

1 ENGROSSED SENATE
2 BILL NO. 51

By: Paddack of the Senate
and
Thomsen of the House

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6
7 [safety belts - penalty - license plates -
8 effective date]
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10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 47 O.S. 2001, Section 12-417, as
12 last amended by Section 10, Chapter 190, O.S.L. 2005 (47 O.S. Supp.
13 2006, Section 12-417), is amended to read as follows:

14 Section 12-417. A. 1. Every operator and front seat passenger
15 of a passenger car operated in this state shall wear a properly
16 adjusted and fastened safety seat belt system, required to be
17 installed in the motor vehicle when manufactured pursuant to 49
18 C.F.R., Section 571.208.

19 2. For the purposes of this section, "passenger car" shall mean
20 "vehicle" as defined in Section 1102 of this title. "Passenger car"
21 shall include the passenger compartment of pickups, vans, minivans,
22 and sport utility vehicles. "Passenger car" shall not include
23 trucks, truck-tractors, recreational vehicles, motorcycles, or
24 motorized bicycles. "Passenger car" shall not include a vehicle

1 used primarily for farm use which is registered and licensed
2 pursuant to the provisions of Section 1134 of this title.

3 B. The Commissioner of Public Safety, upon application from a
4 person who, for medical reasons, is unable to wear a safety seat
5 belt system supported by written attestation of such fact from a
6 physician licensed pursuant to Section 495 of Title 59 of the
7 Oklahoma Statutes, may issue to the person an exemption from the
8 provisions of this section. The exemption shall be in the form of a
9 restriction appearing on the driver license of the person and shall
10 remain in effect until the expiration date of the driver license.
11 Nothing in this subsection shall be construed to prevent the person
12 from applying for another exemption as provided for in this section.
13 The issuance of an attestation by a physician and the subsequent
14 issuance of an exemption by the Commissioner, in good faith, shall
15 not give rise to, nor shall the physician and the state thereby
16 incur, any liability whatsoever in damages or otherwise, to any
17 person injured by reason of failure of the person to wear a safety
18 seat belt system.

19 C. This section shall not apply to an operator of a motor
20 vehicle while performing official duties as a route carrier of the
21 U.S. Postal Service.

22 D. The Department of Public Safety shall not record or assess
23 points for violations of this section on any license holder's
24 traffic record maintained by the Department.

1 E. Fine and court costs for violating the provisions of this
2 section shall not exceed ~~Twenty Dollars (\$20.00)~~ Forty Dollars
3 (\$40.00).

4 F. Municipalities may enact and municipal police officers may
5 enforce ordinances prohibiting and penalizing conduct under
6 provisions of this section, but the provisions of those ordinances
7 shall be the same as provided for in this section, and the
8 enforcement provisions under those ordinances shall not be more
9 stringent than those of this section.

10 SECTION 2. AMENDATORY Section 12, Chapter 504, O.S.L.
11 2004, as last amended by Section 24, Chapter 311, O.S.L. 2006 (47
12 O.S. Supp. 2006, Section 1135.3), is amended to read as follows:

13 Section 1135.3 A. The Oklahoma Tax Commission is hereby
14 authorized to design and issue appropriate official special license
15 plates to persons wishing to demonstrate support, interest, or
16 membership to or for an organization, occupation, cause or other
17 subject as provided by this section.

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

23 Special license plates shall be renewed each year by the Tax
24 Commission or a motor license agent. The Tax Commission shall

1 annually notify by mail all persons issued special license plates.
2 The notice shall contain all necessary information and shall contain
3 instructions for the renewal procedure upon presentation to a motor
4 license agent or the Tax Commission. The license plates shall be
5 issued on a staggered system.

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 If fewer than one hundred of any type of special license plates
19 authorized prior to January 1, 2004, are issued prior to January 1,
20 2006, the Tax Commission shall discontinue issuance and renewal of
21 that type of special license plate. Any such authorized special
22 license plate registrant shall be allowed to display the license
23 plate upon the designated vehicle until the registration expiration
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1 date. After such time the expired special license plate shall be
2 removed from the vehicle.

3 For special license plates authorized on or after July 1, 2004,
4 no special license plates shall be developed or issued by the Tax
5 Commission until the Commission receives one hundred (100) prepaid
6 applications therefor. The prepaid applications must be received by
7 the Tax Commission within one hundred and eighty (180) days of the
8 effective date of the authorization or the authority to issue shall
9 be null and void. In the event one hundred (100) prepaid
10 applications are not received by the Tax Commission within such
11 prescribed time period any payment so received shall be refunded
12 accordingly.

13 B. The special license plates provided by this section are as
14 follows:

15 1. Round and Square Dance License Plates - such plates shall be
16 designed and issued to any person wishing to demonstrate support for
17 round and square dancing;

18 2. National Association for the Advancement of Colored People
19 License Plates - such plates shall be designed, subject to the
20 criteria to be presented to the Tax Commission by the NAACP, and
21 issued to any person wishing to demonstrate support for the NAACP;

22 3. National Rifle Association License Plates - such plates
23 shall be designed, subject to the criteria to be presented to the
24 Tax Commission by the National Rifle Association, and issued to any

1 person wishing to demonstrate support for the National Rifle
2 Association;

3 4. Masonic Fraternity License Plates - such plates shall be
4 designed and issued to any resident of this state who is a member of
5 a Masonic Fraternity of Oklahoma. Such persons may apply for a
6 Masonic Fraternity license plate for each vehicle with a rated
7 carrying capacity of one (1) ton or less upon proof of a Masonic
8 Fraternity membership or upon the presentment of an application for
9 a Masonic Fraternity license plate authorized and approved by the
10 Grand Lodge of Oklahoma. The license plates shall be designed in
11 consultation with the Masonic Fraternities of Oklahoma and shall
12 contain the Masonic emblem;

13 5. Shriner's Hospitals for Burned and Crippled Children License
14 Plates - such plates shall be designed to demonstrate support for
15 Shriner's Hospitals for Burned and Crippled Children and shall be
16 issued to any resident of this state who is a member of a Shriner's
17 Temple in Oklahoma. The license plate shall be designed in
18 consultation with the Shriner's Temples in Oklahoma and shall
19 contain the Shriner's emblem;

20 6. Balloonists License Plate - such plates shall be designed
21 and issued to any person wishing to demonstrate support for hot air
22 ballooning in this state;

23 7. Order of the Eastern Star License Plates - such plates shall
24 be designed and issued to any resident of this state who is a member

1 of an Order of the Eastern Star. Such persons may apply for an
2 Order of the Eastern Star license plate for each vehicle with a
3 rated carrying capacity of one (1) ton or less upon proof of an
4 Order of the Eastern Star membership or upon the presentment of an
5 application for an Order of the Eastern Star license plate
6 authorized and approved by the organization. The license plate
7 shall be designed in consultation with the Order of the Eastern Star
8 and shall contain the Order of the Eastern Star emblem;

9 8. Knights of Columbus License Plates - such plates shall be
10 designed and issued to any resident of this state who is a member of
11 the Knights of Columbus. Such persons may apply for a Knights of
12 Columbus license plate for each vehicle with a rated carrying
13 capacity of one (1) ton or less upon proof of a Knights of Columbus
14 membership or upon the presentment of an application for a Knights
15 of Columbus license plate authorized and approved by the
16 organization. The license plate shall be designed in consultation
17 with the Knights of Columbus and shall contain the Knights of
18 Columbus emblem;

19 9. Jaycees License Plates - such plates shall be designed and
20 issued to members of the Jaycees. Persons applying for such license
21 plate must show proof of membership in the Jaycees. The license
22 plates shall be designed in consultation with the Jaycees;

23 10. Ducks Unlimited License Plates - such plates shall be
24 designed and issued to members of Ducks Unlimited. Persons applying

1 for and renewing such license plates must show proof of tag
2 membership in Ducks Unlimited. The license plates shall be designed
3 in consultation with Ducks Unlimited;

4 11. Kiwanis International License Plates - such plates shall be
5 designed and issued to members of Kiwanis International. Persons
6 applying for such license plate must show proof of membership in
7 Kiwanis International. The license plates shall be designed in
8 consultation with Kiwanis International;

9 12. Certified Public Accountants License Plates - such plates
10 shall be designed and issued to any resident of this state who is a
11 Certified Public Accountant. Such persons may apply for a Certified
12 Public Accountant license plate for each vehicle with a rated
13 carrying capacity of one (1) ton or less upon proof of status as a
14 Certified Public Accountant. The license plates shall be designed
15 in consultation with the Oklahoma Society of Certified Public
16 Accountants;

17 13. Civil Emergency Management License Plates - such plates
18 shall be designed and issued to persons wishing to demonstrate
19 support for the state civil emergency management system;

20 14. Civilian Conservation Corps License Plates - such plates
21 shall be designed, subject to criteria to be presented to the Tax
22 Commission, by the Civilian Conservation Corps Association, and
23 issued to any person wishing to demonstrate support of the Civilian
24 Conservation Corps;

1 15. Rotarian License Plates - such plates shall be designed and
2 issued to any resident of this state who is a member of a Rotarian
3 Club of Oklahoma. Such persons may apply for a Rotarian license
4 plate for each vehicle with a rated carrying capacity of one (1) ton
5 or less upon proof of a Rotarian Club membership or upon the
6 presentment of an application for a Rotarian license plate
7 authorized and approved by a Rotarian Club of Oklahoma. The license
8 plates shall be designed in consultation with the five Rotarian
9 District Governors and shall contain the Rotarian emblem;

10 16. Benevolent Protective Order of Elks - such plates shall be
11 designed, subject to criteria to be presented to the Tax Commission,
12 by the Benevolent Protective Order of Elks, and issued to any
13 resident of this state who is a member of the Benevolent Protective
14 Order of Elks;

15 17. Humane Society License Plates - such plates shall be
16 designed and issued to any person wishing to demonstrate support for
17 the Humane Society of the United States. The plates shall be issued
18 to any person in any combination of numbers and letters from one to
19 a maximum of seven, as for personalized license plates. The plate
20 shall contain the official Humane Society logo;

21 18. Oklahoma Mustang Club - such plates shall be designed,
22 subject to criteria to be presented to the Tax Commission, by the
23 Oklahoma Mustang Club, and issued to any resident of this state who
24 is a member of the Oklahoma Mustang Club. Such persons may apply

1 for an Oklahoma Mustang Club license plate upon presentment of proof
2 of membership in the Oklahoma Mustang Club. The plates shall be
3 issued to any person in any combination of numbers and letters from
4 one to a maximum of seven, as for personalized license plates;

5 19. American Business Clubs (AMBUCS) License Plates - such
6 plates shall be designed and issued to members of American Business
7 Clubs. Persons applying for such license plate must show proof of
8 membership in AMBUCS. The license plates shall be designed in
9 consultation with American Business Clubs;

10 20. West Point 200th Anniversary License Plates - such plates
11 shall be designed and issued to any person wishing to commemorate
12 the Two Hundredth Anniversary of the founding of the United States
13 Military Academy at West Point, New York. The license plates shall
14 be designed in consultation with the West Point Society of Central
15 Oklahoma;

16 21. Northern Cherokee Nation of the Old Louisiana Territory
17 License Plate - such plates shall be designed and issued to persons
18 wishing to demonstrate support or affiliation with the Northern
19 Cherokee Nation of the Old Louisiana Territory;

20 22. Oklahoma Aquarium License Plate - such plates shall be
21 designed and issued to persons wishing to demonstrate support for
22 the Oklahoma Aquarium. The license plates shall be designed in
23 consultation with the Oklahoma Aquarium;

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1 23. The Pride of Broken Arrow License Plates - such plates
2 shall be designed and issued to any person wishing to demonstrate
3 support for The Pride of Broken Arrow marching band. The plates
4 shall be designed in consultation with the Broken Arrow Public
5 School System;

6 24. Fellowship of Christian Athletes License Plates - such
7 plates shall be designed in consultation with the Fellowship of
8 Christian Athletes and issued to members and supporters of the
9 Fellowship of Christian Athletes;

10 25. Parrothead Club License Plates - such plates shall be
11 designed and issued to members and supporters of the Parrothead
12 Club. The license plate shall be issued to any person in any
13 combination of numbers and letters from one to a maximum of seven as
14 for personalized license plates;

15 26. Oklahoma Bicycling Coalition License Plates - such plates
16 shall be designed and issued to any person who is a member of the
17 Oklahoma Bicycling Coalition. The license plates shall be designed
18 in consultation with the Oklahoma Bicycling Coalition;

19 27. Electric Lineman License Plate - such plates shall be
20 designed and issued to persons wishing to demonstrate support for
21 Oklahoma's electric linemen. The license plates shall be designed
22 in consultation with the Oklahoma Electric Superintendent's
23 Association;

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1 28. Alpha Kappa Alpha License Plate - such plates shall be
2 designed and issued to any person who is a member of Alpha Kappa
3 Alpha Sorority. The license plates shall be designed in
4 consultation with the Oklahoma Chapter of Alpha Kappa Alpha
5 Sorority;

6 29. The National Pan-Hellenic Council Incorporated License
7 Plate - such plates shall be designed and issued to any person
8 wishing to demonstrate support to any of the nine sororities and
9 fraternities recognized by the National Pan-Hellenic Council
10 Incorporated. The license plates shall be designed in consultation
11 with the Oklahoma Chapter of the National Pan-Hellenic Council
12 Incorporated;

13 30. Organ, Eye and Tissue License Plate - such plates shall be
14 designed and issued to persons wishing to demonstrate support and
15 increase awareness for organ, eye and tissue donation. The license
16 plates shall be designed in consultation with the Oklahoma Organ
17 Donor Education and Awareness Program Advisory Council;

18 31. Central Oklahoma Habitat for Humanity License Plate - such
19 plates shall be designed and issued to persons wishing to
20 demonstrate support and increase awareness for Habitat for Humanity.
21 The license plate shall be designed in consultation with Central
22 Oklahoma Habitat for Humanity;

23 32. Family Career and Community Leaders of America Incorporated
24 License Plate - such plates shall be designed and issued to persons

1 wishing to demonstrate support for Family Career and Community
2 Leaders of America Incorporated. The license plates shall be
3 designed in consultation with Family Career and Community Leaders of
4 America Incorporated;

5 33. Delta Sigma Theta License Plate - such plates shall be
6 designed and issued to any person who is a member of Delta Sigma
7 Theta Sorority. The license plates shall be designed in
8 consultation with the Oklahoma Chapter of Delta Sigma Theta Sorority
9 Incorporated;

10 34. Omega Psi Phi License Plate - such plates shall be designed
11 and issued to any person who is a member of Omega Psi Phi
12 Fraternity. The license plates shall be designed in consultation
13 with the Oklahoma Chapter of Omega Psi Phi Fraternity Incorporated;

14 35. Alpha Phi Alpha License Plate - such plates shall be
15 designed and issued to any person who is a member of Alpha Phi Alpha
16 Fraternity. The license plates shall be designed in consultation
17 with the Oklahoma Chapter of Alpha Phi Alpha Fraternity
18 Incorporated;

19 36. 50th Anniversary of the Interstate System of Highways
20 License Plate - such plates shall be designed and issued to persons
21 wishing to commemorate the 50th Anniversary of the Interstate System
22 of Highways. The license plates shall be designed in consultation
23 with the American Association of State Highway and Transportation
24 Officials;

1 37. Kappa Alpha Psi License Plate - such plates shall be
2 designed and issued to any person who is a member of Kappa Alpha Psi
3 Fraternity. The license plates shall be designed in consultation
4 with the Oklahoma Chapter of Kappa Alpha Psi Fraternity
5 Incorporated;

6 38. Zeta Phi Beta License Plate - such plates shall be designed
7 and issued to any person who is a member of Zeta Phi Beta Sorority.
8 The license plates shall be designed in consultation with the
9 Oklahoma Chapter of Zeta Phi Beta Sorority Incorporated;

10 39. Sigma Gamma Rho License Plate - such plates shall be
11 designed and issued to any person who is a member of Sigma Gamma Rho
12 Sorority. The license plates shall be designed in consultation with
13 the Oklahoma Chapter of Sigma Gamma Rho Sorority Incorporated;

14 40. Phi Beta Sigma License Plate - such plates shall be
15 designed and issued to any person who is a member of Phi Beta Sigma
16 Fraternity. The license plates shall be designed in consultation
17 with the Oklahoma Chapter of Phi Beta Sigma Fraternity Incorporated;

18 41. Multiple Sclerosis License Plate - such plates shall be
19 designed and issued to persons wishing to demonstrate support for
20 and increase awareness of multiple sclerosis. The license plates
21 shall be designed in consultation with the Oklahoma Chapter of the
22 National Multiple Sclerosis Society; ~~and~~

23 42. Frederick Douglass High School License Plates - such plates
24 shall be designed and issued to any person wishing to demonstrate

1 support for Frederick Douglass High School located in Oklahoma City.
2 The plates shall be designed in consultation with representatives of
3 Frederick Douglass High School National Alumni Association; and

4 43. In God We Trust License Plates - such plates shall be
5 designed and issued to persons wishing to demonstrate support for
6 the American Flag and the phrase "In God We Trust" and shall be
7 designed to include both the American Flag and the caption "In God
8 We Trust". The fee for the special license plate authorized by this
9 paragraph shall be Eight Dollars (\$8.00) and shall be in addition to
10 all other registration fees provided by law.

11 C. The Unless otherwise provided by this section, the fee for
12 such plates shall be Fifteen Dollars (\$15.00) and shall be in
13 addition to all other registration fees provided by the Oklahoma
14 Vehicle License and Registration Act. Unless otherwise provided in
15 this section, the fee shall be apportioned as follows: Eight Dollars
16 (\$8.00) of the special license plate fee shall be deposited in the
17 Oklahoma Tax Commission Reimbursement Fund to be used for the
18 administration of the Oklahoma Vehicle License and Registration Act
19 and the remaining Seven Dollars (\$7.00) of the special license plate
20 fee shall be apportioned as provided in Section 1104 of this title.

21 SECTION 3. This act shall become effective November 1, 2007.
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