

FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2567  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the printed Bill  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: \_\_\_\_\_

Amendment submitted by: Paul Wesselhoft  
\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 FLOOR SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 2567

6 By: Wesselhoft

7 FLOOR SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.  
9 2001, Sections 15-111, as last amended by Section 17,  
10 Chapter 62, O.S.L. 2007, 15-112, as last amended by  
11 Section 3, Chapter 302, O.S.L. 2008, 15-113, 11-  
12 1007.1, as renumbered by Section 14, Chapter 302,  
13 O.S.L. 2008 and 11-1008, as renumbered by Section 14,  
14 Chapter 302, O.S.L. 2008 (47 O.S. Supp. 2009,  
15 Sections 15-111, 15-112, 15-115 and 15-116), which  
16 relate to special parking privileges for physically  
17 disabled persons; directing municipalities and  
18 political subdivisions to extend special parking  
19 privileges to certain persons; allowing use of  
20 certain sticker or placard; directing use of certain  
21 guidelines; directing municipalities and political  
22 subdivisions to enact certain ordinances and  
23 procedures; deleting entitlement provision relating  
24 to special parking privileges; deleting requirement  
of the Department of Public Safety to recognize  
certain stickers; deleting defined phrase; deleting  
authority of Department to enter into certain  
reciprocity agreements; modifying penalties; making  
certain acts unlawful; providing penalties; updating  
language; granting certain parking violation unit the  
authority to report violations; deleting authority to  
confiscate parking placard under certain  
circumstances; providing statutory reference;  
authorizing municipalities or political subdivisions  
to investigate and enforce certain ordinances, rules  
or regulations on public or private property;  
amending Sections 10, Chapter 504, O.S.L. 2004, as  
amended by Section 1, Chapter 272, O.S.L. 2007 and  
11, Chapter 504, O.S.L. 2004, as last amended by  
Section 1, Chapter 311, O.S.L. 2009 (47 O.S. Supp.

1 2009, Sections 1135.1 and 1135.2), which relate to  
2 special license plates; clarifying design  
3 requirements for physically disabled license plates;  
4 amending 47 O.S. 2001, Section 11-1007, as last  
5 amended by Section 14, Chapter 62, O.S.L. 2007 (47  
6 O.S. Supp. 2009, Section 11-1007), which relates to  
7 penalties for parking in areas for physically  
8 disabled persons; modifying penalties; directing the  
9 Department of Public Safety to develop certain  
10 parking permit database; and providing an effective  
11 date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2001, Section 15-111, as  
14 last amended by Section 17, Chapter 62, O.S.L. 2007 (47 O.S. Supp.  
15 2009, Section 15-111), is amended to read as follows:

16 Section 15-111. A. Municipalities and political subdivisions  
17 of the state with authority to regulate the standing or parking of  
18 vehicles ~~may~~ shall extend special parking privileges to a physically  
19 disabled person who displays on a motor vehicle operated by or under  
20 the direction and for the use of the physically disabled person:

21 1. A placard indicating physical disability, issued pursuant to  
22 the provisions of Section 15-112 of this title;

23 2. A physically disabled license plate, issued pursuant to the  
24 provisions of Section 1135.1 of this title; ~~or~~

25 3. A disabled veterans license plate with the international  
26 accessibility symbol, issued pursuant to the provisions of Section  
27 1135.2 of this title;

1       4. A disability sticker issued by the Department of Veterans  
2 Affairs and federal military bases; or

3       5. A physically disabled placard or license plate issued by  
4 another state.

5       B. No such special parking privilege, however, shall excuse the  
6 violation of any state statute, nor shall any such privilege be  
7 applicable where the standing or parking would create a dangerous  
8 situation or impede the normal flow of traffic. ~~Nothing in this~~  
9 ~~section shall be construed as requiring the creation of additional~~  
10 ~~parking spaces.~~

11       C. Municipalities and political subdivisions of the state with  
12 authority to regulate the standing or parking of vehicles shall  
13 follow the current version of the Americans with Disabilities Act  
14 Accessibility Guidelines (ADAAG) when designing or redesigning  
15 disabled parking spaces.

16       D. Municipalities and political subdivisions of the state with  
17 authority to regulate the standing or parking of vehicles shall:

18       1. Enact ordinances or rules implementing Section 11-1007 of  
19 this title, which shall take effect no later than October 1, 2010;

20       2. Develop procedures for the rigorous enforcement of Section  
21 11-1007 of this title; and

22       3. Enact ordinances or rules implementing subsection B of  
23 Section 15-113 of this title.

1 SECTION 2. AMENDATORY 47 O.S. 2001, Section 15-112, as  
2 last amended by Section 3, Chapter 302, O.S.L. 2008 (47 O.S. Supp.  
3 2009, Section 15-112), is amended to read as follows:

4 Section 15-112. A. As used in this section:

5 1. "Physician" means any person holding a valid license to  
6 practice medicine and surgery, osteopathic medicine, chiropractic,  
7 podiatric medicine, or optometry, pursuant to the state licensing  
8 provisions of Title 59 of the Oklahoma Statutes;

9 2. "Physician assistant" means any person holding a valid  
10 license as a physician assistant, pursuant to the state licensing  
11 provisions of the Physician Assistant Act;

12 3. "Advanced registered nurse practitioner" means any person  
13 who holds a current license as a registered nurse and a current  
14 certificate of recognition for practice as an Advanced Registered  
15 Nurse Practitioner as set forth in the Oklahoma Nursing Practice Act  
16 pursuant to the state licensing provisions contained in paragraph 5  
17 of Section 567.3a of Title 59 of the Oklahoma Statutes; and

18 4. "Physical disability" means an illness, disease, injury or  
19 condition by reason of which a person:

20 a. cannot walk two hundred (200) feet without stopping to  
21 rest,

22 b. cannot walk without the use of or assistance from a  
23 brace, cane, crutch, another person, prosthetic  
24 device, wheelchair or other assistance device,

- c. is restricted to such an extent that the person's forced (respiratory) expiratory volume for one (1) second, when measured by spirometry, is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mm/hg on room air at rest,
- d. must use portable oxygen,
- e. has functional limitations which are classified in severity as Class III or Class IV according to standards set by the American Heart Association,
- f. is severely limited in the person's ability to walk due to an arthritic, neurological or orthopedic condition, or from complications due to pregnancy,
- g. is certified legally blind, or
- h. is missing one or more limbs.

B. ~~1-~~ The Department of Public Safety shall issue a detachable placard indicating physical disability to any person who submits an application on a form furnished by the Department and certified by a physician, physician assistant, or advanced registered nurse practitioner attesting that the applicant has a physical disability. The attestation of the physician, physician assistant, or advanced registered nurse practitioner shall denote "temporary" as the type of placard requested and shall indicate an expiration date which the physician, physician assistant, or advanced registered nurse practitioner estimates to be the date of termination of such

1 physical disability; however, if the physician, physician assistant,  
2 or advanced registered nurse practitioner certifies that the  
3 physical disability is permanent, the physician, physician  
4 assistant, or advanced registered nurse practitioner shall denote  
5 "five-year" as the type of placard requested.

6 ~~2. The person to whom such placard is issued shall be entitled~~  
7 ~~to the special parking privileges provided for in Section 15-111 of~~  
8 ~~this title; provided, however, the placard is properly displayed on~~  
9 ~~the parked vehicle.~~

10 C. Any placard issued by the Department of Public Safety shall  
11 remain valid until:

12 1. The placard expires;

13 2. The person to whom the placard was issued requests a  
14 replacement placard; or

15 3. The placard is no longer needed by the person to whom the  
16 placard was issued for the disability for which the placard was  
17 originally issued, whereupon such placard shall be returned to the  
18 Department.

19 D. 1. A five-year placard shall expire five (5) years from the  
20 last day of the month in which the placard was issued. Upon the  
21 expiration of a five-year placard, the person to whom such placard  
22 was issued may obtain a subsequent placard by reapplying to the  
23 Department, in the same manner as provided in subsection B of this  
24 section.

1           2. A temporary placard shall indicate the expiration date which  
2 the physician, physician assistant, or advanced registered nurse  
3 practitioner certifying the physical disability estimates to be the  
4 date of termination of such physical disability, which shall not be  
5 later than six (6) months from the date of issuance and upon which  
6 date such placard shall expire and shall be returned to the  
7 Department; provided, however, nothing in this paragraph shall be  
8 construed to prevent the holder from applying for another placard,  
9 as provided for in this section.

10           3. In the event that a placard is lost or destroyed, the person  
11 to whom such placard was issued may apply in writing to the  
12 Department for a replacement placard, which the Department shall  
13 issue with the same expiration date as the original placard.

14           4. On and after January 1, 1998, all placards issued prior to  
15 October 31, 1990, shall expire on the last day of the month in which  
16 the placard was issued, and the person to whom such placard was  
17 issued may follow the procedure provided for in subsection B of this  
18 section to obtain a second or subsequent placard.

19           5. On and after January 1, 2000, all placards issued between  
20 November 1, 1990, and June 30, 1995, shall expire on the last day of  
21 the birth month of the person to whom the placard was issued, and  
22 the person to whom such placard was issued may follow the procedure  
23 provided for in subsection B of this section to obtain a second or  
24 subsequent placard.

1 E. A physician, physician assistant, or advanced registered  
2 nurse practitioner may sign an application certifying that a person  
3 has a physical disability, as provided in subsection B of this  
4 section, only if care and treatment of the illness, disease, injury  
5 or condition causing the physical disability of such person falls  
6 within the authorized scope of practice of the physician or  
7 physician assistant, or advanced registered nurse practitioner.

8 ~~F. The Department shall recognize handicap and disability  
9 stickers issued by the Department of Veterans Affairs and federal  
10 military bases in the same manner as the placard issued by the  
11 Department as provided for in this section. For purposes of this  
12 section and other sections of law relating to the physical  
13 disability placard, the term "physical disability placard" shall  
14 include those handicap and disability stickers issued by the  
15 Department of Veterans Affairs and federal military bases.~~

16 G. The Department shall have the power to formulate, adopt and  
17 promulgate rules as may be necessary to implement and administer the  
18 provisions of this section, including, but not limited to,  
19 prescribing the manner in which the placard is to be displayed on a  
20 motor vehicle.

21 ~~H. The Commissioner of Public Safety is hereby authorized to  
22 enter into reciprocity agreements with other states for the purpose  
23 of recognizing parking placards or license plates indicating  
24 physical disability issued by those states.~~

1 SECTION 3. AMENDATORY 47 O.S. 2001, Section 15-113, is  
2 amended to read as follows:

3 Section 15-113. A. Any person who knowingly makes or procures  
4 the making of a false statement in an application submitted pursuant  
5 to Sections 15-111 through 15-113 of this title ~~or any person who~~  
6 ~~knowingly makes unauthorized use of an insignia issued pursuant to~~  
7 ~~Sections 15-111 through 15-113 of this title~~ is guilty of a  
8 misdemeanor and upon conviction shall be punished by a fine of ~~not~~  
9 ~~more than~~ Five Hundred Dollars (\$500.00) for each falsified  
10 statement. This penalty shall be stated on all applications.

11 B. 1. Any person who has not been issued a physically disabled  
12 parking placard pursuant to the provisions of Section 15-112 of this  
13 title, a physically disabled license plate issued pursuant to the  
14 provisions of Section 1135.1 of this title, a disabled veterans  
15 license plate pursuant to the provisions of Section 1135.2 of this  
16 title, a disability sticker issued by the Department of Veterans  
17 Affairs and federal military bases, or a physically disabled placard  
18 or license plate issued by another state, and uses a placard,  
19 sticker, or license plate to park in a disabled parking place is  
20 guilty of a misdemeanor and upon conviction shall be punished by a  
21 fine of Five Hundred Dollars (\$500.00).

22 2. Any person who has been issued a physically disabled parking  
23 placard pursuant to the provisions of Section 15-112 of this title,  
24 a physically disabled license plate issued pursuant to the

1 provisions of Section 1135.1 of this title, or a disabled veterans  
2 license plate pursuant to the provisions of Section 1135.2 of this  
3 title, and knowingly allows the placard or license plate to be used  
4 by a person not issued the placard or license plate as described in  
5 paragraph 1 of this subsection, is guilty of a misdemeanor and upon  
6 conviction shall be punished by a fine of Five Hundred Dollars  
7 (\$500.00). The penalty provided in this paragraph shall not apply  
8 to any person that is escorting or accommodating a physically  
9 disabled person who has been issued the placard or license plate.

10 C. A person who knowingly makes a counterfeit physically  
11 disabled parking placard or physically disabled license plate is  
12 guilty of a misdemeanor and upon conviction shall be punished by a  
13 fine of Five Hundred Dollars (\$500.00) for each counterfeit placard  
14 or license plate made by such person.

15 SECTION 4. AMENDATORY 47 O.S. 2001, Section 11-1007.1,  
16 as renumbered by Section 14, Chapter 302, O.S.L. 2008 (47 O.S. Supp.  
17 2009, Section 15-115), is amended to read as follows:

18 Section 15-115. A. A city, town or municipality may, by  
19 adoption of a local law or ordinance, establish a civilian volunteer  
20 ~~handicapped~~ disabled parking violation unit to assist in the  
21 enforcement of ~~handicapped~~ disabled parking laws or ordinances.  
22 Persons appointed to such units shall be volunteers, shall serve  
23 without compensation, and shall be authorized to provide evidence of  
24 violations of ~~handicapped~~ disabled parking laws or ordinances to the

1 appropriate law enforcement authority. Such evidence may include  
2 photographing a violation, provided that such photograph is taken in  
3 compliance with the requirements of this section. The civilian  
4 volunteer disabled parking violation unit shall have the authority  
5 to report violations of disabled parking ordinances or rules on both  
6 public and private property where the public is invited as provided  
7 for in Section 15-116 of this title.

8 B. A local law or ordinance enacted in accordance with the  
9 provisions of this section shall:

10 1. Establish a training program of no less than two (2) hours  
11 in length and require each volunteer to participate in and complete  
12 such training program;

13 2. Provide for the assignment of an identification number to  
14 each volunteer, and provide official identification and equipment to  
15 assist volunteer personnel in the conduct of their duties;

16 3. Establish uniform procedures for volunteers to follow in  
17 determining whether a violation has occurred;

18 4. Establish procedures for the uniform reporting of  
19 violations, which shall include the identification number of the  
20 volunteer making the report;

21 5. If such local law or ordinance provides for the taking of  
22 photographs of violations:

23

24

- 1 a. grant only the local law enforcement agency the  
2 authority to process or to contract for the processing  
3 of all film or digital files submitted by volunteers,  
4 b. require any photographs evidencing a violation to be  
5 available for inspection in any proceeding to  
6 adjudicate the liability for such violation,  
7 c. provide that a certificate, sworn to or affirmed by a  
8 technician employed by the municipality in which the  
9 charged violation occurred, or a facsimile thereof,  
10 based upon inspection of photographs produced from  
11 film or digital files submitted by volunteers, shall  
12 be prima facie evidence of the facts contained  
13 therein, and  
14 d. prohibit the use of such a photograph for any purpose  
15 other than as evidence of a ~~handicapped~~ disabled  
16 parking violation; and

17 6. Provide the following with respect to notices of violation:

- 18 a. a notice of violation shall be sent by first class  
19 mail to each person alleged to be liable as an owner  
20 for a violation of a ~~handicapped~~ disabled parking law  
21 or ordinance. A manual or automatic record of mailing  
22 prepared in the ordinary course of business shall be  
23 prima facie evidence of the facts contained therein,  
24

1           b. a notice of violation shall reference the law which  
2           was allegedly violated, and shall contain the name and  
3           address of the person alleged to be liable as an owner  
4           for a violation of a ~~handicapped~~ disabled parking law  
5           or ordinance, the license tag number of the vehicle  
6           involved in such violation, the location where such  
7           violation took place, the date and time of such  
8           violation, and the identification number of the  
9           volunteer who recorded the violation,

10          c. a notice of violation shall contain information  
11          advising the person charged of the manner and the time  
12          in which he or she may contest the violation alleged  
13          in the notice, and shall also contain a warning to  
14          advise the persons charged that failure to contest in  
15          the manner and time provided shall be deemed an  
16          admission of liability and that a default judgment may  
17          be entered thereon.

18          C. Upon a conviction of a local law or ordinance which complies  
19          with the provisions of subsection B of this section, notwithstanding  
20          any other law, the local law enforcement entity shall have the  
21          authority+

22           ~~1. To confiscate the placard if not valid or used fraudulently,~~  
23           ~~report the conviction, and send the placard to the Department of~~

1 ~~Public Safety, which shall then revoke the privilege of using the~~  
2 ~~placard; and~~

3 2. ~~To~~ to dedicate not less than twelve and one-half percent (12  
4 1/2%) of any fine that resulted from citations or for violations of  
5 the ~~handicapped~~ disabled parking regulations in accordance with  
6 subsection B of Section 15-113 of this title and subsection B of  
7 Section 11-1007 of this title, to be deposited in a special  
8 dedicated fund to be used by the local municipality for the sole  
9 purpose of establishing, maintaining and perpetuating a citizen  
10 volunteer ~~handicapped~~ disabled parking violation unit.

11 SECTION 5. AMENDATORY 47 O.S. 2001, Section 11-1008, as  
12 renumbered by Section 14, Chapter 302, O.S.L. 2008 (47 O.S. Supp.  
13 2009, Section 15-116), is amended to read as follows:

14 Section 15-116. ~~Any municipality or political subdivision of~~  
15 ~~this state may enact and enforce~~ Upon the enactment of any  
16 ordinance, rule or regulation adopted in conformity with this act.  
17 ~~Such ordinance shall also authorize the municipality to investigate~~  
18 ~~accidents on private property,~~ the municipality or political  
19 subdivision is authorized to investigate and enforce the ordinance,  
20 rule, or regulation on public property, or private property where  
21 the public is invited or on public property such as, but not limited  
22 to, the following:

23 1. Places of lodging including, but not limited to, inns,  
24 hotels, and motels;

- 1        2. Establishments serving food or drink including, but not  
2 limited to, restaurants and bars;
- 3        3. Places of exhibition or entertainment including, but not  
4 limited to, motion picture houses, theaters, concert halls, and  
5 stadiums;
- 6        4. Places of public gathering including, but not limited to,  
7 auditoriums, convention centers, and lecture halls;
- 8        5. Sales or rental establishments including, but not limited  
9 to, bakeries, grocery stores, hardware stores, and shopping centers;
- 10       6. Service establishments including, but not limited to,  
11 laundromats, dry cleaners, banks, barber shops, beauty shops, travel  
12 services, shoe repair services, funeral parlors, gas stations,  
13 offices of accountants or lawyers, pharmacies, insurance offices,  
14 professional offices of health care providers, and hospitals;
- 15       7. Public transportation terminals, depots, or stations, not  
16 including facilities relating to air transportation;
- 17       8. Places of public display or collection including, but not  
18 limited to, museums, libraries, and galleries;
- 19       9. Places of recreation including, but not limited to, parks,  
20 zoos, and amusement parks;
- 21       10. Places of education including, but not limited to, nursery  
22 schools, elementary, secondary, undergraduate, or postgraduate  
23 private schools;
- 24

1        11. Social service center establishments including, but not  
2 limited to, day care centers, senior citizen centers, homeless  
3 shelters, food banks, and adoption agencies; or

4        12. Places of exercise or recreation including, but not limited  
5 to, gymnasiums, health spas, bowling alleys, and golf courses.

6        SECTION 6.        AMENDATORY        Section 10, Chapter 504, O.S.L.  
7 2004, as amended by Section 1, Chapter 272, O.S.L. 2007 (47 O.S.  
8 Supp. 2009, Section 1135.1), is amended to read as follows:

9        Section 1135.1 A. The Oklahoma Tax Commission is hereby  
10 authorized to design and issue appropriate official special license  
11 plates to persons as provided by this section.

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

17        Except as provided in subsection B of this section, special  
18 license plates shall be renewed each year by the Tax Commission or a  
19 motor license agent. The Tax Commission shall annually notify by  
20 mail all persons issued special license plates. The notice shall  
21 contain all necessary information and shall contain instructions for  
22 the renewal procedure upon presentation to a motor license agent or  
23 the Tax Commission. The license plates shall be issued on a  
24

1 | staggered system. The motor license agent fees shall be paid out of  
2 | the Oklahoma Tax Commission Reimbursement Fund.

3 | B. The special license plates provided by this section are as  
4 | follows:

5 | 1. Political Subdivision Plates - such plates shall be designed  
6 | for any vehicle owned by any political subdivision of this state  
7 | having obtained a proper Oklahoma certificate of title. Such  
8 | political subdivisions shall file an annual report with the Tax  
9 | Commission stating the agency where such vehicle is located. Such  
10 | license plates shall be permanent in nature and designed in such a  
11 | manner as to remain with the vehicle for the duration of the life  
12 | span of the vehicle or until the title is transferred to an owner  
13 | who is not a political subdivision.

14 | The registration fee shall be Eight Dollars (\$8.00) and shall be  
15 | in addition to all other registration fees provided by law, except  
16 | the registration fees levied by Section 1132 of this title;

17 | 2. Tax-Exempt or Nonprofit License Plates - such plates shall  
18 | be designed for:

19 | a. any motor bus, manufactured home, or mobile chapel and  
20 | power unit owned and operated by a religious  
21 | corporation or society of this state holding a valid  
22 | exemption from taxation issued pursuant to Section  
23 | 501(a) of the Internal Revenue Code, 26 U.S.C.,  
24 | Section 501(a), and listed as an exempt organization

1 in Section 501(c)(3) of the Internal Revenue Code, as  
2 amended, 26 U.S.C., Section 501(c)(3), and that is  
3 used by the corporation or society solely for the  
4 furtherance of its religious functions,

5 b. any vehicle owned and operated only by nonprofit  
6 organizations devoted exclusively to youth programs  
7 including, but not limited to, the Girl Scouts and Boy  
8 Scouts of America,

9 c. any vehicle, except passenger automobiles, owned or  
10 operated by nonprofit organizations actually involved  
11 in programs for the employment of the handicapped and  
12 used exclusively in the transportation of goods or  
13 materials for such organization,

14 d. any vehicle owned and operated by a nonprofit  
15 organization that provides older persons  
16 transportation to and from medical, dental and  
17 religious services and relief from business and social  
18 isolation,

19 e. any vehicle owned and operated by a private nonprofit  
20 organization that:

21 (1) warehouses and distributes surplus foods to other  
22 nonprofit agencies and organizations, and

23 (2) holds a valid exemption from taxation issued  
24 pursuant to Section 501(c) of the Internal

1 Revenue Code, as amended, 26 U.S.C., Section  
2 501(c), and listed as an exempt organization in  
3 Section 501(c)(3) of the Internal Revenue Code,  
4 as amended, and

5 (3) uses such vehicle exclusively for the  
6 transportation of such surplus foods, or

7 f. any vehicle which:

8 (1) is owned and operated by a private, nonprofit  
9 organization which is exempt from taxation  
10 pursuant to the provisions of Section 501(c)(3)  
11 of the Internal Revenue Code, 26 U.S.C., Section  
12 501(c)(3), and which is primarily funded by a  
13 fraternal or civic service organization with at  
14 least one hundred local chapters or clubs, and

15 (2) is designed and used to provide mobile health  
16 screening services to the general public at no  
17 cost to the recipient, and for which no  
18 reimbursement of any kind is received from any  
19 health insurance provider, health maintenance  
20 organization or governmental program.

21 Any person claiming to be eligible for a tax-exempt or nonprofit  
22 license plate under the provisions of this paragraph must have the  
23 name of the tax-exempt or nonprofit organization prominently  
24 displayed upon the outside of the vehicle, except those vehicles

1 registered pursuant to the provisions of subparagraph b of this  
2 paragraph, unless such display is prohibited by federal or state law  
3 or by state agency rules. No vehicle shall be licensed as a tax-  
4 exempt or nonprofit vehicle unless the vehicle has affixed on each  
5 side thereof, in letters not less than two (2) inches high and two  
6 (2) inches wide, the name of the tax-exempt or nonprofit  
7 organization or the insignia or other symbol of such organization  
8 which shall be of sufficient size, shape and color as to be readily  
9 legible during daylight hours from a distance of fifty (50) feet  
10 while the vehicle is not in motion.

11 The registration fee shall be Eight Dollars (\$8.00) and shall be  
12 in addition to all other registration fees provided by law, except  
13 the registration fees levied by Section 1132 of this title;

14 3. Physically Disabled License Plates - such plates shall be  
15 designed for persons who are eligible for ~~an insignia~~ as a  
16 physically disabled ~~person~~ placard under the provisions of Section  
17 15-112 of this title. It shall prominently display the  
18 international accessibility symbol, which is a stylized human figure  
19 in a wheelchair. The Tax Commission shall also design physically  
20 disabled license plates for motorcycles owned by persons who are  
21 eligible for ~~an insignia~~ as a physically disabled ~~person~~ placard  
22 pursuant to the provisions of Section 15-112 of this title. Upon  
23 the death of the physically disabled person, the ~~special~~ disabled  
24 license plate shall be returned to the Tax Commission. There shall

1 be no fee for such plate in addition to the rate provided by the  
2 Oklahoma Vehicle License and Registration Act for the registration  
3 of the vehicle. For an additional fee of Ten Dollars (\$10.00), a  
4 person eligible for a physically disabled license plate shall have  
5 the option of purchasing a duplicate physically disabled special  
6 license plate which shall be securely attached to the front of the  
7 vehicle. The original physically disabled special license plate  
8 shall be securely attached to the rear of the vehicle at all times.

9 Any person who is eligible for a physically disabled license  
10 plate and whose vehicle has had modifications because of the  
11 physical disability of the owner or of a family member within the  
12 second degree of consanguinity of the owner, may register the  
13 vehicle for a flat fee of Twenty-five Dollars (\$25.00). This fee  
14 shall be in lieu of all other registration fees provided by the  
15 Oklahoma Vehicle License and Registration Act;

16 4. Indian Tribal License Plates - such plates shall be designed  
17 for any vehicle of a native American Indian Tribal Association  
18 exempted in Sections 201 through 204 of Public Law 97-473 and used  
19 by the tribal association exclusively for the furtherance of its  
20 tribal functions.

21 The registration fee shall be Eight Dollars (\$8.00) and shall be  
22 in addition to all other registration fees provided by law, except  
23 the registration fees levied by Section 1132 of this title;

24

1        5. Hearing Impaired License Plates - such plates shall be  
2 designed for persons who are hearing impaired. Such persons may  
3 apply for a hearing-impaired license plate for each vehicle with a  
4 rated carrying capacity of one (1) ton or less upon the presentment  
5 of an application on a form furnished by the Tax Commission and  
6 certified by a physician holding a valid license to practice  
7 pursuant to the licensing provisions of Title 59 of the Oklahoma  
8 Statutes, attesting that the person is hearing impaired. The  
9 license plate shall be designed so that such persons may be readily  
10 identified as being hearing impaired. There shall be no additional  
11 fee for the plate, but all other registration fees provided by the  
12 Oklahoma Vehicle License and Registration Act shall apply;

13        6. Antique or Classic vehicles - such plates shall be designed  
14 and issued for any vehicle twenty-five (25) years of age or older,  
15 based upon the date of manufacture thereof and which travels on the  
16 highways of this state primarily incidental to historical or  
17 exhibition purposes only.

18        The registration fee shall be Eight Dollars (\$8.00) and shall be  
19 in addition to all other registration fees provided by law, except  
20 the registration fees levied by Section 1132 of this title. Any  
21 person registering an antique or classic vehicle may elect to have  
22 the vehicle registered for a ten-year period. The registration fee  
23 for the elected ten-year registration shall be Seventy-five Dollars  
24 (\$75.00). The motor license agent registering the antique or

1 classic vehicle for a ten-year period shall receive one hundred  
2 percent (100%) of the fees the motor license agent would have  
3 otherwise received pursuant to subsection A of Section 1141.1 of  
4 this title if the antique or classic vehicle had been registered on  
5 an annual basis; and

6 7. Honorary Consul License Plate - such plates shall be  
7 designed to include the words "Honorary Consul" and issued to  
8 persons who are honorary consuls authorized by the United States to  
9 perform consular duties. Persons applying for such license plates  
10 must show proof of standing as an honorary consul. The fee for such  
11 plate shall be Eight Dollars (\$8.00) and shall be in addition to all  
12 other registration fees required by the Oklahoma Vehicle License and  
13 Registration Act. The owner of the vehicle that possesses such  
14 license plates shall return the special license plates to the  
15 Oklahoma Tax Commission if the owner disposes of the vehicle during  
16 the registration year or ceases to be authorized to perform consular  
17 duties.

18 C. Special license plates provided by this section shall be  
19 designed in such a manner as to identify the use or ownership of the  
20 vehicle. Use of any vehicle possessing a special license plate  
21 provided by this section for any purpose not specified herein shall  
22 be grounds for revocation of the special license plate and  
23 registration certificate.

24

1 D. The fees provided by this section shall be deposited in the  
2 Oklahoma Tax Commission Reimbursement Fund.

3 SECTION 7. AMENDATORY Section 11, Chapter 504, O.S.L.  
4 2004, as last amended by Section 1, Chapter 311, O.S.L. 2009 (47  
5 O.S. Supp. 2009, Section 1135.2), is amended to read as follows:

6 Section 1135.2 A. The Oklahoma Tax Commission is hereby  
7 authorized to design and issue appropriate official special license  
8 plates to persons in recognition of their service or awards as  
9 provided by this section.

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

15 Special license plates shall be renewed each year by the Tax  
16 Commission or a motor license agent. The Tax Commission shall  
17 annually notify by mail all persons issued special license plates.  
18 The notice shall contain all necessary information and shall contain  
19 instructions for the renewal procedure upon presentation to a motor  
20 license agent or the Tax Commission. The license plates shall be  
21 issued on a staggered system except for legislative plates and  
22 amateur radio operator license plates.

23 The Tax Commission is hereby directed to develop and implement a  
24 system whereby motor license agents are permitted to accept

1 applications for special license plates authorized under this  
2 section. The motor license agent shall confirm the applicant's  
3 eligibility, if applicable, collect and deposit any amount  
4 specifically authorized by law, accept and process the necessary  
5 information directly into such system and generate a receipt  
6 accordingly. For performance of these duties, motor license agents  
7 shall retain the fee provided in Section 1141.1 of this title for  
8 registration of a motor vehicle. The motor license agent fees for  
9 acceptance of applications and renewals shall be paid out of the  
10 Oklahoma Tax Commission Reimbursement Fund.

11 B. The special license plates provided by this section are as  
12 follows:

13 1. Prisoner of War License Plates - such plates shall be  
14 designed for honorably discharged or present members of the United  
15 States Armed Forces and civilians who were former prisoners of war  
16 held by a foreign country and who can provide proper certification  
17 of that status. Such persons may apply for a prisoner of war  
18 license plate for no more than two vehicles with each vehicle having  
19 a rated carrying capacity of one (1) ton or less. The surviving  
20 spouse of any deceased former prisoner of war, if the spouse has not  
21 since remarried, or if remarried, the remarriage is terminated by  
22 death, divorce, or annulment, may apply for a prisoner of war  
23 license plate for one vehicle with a rated carrying capacity of one  
24 (1) ton or less. The fee provided by this section for the special

1 license plate authorized by this paragraph shall be in addition to  
2 all other registration fees provided by law, except the registration  
3 fees levied by Section 1132 of this title;

4 2. National Guard License Plates - such plates shall be  
5 designed for active or retired members of the Oklahoma National  
6 Guard. Retirees who are eligible for such plates shall provide  
7 proof of eligibility upon initial application, but shall not be  
8 required to provide proof of eligibility annually;

9 3. Air National Guard License Plates - such plates shall be  
10 designed for active or retired members of the Oklahoma Air National  
11 Guard. Retirees who are eligible for such plates shall provide  
12 proof of eligibility upon initial application, but shall not be  
13 required to provide proof of eligibility annually;

14 4. United States Armed Forces - such plates shall be designed  
15 for active, retired, former or reserve members of the United States  
16 Armed Forces, and shall identify which branch of service, and carry  
17 the emblem and name of either the Army, Navy, Air Force, Marines or  
18 Coast Guard, according to the branch of service to which the member  
19 belongs or did belong. Former members who have been dishonorably  
20 discharged shall not be eligible for such plates. Persons applying  
21 for such license plate must show proof of present or past military  
22 service by presenting a valid Uniformed Services Identity Card or  
23 the United States Department of Defense Form (DD)214. Retired or  
24 former members who are eligible for such plates shall provide proof

1 of eligibility upon initial application, but shall not be required  
2 to provide proof of eligibility annually;

3 5. Congressional Medal of Honor Recipient License Plates - such  
4 plates shall be designed for any resident of this state who has been  
5 awarded the Congressional Medal of Honor. Such persons may apply  
6 for a Congressional Medal of Honor recipient license plate for each  
7 vehicle with a rated carrying capacity of one (1) ton or less.  
8 There shall be no registration fee for the issuance of this plate;

9 6. Missing In Action License Plates - such plates shall be  
10 designed to honor members of the United States Armed Forces who are  
11 missing in action. The spouse of such missing person, if the spouse  
12 has not since remarried, or if remarried, the remarriage is  
13 terminated by death, divorce, or annulment, and each parent of the  
14 missing person may apply for a missing in action license plate upon  
15 presenting proper certification that the person is missing in action  
16 and that the person making the application is the qualifying spouse  
17 or the parent of the missing person. The qualifying spouse and each  
18 parent of the missing person may each apply for the missing in  
19 action license plate for each vehicle with a rated carrying capacity  
20 of one (1) ton or less;

21 7. Purple Heart Recipient License Plates - such plates shall be  
22 designed for any resident of this state presenting proper  
23 certification from the United States Department of Veterans Affairs  
24 or the Armed Forces of the United States certifying that such

1 resident has been awarded the Purple Heart military decoration.  
2 Such persons may apply for a Purple Heart recipient license plate  
3 for vehicles having a rated carrying capacity of one (1) ton or  
4 less. The surviving spouse of any deceased veteran who has been  
5 awarded the Purple Heart military decoration, if such spouse has not  
6 since remarried, or if remarried, the remarriage has been terminated  
7 by death, divorce or annulment, may apply for such plate for one  
8 vehicle with a rated carrying capacity of one (1) ton or less;

9 8. Pearl Harbor Survivor License Plates - such plates shall be  
10 designed for any resident of this state who can be verified by the  
11 United States Department of Veterans Affairs or the Armed Forces of  
12 the United States as being:

- 13 a. a member of the United States Armed Forces on December  
14 7, 1941,
- 15 b. stationed on December 7, 1941, during the hours of  
16 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor,  
17 the island of Oahu, or offshore at a distance not to  
18 exceed three (3) miles, and
- 19 c. a recipient of an honorable discharge from the United  
20 States Armed Forces.

21 Such person may apply for a Pearl Harbor Survivor license plate  
22 for each vehicle with a rated carrying capacity of one (1) ton or  
23 less;

24

1           9. Iwo Jima License Plates - such plates shall be designed for  
2 any resident of this state who can be verified by the United States  
3 Department of Veterans Affairs or the Armed Forces of the United  
4 States as being:

- 5           a. a member of the United States Armed Forces in February  
6           of 1945,
- 7           b. stationed in February of 1945 on or in the immediate  
8           vicinity of the island of Iwo Jima, and
- 9           c. a recipient of an honorable discharge from the United  
10           States Armed Forces.

11           Such person may apply for an Iwo Jima license plate for each  
12 vehicle with a rated carrying capacity of one (1) ton or less.

13           Such license plate shall have the legend "Oklahoma OK" and shall  
14 contain three letters and three numbers. Between the letters and  
15 numbers shall be a logo of the flag-raising at Iwo Jima. Below the  
16 letters, logo and numbers, the plate shall contain the words "FEB."  
17 at the left, "Iwo Jima" in the center and "1945" at the right. Such  
18 plates shall not be subject to the design requirements of any other  
19 license plates prescribed by law other than the space for the  
20 placement of the yearly decals for each succeeding year of  
21 registration after the initial issue;

22           10. D-Day Survivor License Plates - such plates shall be  
23 designed for any resident of this state who can be verified by the  
24

1 United States Department of Veterans Affairs or the Armed Forces of  
2 the United States as being:

3 a. a member of the United States Armed Forces on June 6,  
4 1944,

5 b. a participant in the Allied invasion of the coast of  
6 Normandy on June 6, 1944; provided, if such  
7 participation cannot be verified by the United States  
8 Department of Veterans Affairs or the Armed Forces of  
9 the United States, the Tax Commission may, in its  
10 discretion, accept evidence of such participation from  
11 the person applying for the license plate, and

12 c. a recipient of an honorable discharge from the United  
13 States Armed Forces.

14 Such person may apply for a D-Day Survivor license plate for  
15 each vehicle with a rated carrying capacity of one (1) ton or less;

16 11. Killed in Action License Plates - such plates shall be  
17 designed to honor members of the United States Armed Forces who were  
18 killed in action. The spouse of the deceased person, if the spouse  
19 has not remarried, or if remarried, the remarriage is terminated by  
20 death, divorce, or annulment, may apply for a killed in action  
21 license plate upon presenting proper certification that the person  
22 was killed in action and that the person making the application is  
23 the qualifying spouse of the deceased person. The qualifying spouse  
24 may apply for a killed in action license plate for no more than two

1 vehicles with each vehicle with a rated carrying capacity of one (1)  
2 ton or less. The fee provided by this section for the special  
3 license plate authorized by this paragraph shall be in addition to  
4 all other registration fees provided by law, except the registration  
5 fees levied by Section 1132 of this title;

6 12. Gold Star Parents License Plates - such plates shall be  
7 designed to honor members of the United States Armed Forces who were  
8 killed during a war. The parents of the deceased person may apply  
9 for a gold star license plate upon presenting proper certification  
10 that the person was killed during a war and that the person making  
11 the application is the parent of the deceased person. The parent  
12 may apply for a gold star parent license plate for no more than two  
13 vehicles with each vehicle having a rated carrying capacity of one  
14 (1) ton or less. The fee provided by this section for the special  
15 license plate authorized by this paragraph shall be in addition to  
16 all other registration fees provided by law, except the registration  
17 fees levied by Section 1132 of this title;

18 13. Military Decoration License Plates - such plates shall be  
19 designed for any resident of this state who has been awarded the  
20 Distinguished Service Medal, the Distinguished Service Cross, the  
21 Distinguished Flying Cross, the Bronze Star military decoration or  
22 the Silver Star military decoration. Such persons may apply for a  
23 military decoration license plate for each vehicle with a rated  
24 carrying capacity of one (1) ton or less;

1 14. Vietnam Veteran License Plates - such plates shall be  
2 designed for honorably discharged or present members of the United  
3 States Armed Forces who served in the Vietnam Conflict. Such  
4 persons may apply for a Vietnam veteran license plate for each  
5 vehicle with a rated carrying capacity of one (1) ton or less;

6 15. Police Officer License Plates - such plates shall be  
7 designed for any currently employed, reserve or retired municipal  
8 police officer or full-time, reserve or retired university police  
9 officer certified by the Council on Law Enforcement Education and  
10 Training or common education police officer certified by the Council  
11 on Law Enforcement Education and Training. Police officers may  
12 apply for police officer license plates for vehicles with a rated  
13 capacity of one (1) ton or less or for a motorcycle upon proof of  
14 employment by or retirement from a municipal, university or common  
15 education police department by either an identification card or  
16 letter from the chief of the police department or the Oklahoma  
17 Police Pension and Retirement Board. Retirees who are eligible for  
18 such plates shall provide proof of eligibility upon initial  
19 application, but shall not be required to provide proof of  
20 eligibility annually. The license plates shall be designed in  
21 consultation with municipal police departments of this state;  
22 provided, the license plate for motorcycles may be of similar design  
23 to the license plate for motor vehicles or may be a new design in  
24 order to meet space requirements for a motorcycle license plate;

1        16. World War II Veteran License Plates - such plates shall be  
2 designed to honor honorably discharged former members of the United  
3 States Armed Forces who are residents of this state and who can be  
4 verified by the Oklahoma Military Department, the Department of  
5 Veterans Affairs or the Armed Forces of the United States as having  
6 served on federal active duty anytime during the period from  
7 September 16, 1940, to December 7, 1945. The former members may  
8 apply for a World War II Veteran license plate for vehicles with a  
9 rated carrying capacity of one (1) ton or less.

10        The license plate shall have the legend "Oklahoma" and shall  
11 contain, in the center of the plate, either the Thunderbird Insignia  
12 of the 45th Infantry Division in the prescribed red and gold  
13 coloring or the emblem of the Army, Navy, Air Force, Marines or  
14 Coast Guard according to the branch of service to which the member  
15 belonged. For the purpose of license plate identification, the  
16 plate shall contain four digits, two digits at the left and two  
17 digits at the right of the insignia or emblem. Centered on the  
18 bottom of the license plate shall be the words "WORLD WAR II";

19        17. Korean War Veteran License Plates - such plates shall be  
20 designed to honor honorably discharged former members of the United  
21 States Armed Forces who are residents of this state and who can be  
22 verified by the Oklahoma Military Department, the Department of  
23 Veterans Affairs or the Armed Forces of the United States as having  
24 served on federal active duty anytime during the period from June

1 27, 1950, to January 31, 1955, both dates inclusive. The former  
2 members may apply for a Korean War Veteran license plate for  
3 vehicles with a rated carrying capacity of one (1) ton or less.

4 The license plate shall have the legend "OKLAHOMA" and shall  
5 contain, in the center of the plate, either the Thunderbird Insignia  
6 of the 45th Infantry Division in the prescribed red and gold  
7 coloring or the emblem of the Army, Navy, Air Force, Marines or  
8 Coast Guard according to the branch of service to which the member  
9 belonged. For the purpose of license plate identification, the  
10 plate shall contain four digits, two digits at the left and two  
11 digits at the right of the insignia or emblem. Centered on the  
12 bottom of the license plate shall be the word "KOREA";

13 18. Municipal Official License Plates - such plates shall be  
14 designed for persons elected to a municipal office in this state and  
15 shall designate the name of the municipality and the district or  
16 ward in which the municipal official serves. The plates shall only  
17 be produced upon application;

18 19. Red Cross Volunteer License Plates - such plates shall be  
19 designed to honor American Red Cross volunteers and staff who are  
20 residents of this state. Such persons must present an  
21 identification card issued by the American Red Cross and bearing a  
22 photograph of the person. The license plate shall be designed with  
23 the assistance of the American Red Cross and shall have the legend  
24 "Oklahoma OK!" in the color Pantone 186C Red. Below the legend the

1 symbol of the American Red Cross and no more than three letters and  
2 three numbers shall be in the color Pantone 186C Red. Below the  
3 symbol and letters and numbers shall be the words "American Red  
4 Cross" in black. The plates shall not be subject to the design  
5 requirements of any other license plates prescribed by law other  
6 than the space for the placement of the yearly decals for each  
7 succeeding year of registration after the initial issue;

8 20. Veterans of Foreign Wars License Plates - such plates shall  
9 be designed to honor the veterans of foreign wars and issued to any  
10 resident of this state who is a member of a Veterans of Foreign Wars  
11 organization in this state. Such persons may apply for Veterans of  
12 Foreign Wars license plates upon proof of membership in a Veterans  
13 of Foreign Wars organization. The license plate shall be designed  
14 in consultation with the Veterans of Foreign Wars organization;

15 21. Desert Storm License Plates - such plates shall be designed  
16 and issued to any honorably discharged or present member of the  
17 United States Armed Forces who served in the Persian Gulf Crisis and  
18 the Desert Storm operation. Such persons may apply for a Desert  
19 Storm license plate for each vehicle with a rated carrying capacity  
20 of one (1) ton or less;

21 22. Military Reserve Unit License Plates - such plates shall be  
22 designed and issued to any honorably discharged or present member of  
23 a reserve unit of the United States Armed Forces. Such persons may  
24

1 apply for a Military Reserve Unit license plate for each vehicle  
2 with a rated carrying capacity of one (1) ton or less;

3 23. Oklahoma City Bombing Victims and Survivors License Plates  
4 - such plates shall be designed and issued to any victim or survivor  
5 of the bombing attack on the Alfred P. Murrah Federal Building in  
6 downtown Oklahoma City on April 19, 1995;

7 24. Civil Air Patrol License Plates - such plates shall be  
8 designed and issued to any person who is a member of the Civil Air  
9 Patrol. Such persons may apply for a Civil Air Patrol license plate  
10 for each vehicle with a rated carrying capacity of one (1) ton or  
11 less upon proof of membership in the Civil Air Patrol. The license  
12 plate shall be designed in consultation with the Civil Air Patrol;

13 25. Ninety-Nines License Plates - such plates shall be designed  
14 and issued to members of the Ninety-Nines. Persons applying for  
15 such license plate must show proof of membership in the Ninety-  
16 Nines. The license plates shall be designed in consultation with  
17 the Ninety-Nines;

18 26. Combat Infantryman Badge License Plates - such plates shall  
19 be designed to honor recipients of the Combat Infantryman Badge.  
20 The plate shall have the legend "Oklahoma OK". Below the legend  
21 shall be the Combat Infantryman Badge and three numbers. Below the  
22 badge and the numbers shall be the words "Combat Infantryman Badge".  
23 Such persons may apply for a Combat Infantryman Badge license plate  
24

1 for each vehicle with a rated carrying capacity of one (1) ton or  
2 less;

3 27. Somalia Combat Veterans License Plates - such plates shall  
4 be designed and issued to any honorably discharged or present member  
5 of the United States Armed Forces who saw combat in the United  
6 Nations relief effort. Such persons may apply for a Somalia Combat  
7 Veteran license plate for each vehicle with a rated carrying  
8 capacity of one (1) ton or less;

9 28. Police Chaplain License Plates - such plates shall be  
10 designed and issued to members of the International Conference of  
11 Police Chaplains (ICPC) who have completed the ICPC requirements for  
12 basic certification as a police chaplain. The license plates shall  
13 be designed in consultation with the ICPC;

14 29. Joint Service Commendation Medal License Plates - such  
15 plates shall be designed and issued to any resident of this state  
16 who has been awarded the Joint Service Commendation Medal by the  
17 United States Secretary of Defense;

18 30. Merchant Marine License Plates - such plates shall be  
19 designed, subject to criteria to be presented to the Tax Commission  
20 by the Oklahoma Department of Veterans Affairs, and issued to any  
21 person who during combat was a member of the Merchant Marines as  
22 certified by the Oklahoma Department of Veterans Affairs. Such  
23 license plate may be issued for each vehicle with a rated carrying  
24 capacity of one (1) ton or less;

1           31. Legislative License Plates - such plates shall be designed  
2 for persons elected to the Oklahoma Legislature and shall designate  
3 the house of the Legislature in which the legislator serves and the  
4 district number;

5           32. Disabled Veterans License Plates - such plates shall be  
6 designed for persons presenting proper certification from the United  
7 States Department of Veterans Affairs or the Armed Forces of the  
8 United States certifying such veteran has a service-connected  
9 disability rating of fifty percent (50%) or more, regardless which  
10 agency pays the disability benefits, or that such veteran has been  
11 awarded a vehicle by the United States government or receives a  
12 grant from the United States Department of Veterans Affairs for the  
13 purchase of an automobile due to a service-connected disability  
14 rating or due to the loss of use of a limb or an eye. Such persons  
15 may apply to the Tax Commission for a disabled veterans license  
16 plate or to a motor license agent for a regular license plate for no  
17 more than two vehicles with each vehicle having a rated carrying  
18 capacity of one (1) ton or less. The surviving spouse of any  
19 deceased disabled veteran, if the spouse has not since remarried, or  
20 if remarried, the remarriage is terminated by death, divorce, or  
21 annulment, may apply for a disabled veterans license plate for one  
22 vehicle with a rated carrying capacity of one (1) ton or less. The  
23 fee provided by this section for the special license plate  
24 authorized by this paragraph shall be in addition to all other

1 registration fees provided by law, except the registration fees  
2 levied by Section 1132 of this title. The total expense of this  
3 license plate shall not exceed Five Dollars (\$5.00).

4 If the person qualifies for a disabled veterans license plate  
5 and is also eligible for ~~an insignia as~~ a physically disabled ~~person~~  
6 placard under the provisions of Section 15-112 of this title, the  
7 person shall be eligible to receive a disabled veterans license  
8 plate that also displays the international accessibility symbol,  
9 which is a stylized human figure in a wheelchair. Upon the death of  
10 the disabled veteran with a disabled veterans license plate with the  
11 international accessibility symbol, the plate shall be returned to  
12 the Tax Commission;

13 33. United States Air Force Association License Plates - such  
14 plates shall be designed for members of the United States Air Force  
15 Association. Persons applying for such license plate must show  
16 proof of membership in the Association. The license plates shall be  
17 designed in consultation with the Association;

18 34. Oklahoma Military Academy Alumni License Plates - such  
19 plates shall be designed and issued to any resident of this state  
20 who is an alumnus of the Oklahoma Military Academy. Such persons  
21 may apply for an Oklahoma Military Academy Alumnus license plate for  
22 each vehicle with a rated carrying capacity of one (1) ton or less.  
23 The license plates shall be designed in consultation with the  
24

1 Oklahoma Military Academy and shall contain the shield of the  
2 Academy;

3 35. Amateur Radio Operator License Plates - such plates shall  
4 be designed and issued to any person, holding a valid operator's  
5 license, technician class or better, issued by the Federal  
6 Communications Commission, and who is also the owner of a motor  
7 vehicle currently registered in Oklahoma, in which has been  
8 installed amateur mobile transmitting and receiving equipment.  
9 Eligible persons shall be entitled to two special vehicle  
10 identification plates as herein provided. Application for such  
11 identification plates shall be on a form prescribed by the Tax  
12 Commission and the plates issued to such applicant shall have  
13 stamped thereon the word "Oklahoma" and bear the official call  
14 letters of the radio station assigned by the Federal Communications  
15 Commission to the individual amateur operator thereof. All  
16 applications for such plates must be made to the Tax Commission on  
17 or before the first day of October of any year for such plates for  
18 the following calendar year and must be accompanied by the fee  
19 required in this section together with a certificate, or such other  
20 evidence as the Tax Commission may require, of proof that applicant  
21 has a valid technician class or better amateur operator's license  
22 and proof of applicant's ownership of a vehicle in which radio  
23 receiving and transmitting equipment is installed. Applicants shall  
24 only be entitled to one set of special identification plates in any

1 one (1) year, and such calendar year shall be stamped thereon. The  
2 right to such special identification plates herein provided for  
3 shall continue until the amateur radio operator's license of the  
4 person to whom such plates are issued expires or is revoked;

5 36. American Legion License Plates - such plates shall be  
6 designed for members of the American Legion. Persons applying for  
7 such license plate must show proof of membership. The license  
8 plates shall be designed in consultation with the American Legion of  
9 Oklahoma;

10 37. Deputy Sheriff License Plates - such plates shall be  
11 designed for any currently employed or retired county sheriff or  
12 deputy sheriff. County sheriffs or deputy sheriffs may apply for  
13 such plates for vehicles with a rated capacity of one (1) ton or  
14 less upon proof of employment by or retirement from a county  
15 sheriff's office by either an identification card or letter from the  
16 county sheriff or a government-sponsored retirement board from which  
17 the county sheriff or deputy sheriff may be receiving a pension.  
18 Retirees who are eligible for such plates shall provide proof of  
19 eligibility upon initial application, but shall not be required to  
20 provide proof of eligibility annually. The license plates shall be  
21 designed in consultation with the county sheriff offices of this  
22 state;

23 38. Surviving Spouse License Plates - such plates shall be  
24 designed for any resident of this state who is the surviving spouse

1 of an honorably discharged veteran who died due to or as a  
2 consequence of a service-connected disability. Such surviving  
3 spouse may, if not since remarried, or if remarried, the remarriage  
4 is terminated by death, divorce or annulment, apply for a Surviving  
5 Spouse license plate for one vehicle with a rated carrying capacity  
6 of one (1) ton or less;

7 39. Gold Star Survivor License Plates - such plates shall be  
8 designed to honor the surviving spouses of qualified veterans. As  
9 used in this paragraph, "qualified veteran" shall mean:

10 a. any person honorably discharged from any branch of the  
11 United States Armed Forces or as a member of the  
12 Oklahoma National Guard, who died as a direct result  
13 of the performance of duties for any branch of the  
14 United States Armed Forces or Oklahoma National Guard  
15 while on active military duty, or

16 b. any person honorably discharged from any branch of the  
17 United States Armed Forces or as a member of the  
18 Oklahoma National Guard, who died as a result of  
19 injury, illness or disease caused by the performance  
20 of such duties while on active duty, whether the death  
21 occurred while on active duty or after the honorable  
22 discharge of such person;

23 40. Korea Defense Service Medal License Plates - such plates  
24 shall be designed and issued to any resident of this state who has

1 | been awarded the Korea Defense Service Medal by the United States  
2 | Secretary of Defense. Such persons may apply for a Korea Defense  
3 | Service Medal license plate for each vehicle with a rated carrying  
4 | capacity of one (1) ton or less;

5 |       41. 180th Infantry License Plates - such plates shall be  
6 | designed for members and prior members of the 180th Infantry.  
7 | Persons applying for such license plate must obtain and provide  
8 | proof of their membership from the 180th Infantry Association. The  
9 | license plates shall be designed in consultation with the 180th  
10 | Infantry; and

11 |       42. Operation Iraqi Freedom Veteran License Plate - such plates  
12 | shall be designed and issued to any honorably discharged or present  
13 | member of the United States Armed Forces who served in Operation  
14 | Iraqi Freedom. Such person may apply for an Operation Iraqi Freedom  
15 | Veteran license plate for each vehicle with a rated carrying  
16 | capacity of one (1) ton or less.

17 |       C. Unless otherwise provided by this section, the fee for such  
18 | plates shall be Eight Dollars (\$8.00) and shall be in addition to  
19 | all other registration fees provided by the Oklahoma Vehicle License  
20 | and Registration Act. Such fees shall be deposited in the Oklahoma  
21 | Tax Commission Reimbursement Fund to be used for the administration  
22 | of the Oklahoma Vehicle License and Registration Act.

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1 SECTION 8. AMENDATORY 47 O.S. 2001, Section 11-1007, as  
2 last amended by Section 14, Chapter 62, O.S.L. 2007 (47 O.S. Supp.  
3 2009, Section 11-1007), is amended to read as follows:

4 Section 11-1007. A. 1. It shall be unlawful for any person to  
5 place or park a motor vehicle in any parking space that is  
6 designated and posted as a reserved area for the parking of a motor  
7 vehicle operated by or transporting a physically disabled person  
8 unless such person has applied for and been issued a detachable  
9 insignia indicating physical disability under the provisions of  
10 Section 15-112 of this title, and such insignia is displayed as  
11 provided in Section 15-112 of this title or in rules adopted  
12 pursuant thereto, or has applied for and been issued a physically  
13 disabled special license plate pursuant to the provisions of Section  
14 1135.1 of this title, and such license plate is displayed pursuant  
15 to the provisions of the Oklahoma Vehicle License and Registration  
16 Act.

17 2. It shall also be unlawful for any person to place or park a  
18 motor vehicle, whether with or without a physically disabled placard  
19 or plate, in any disabled parking space access aisle, wheelchair  
20 ramp, wheelchair loading/unloading area or any portion thereof.

21 B. 1. Violation of these provisions shall be a misdemeanor and  
22 upon conviction ~~such~~ the person shall be fined ~~not less than One~~  
23 ~~Hundred Fifty Dollars (\$150.00) and not more than Two Hundred Fifty~~  
24 ~~Dollars (\$250.00)~~ Five Hundred Dollars (\$500.00). Provided, any

1 person cited for a first offense of a violation of this section who  
2 has displayed a placard which has expired pursuant to paragraph 4 or  
3 5 of subsection D of Section 15-112 of this title shall be entitled  
4 to dismissal of such charge and shall not be required to pay the  
5 fine or court costs if the person presents to the court within  
6 thirty (30) days of the issuance of the citation a notice from the  
7 Department of Public Safety that the person has obtained a valid  
8 placard pursuant to the provisions of subsection D of Section 15-112  
9 of this title. Fines collected under this section shall be  
10 distributed as follows:

11 a. eighty percent (80%) to the general fund of the  
12 municipality or political subdivision, subject to the  
13 provisions of subsection C of Section 15-115 of this  
14 title, and

15 b. twenty percent (20%) to a dedicated fund established  
16 by the Department of Public Safety for the  
17 development, implementation and maintenance of a  
18 system for the enforcement of the disability parking  
19 provisions of this title.

20 2. In addition, vehicles unlawfully parked in violation of  
21 these provisions shall be subject to immediate tow by a licensed tow  
22 truck operator at the request of the landowner or a duly appointed  
23 agent of the landowner, at the request of any person unable to  
24 lawfully gain access to or move their vehicle, at the request of any

1 person unable to lawfully gain access to the area blocked by the  
2 unlawfully parked vehicle, or at the request of appropriate law-  
3 enforcement personnel. The owner of any vehicle unlawfully parked  
4 in violation of these provisions shall pay any and all reasonable  
5 and necessary costs associated with towing and storage of the  
6 vehicle.

7 C. Upon the accumulation of the total necessary funds in the  
8 Department of Public Safety Revolving Fund pursuant to subsection B  
9 of this section, the Department of Public Safety shall develop,  
10 implement, deploy and administer a database which identifies all  
11 persons to whom disabled parking permits have been issued. The  
12 database shall be available twenty-four (24) hours a day to any  
13 person authorized by statute to enforce disabled parking laws of  
14 this state, in order to verify the validity of a disabled parking  
15 permit and the person to whom it is issued.

16 SECTION 9. This act shall become effective November 1, 2010.

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