

THE HOUSE OF REPRESENTATIVES  
Thursday, March 6, 2008

Committee Substitute for  
House Bill No. 2666

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2666 - By: BANZ of the House and GARRISON AND LAMB of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 1113, as last amended by Section 4, Chapter 284, O.S.L. 2005 (47 O.S. Supp. 2007, Section 1113), which relates to registration; expanding certain permanent license plate provision; providing for design of certain permanent license plates; and providing an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 1113, as last amended by  
2 Section 4, Chapter 284, O.S.L. 2005 (47 O.S. Supp. 2007, Section 1113), is amended to  
3 read as follows:  
4 Section 1113. A. 1. Except for all-terrain vehicles and motorcycles used exclusively  
5 off roads and highways, upon the filing of a registration application and the payment of  
6 the fees provided for in the Oklahoma Vehicle License and Registration Act, the  
7 Oklahoma Tax Commission or Corporation Commission, as applicable, shall assign to the  
8 vehicle described in the application a distinctive number, and issue to the owner of the  
9 vehicle a certificate of registration, one license plate and a yearly decal. The Oklahoma  
10 Tax Commission shall assign an all-terrain vehicle or motorcycle used exclusively off  
11 roads and highways a distinctive number and issue to the owner a certificate of

1 registration and a decal but not a license plate. For each subsequent registration year,  
2 the Tax Commission shall issue a yearly decal to be affixed to the license plate, except for  
3 an all-terrain vehicle or motorcycle used exclusively off roads and highways. The initial  
4 decal for an all-terrain vehicle or motorcycle shall be attached to the front of the all-  
5 terrain vehicle and shall be in clear view. The decal shall be on the front or on the front  
6 fork of the motorcycle used exclusively off roads and highways and the decal shall be in  
7 clear view. The yearly decal shall have an identification number and the last two  
8 numbers of the registration year for which it shall expire. Except as provided by Section  
9 1113A of this title, the license plate shall be affixed to the exterior of the vehicle until a  
10 replacement license plate is applied for. If the owner applies for a replacement license  
11 plate, the Tax Commission shall charge the fee provided for in Section 1114 of this title.  
12 The yearly decal will validate the license plate for each registration period other than the  
13 year the license plate is issued. The license plate and decal shall be of such size, color,  
14 design and numbering as the Tax Commission may direct. However, yearly decals issued  
15 to the owner of a vehicle who has filed an affidavit with the appropriate motor license  
16 agent in accordance with Section 7-607 of this title shall be a separate and distinct color  
17 from all other decals issued under this section.

18 2. The license plate shall be securely attached to the rear of the vehicle, except  
19 truck-tractor plates which shall be attached to the front of the vehicle. The Tax  
20 Commission may, with the concurrence of the Department of Public Safety, by Joint  
21 Rule, change and direct the manner, place and location of display of any vehicle license  
22 plate when such action is deemed in the public interest. The license plate, decal and all

1 letters and numbers shall be clearly visible at all times. The operation of a vehicle in  
2 this state, regardless of where such vehicle is registered, upon which the license plate is  
3 covered, overlaid or otherwise screened with any material, whether such material be  
4 clear, translucent, tinted or opaque, shall be a violation of this paragraph.

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

16 4. Every vehicle owned by an agency of this state and vehicles owned by a  
17 congressionally chartered and federally supported civilian auxiliary of a branch of the  
18 United States Armed Forces shall be exempt from the payment of registration fees  
19 required by this title. Provided, such vehicle shall be registered and shall otherwise  
20 comply with the provisions of the Oklahoma Vehicle License and Registration Act.

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

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

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

8           3. Within the limits herein prescribed the Tax Commission shall redesign the  
9 official vehicle license plates which currently bear the legend "Oklahoma OK" or  
10 "Oklahoma is OK!" and substitute therefor the legend "Oklahoma Native America" as  
11 further described in this paragraph. Except for personalized license plates and license  
12 plates issued for motorcycles and mopeds, the emblem on the state flag of Oklahoma as  
13 provided for in Section 91 of Title 25 of the Oklahoma Statutes shall be a part of all  
14 license plates issued after December 31, 1988. The Tax Commission may continue to  
15 issue license plates with the legend "Oklahoma is OK!" or "Oklahoma OK" until any  
16 inventory of such license plates is depleted but the Tax Commission shall not produce or  
17 cause to be produced any additional license plates with these legends. Except for  
18 personalized license plates, license plates issued for commercial vehicles, and license  
19 plates issued for motorcycles and mopeds, the "Oklahoma Native America" emblem shall  
20 be a part of all license plates issued after December 31, 1993. The specifications for  
21 lettering style and appearance for the legend "Oklahoma Native America" shall be  
22 provided to the Tax Commission by the Oklahoma Tourism and Recreation Department.

1 The license plates shall be issued with the letters and numerals in the colors of green and  
2 white. All license plates and decals shall be made with reflectorized material as a  
3 background to the letters, numbers and characters displayed thereon. The reflectorized  
4 material shall be of such a nature as to provide effective and dependable brightness  
5 during the service period for which the license plate or decal is issued;

6 4. Except as otherwise provided in this subsection, the Tax Commission shall  
7 design appropriate official license plates for all state vehicles and vehicles owned by a  
8 congressionally chartered and federally supported civilian auxiliary of a branch of the  
9 United States Armed Forces. Such license plates shall be permanent in nature and  
10 designed in such manner as to remain with the vehicle for the duration of the vehicle's  
11 life span or until the title is transferred to a nongovernmental owner;

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

18 6. Within the limits prescribed in this section, the Tax Commission shall design  
19 appropriate official license plates for vehicles of the Oklahoma Military Department.  
20 Such license plates shall have the legend "Oklahoma OK" and shall contain the letters  
21 "OMD" followed by the state seal and three numbers or letters as designated by the

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1 Adjutant General. The words “Oklahoma Military Department” shall also be included on  
2 such license plates.

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

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

1 concealed in any way, until the proper registration or identification of such vehicle has  
2 been made or produced by the owner thereof.

3 E. The purchaser of a new or used manufactured home shall, within thirty (30)  
4 days of the date of purchase, register the home with the Tax Commission or a motor  
5 license agent pursuant to the provisions of Section 1117 of this title. For a new  
6 manufactured home, it shall be the responsibility of the dealer selling the home to place a  
7 temporary license plate on the home in the same manner as provided in Section 1128 of  
8 this title for other new motor vehicles. For the first year that any manufactured home is  
9 registered in this state, the Tax Commission shall issue a metal license plate which shall  
10 be affixed to the manufactured home. The temporary dealer license plate or the metal  
11 license plate shall be displayed on the manufactured home at all times when upon a  
12 public roadway; provided, a repossession affidavit issued pursuant to Sections 1110 and  
13 1126 of this title shall be permissible in lieu of a current license plate and decal for the  
14 purposes of removing a repossessed manufactured home to a secure location.

15 Manufactured homes previously registered and subject to ad valorem taxation as  
16 provided by law shall have a decal affixed at the time ad valorem taxes are paid for such  
17 manufactured home; provided, for a manufactured home permanently affixed to real  
18 estate, no decal or license plate shall be required to be affixed and the owner thereof  
19 shall be given a receipt upon payment of ad valorem taxes due on the home. The Tax  
20 Commission shall make sufficient plates and decals available to the various motor license  
21 agents of the state in order for an owner of a manufactured home to acquire the plate or

1 decal. A One Dollar (\$1.00) fee shall be charged for issuance of any plate or decal. The  
2 fee shall be apportioned each month to the General Revenue Fund of the State Treasury.

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

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

- 18 1. The name of the owner of the manufactured home;
- 19 2. The serial number or identification number of the manufactured home;
- 20 3. A legal description or address of the location for the home;
- 21 4. The actual retail selling price of the manufactured home excluding Oklahoma

22 taxes;

- 1           5. The certificate of title number for the home; and  
2           6. Any other information which the Tax Commission deems to be necessary.

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

9           SECTION 2. This act shall become effective November 1, 2008.

10          COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
11          dated 03-05-08 - DO PASS, As Amended and Coauthored.