

THE HOUSE OF REPRESENTATIVES  
Thursday, February 25, 2010

House Bill No. 2326

HOUSE BILL NO. 2326 - By: MARTIN (STEVE) of the House.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 564.1, as last amended by Section 3, Chapter 315, O.S.L. 2008 (47 O.S. Supp. 2009, Section 564.1), which relates to off-premises display and sales of certain vehicles; allowing for off-premises display and sales of certain wrecker vehicles; providing event requirements; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 47 O.S. 2001, Section 564.1, as last amended by  
2 Section 3, Chapter 315, O.S.L. 2008 (47 O.S. Supp. 2009, Section 564.1), is amended to  
3 read as follows:

4 Section 564.1 ~~Licensing of off-premises displays of new motor vehicles and off-~~  
5 ~~premise sales of new motorized recreational.~~

6 A. The Oklahoma Motor Vehicle Commission shall provide for off-premise displays  
7 of new motor vehicles and off-premise sales of new motorized recreational vehicles, by  
8 currently licensed new motor vehicle dealers as follows:

9 1. An off-premise event may be held for display purposes only under the following  
10 conditions:

11 a. the motor vehicles are for display purposes only and not for sale at the  
12 off-premise display event,

- 1           b.     no selling activities shall be conducted,
- 2           c.     the display is in dealer's factory-approved area of sales and service
- 3                 responsibility;
- 4           d.     the dealer must obtain written approval from the manufacturer or
- 5                 distributor, and
- 6           e.     the dealer is required to obtain approval for the display location from
- 7                 the sponsoring entity; and

8           2. An off-premise event by motorized recreational vehicle dealer or dealers, at

9     which selling activities are conducted, may be held only under the following conditions:

- 10           a.     permits for a sales event described in this paragraph shall be obtained
- 11                 from the Commission at the rate of Fifteen Dollars (\$15.00) per vehicle,
- 12                 per event,
- 13           b.     the permit shall be for a period not to exceed ten (10) consecutive days,
- 14           c.     the sponsoring entity of the sales event shall obtain a license from the
- 15                 Commission at the rate of Two Hundred Dollars (\$200.00) per event,
- 16           d.     new motorized recreational vehicle dealers whose factory-approved
- 17                 area of sales and service responsibility includes the event location
- 18                 would be eligible to participate,
- 19           e.     new motorized recreational vehicle dealers must obtain written
- 20                 approval from the manufacturer or distributor, and

1 f. the off-premise sales event shall be conducted within municipal,  
2 county, or state-owned or controlled facilities or within the grounds of  
3 any county, district, or state fair.

4 B. The Oklahoma Motor Vehicle Commission shall provide for off-premise displays  
5 of new upfitted motor wrecker vehicles and off-premise sales of new motorized wrecker  
6 vehicles by wrecker and equipment manufacturers or their in-state or out-of-state dealer  
7 representatives as follows:

8 1. An off-premise upfitted motor wrecker vehicle event may be held for display  
9 purposes only under the following conditions:

10 a. the upfitted motor wrecker vehicles are for display purposes only and  
11 not for sale at the off-premise display event, and

12 b. no selling activities shall be conducted; and

13 2. An off-premise event by motorized wrecker vehicle dealer or dealers, at which  
14 selling activities are conducted, may be held only under the following conditions:

15 a. permits for a sales event described in this paragraph shall be obtained  
16 from the Commission at the rate of Fifteen Dollars (\$15.00) per vehicle,  
17 per event.

18 b. the permit shall be for a period not to exceed ten (10) consecutive days.

19 c. the sponsoring entity of the sales event shall obtain a license from the  
20 Commission at the rate of Two Hundred Dollars (\$200.00) per event,  
21 and

1           d.     the off-premise sales event shall be conducted within municipal,  
2                     county, or state-owned or controlled facilities or within the grounds of  
3                     any county, district, or state fair.

4           C. The Oklahoma Motor Vehicle Commission is authorized to provide a variance to  
5 the distance requirements specified in this section, for any off-premise display event if:

6           1. The off-premise display is conducted within municipal, county, or state-owned or  
7 controlled facilities or within the grounds of any county, district, or state fair; and

8           2. The request for the variance must be in writing to the Commission no less than  
9 thirty (30) days prior to the off-premise display event.

10          SECTION 2. This act shall become effective July 1, 2010.

11          SECTION 3. It being immediately necessary for the preservation of the public  
12 peace, health and safety, an emergency is hereby declared to exist, by reason whereof  
13 this act shall take effect and be in full force from and after its passage and approval.

14          COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND  
15 FINANCIAL SERVICES, dated 02-24-10 - DO PASS.

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