

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 577

By: Aldridge of the Senate

and

Peterson (Ron) of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.
11 2001, Section 591.11, as last amended by Section 7,
12 Chapter 213, O.S.L. 2006 (47 O.S. Supp. 2006, Section
13 591.11), which relates to salvage pool sales;
14 modifying eligibility to participate; eliminating
15 identification cards; creating salvage vehicle
16 transaction fee; providing for calculation of fee;
17 providing procedures for payment of fee; requiring
18 maintenance of certain register; amending 47 O. S.
19 2001, Section 591.13, which relates to penalties for
20 violations of the Automotive Dismantlers and Parts
21 Recycler Act; modifying penalties; providing for
22 impoundment of vehicles; providing for disbursement
23 of fines; repealing 47 O.S. 2001, Section 591.12,
24 which relates to certain dealers from other states;
and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 591.11, as
last amended by Section 7, Chapter 213, O.S.L. 2006 (47 O.S. Supp.
2006, Section 591.11), is amended to read as follows:

1 Section 591.11 A. Sales at a salvage pool or salvage disposal
2 sale shall be opened only to:

3 1. ~~A person possessing an automobile dismantler's license or~~
4 ~~rebuilder certificate issued by the Oklahoma Used Motor Vehicle and~~
5 ~~Parts Commission and who has a buyer's identification card~~ who is a
6 resident of this state;

7 2. A company representative of a business that is based in this
8 state; or

9 3. A person from another state who has a buyer's identification
10 card; or

11 3. ~~A foreign buyer who has a buyer's identification card~~ who
12 may legally purchase salvage vehicles in his or her home state or
13 country.

14 B. ~~A buyer's identification card to bid or buy at salvage pools~~
15 ~~or salvage disposal sales shall be issued by the Commission on a~~
16 ~~form prescribed by it and shall include, but not be limited to, the~~
17 ~~name, address, physical description and signature of the applicant;~~
18 ~~and the name and address of the employer of the applicant. The~~
19 ~~Commission may exact a fee not to exceed Twenty Dollars (\$20.00) for~~
20 ~~the issuance or renewal of a buyer's identification card for a~~
21 ~~resident of this state and a fee not to exceed Two Hundred Ten~~
22 ~~Dollars (\$210.00) for the issuance or renewal of a buyer's~~
23 ~~identification card for an out-of-state buyer and a fee not to~~
24 ~~exceed Four Hundred Dollars (\$400.00) for the issuance or renewal of~~

1 ~~a buyer's identification card for foreign buyers. There shall be no~~
2 ~~more than three (3) B.I.D. cards per business, as defined in the~~
3 ~~Automotive Dismantlers and Parts Recycler Act. A buyer's~~
4 ~~identification card fee shall be returnable only in the event that~~
5 ~~the permit application is denied by the Commission as allowed~~
6 ~~pursuant to the Automotive Dismantlers and Parts Recycler Act.~~

7 C. It shall be the duty of the owner, manager or person in
8 charge of any salvage pool or salvage disposal sale to prohibit the
9 bidding by any person who ~~does not display the buyer's~~
10 ~~identification card number for such person~~ is not qualified to
11 purchase salvage vehicles as provided in subsection A of this
12 section and, further, to refuse to sell to any person any wrecked or
13 repairable motor vehicle if such person ~~does~~ is not display a valid
14 ~~buyer's identification card~~ qualified to purchase salvage vehicles
15 as provided in subsection A of this section.

16 D. ~~A buyer's identification card issued to a person, firm or~~
17 ~~corporation may be refused, canceled or revoked due to the refusal,~~
18 ~~cancellation or revocation of their automotive dismantler's license~~
19 ~~or rebuilder certificate issued by the Oklahoma Used Motor Vehicle~~
20 ~~and Parts Commission. Any person whose buyer's identification card~~
21 ~~is refused, canceled or revoked shall enjoy the same review and~~
22 ~~appeal procedures provided in Section 591.10 of this title.~~

23 E. C. Any salvage pool or salvage disposal sale that is
24 facilitating in the sale of a motor vehicle for an insurance company

1 must provide on its web site the full seventeen-digit vehicle
2 identification number (VIN) and the name of the insurance company
3 that is selling the motor vehicle.

4 ~~F.~~ D. The salvage pool or salvage disposal sale shall show the
5 buyer's identification number of the winning bidder on any sale that
6 takes place on the Internet or by on-line bidding for all salvage
7 motor vehicles being sold for an insurance company.

8 E. It shall be the duty of the owner, manager or person in
9 charge of any salvage pool or salvage disposal sale to remit
10 payments to the Oklahoma Used Motor Vehicle and Parts Commission.
11 Such payments shall be calculated by multiplying the total number of
12 salvage vehicle sales transactions during a certain period times Two
13 Dollars (\$2.00). The first payment shall not be calculated on any
14 sales transactions prior to November 1, 2007. The payments shall
15 not be made more often than one payment each month. The payments
16 shall be transmitted to the Oklahoma Used Motor Vehicle and Parts
17 Commission at any time during the thirty (30) days immediately
18 following the period for which the payment was calculated.

19 F. Every salvage pool shall keep a register of all sales of
20 salvage vehicles showing the make, model, year, style, vehicle
21 identification number, and names and addresses of the purchaser and
22 seller of the motor vehicle. Such registers shall be submitted to
23 the Oklahoma Used Motor Vehicle and Parts Commission on a regular
24 basis.

1 SECTION 2. AMENDATORY 47 O. S. 2001, Section 591.13, is
2 amended to read as follows:

3 Section 591.13 Any person violating any provision of ~~this act~~
4 the Automotive Dismantlers and Parts Recycler Act or operating as a
5 rebuilder as used in Section 581 et seq. of this title without a
6 rebuilder certificate shall be guilty of a misdemeanor and, upon the
7 first conviction thereof, may shall be punished by a fine of not
8 less than Three Hundred Dollars (\$300.00) Five Hundred Dollars
9 (\$500.00) with impoundment of the vehicle until all taxes and fees
10 are paid and upon the second conviction thereof shall be punished by
11 a fine of not less than One Thousand Dollars (\$1,000.00) with
12 impoundment of the vehicle until all taxes and fees are paid and
13 upon the third or subsequent conviction thereof shall be punished by
14 a fine of not less than One Thousand Five Hundred Dollars
15 (\$1,500.00) with impoundment of the vehicle until all taxes and fees
16 are paid or by imprisonment in the county jail for not more than six
17 (6) months one (1) year, or by both such fine and imprisonment. If
18 a vehicle is impounded pursuant to the provisions of this section,
19 the vehicle shall not be released to the owner until the owner
20 provides proof of security or an affidavit that the vehicle will not
21 be used on public highways or public streets, as required pursuant
22 to Section 7-600 et seq. of this title. Each vehicle involved in a
23 violation of this section shall be considered a separate offense.
24 The penalties collected from the payment of the fines shall, after

1 deduction of court costs, be paid to the Oklahoma Used Motor Vehicle
2 and Parts Commission Fund as created by Section 582 of this title.

3 SECTION 3. REPEALER 47 O.S. 2001, Section 591.12, is
4 hereby repealed.

5 SECTION 4. This act shall become effective November 1, 2007.

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7 51-1-7754 CJB 04/03/07
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