for which the information
4 required by this subsection is not known, the Tax Commission shall
5 obtain:

6 1. The name of the owner of the manufactured home;

7 2. The serial number or identification number of the
8 manufactured home;

9 3. A legal description or address of the location for the home;

10 4. The actual retail selling price of the manufactured home
11 excluding Oklahoma taxes;

12 5. The certificate of title number for the home; and

13 6. Any other information which the Tax Commission deems to be
14 necessary.

15 The application for registration shall also include the school
16 district in which the manufactured home is located or is to be
17 located. The information shall be entered into a computer data
18 system which shall be used by the Tax Commission to provide
19 information to county assessors upon request by the assessor. The
20 assessor may request any information from the system in order to
21 properly assess a manufactured home for ad valorem taxation."

22 and renumber subsequent sections

23 AMENDMENT NO. 4. Page 1, strike the title to read

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