

EHB 2326

THE STATE SENATE  
Wednesday, March 24, 2010

ENGROSSED

House Bill No. 2326

As Amended

ENGROSSED HOUSE BILL NO. 2326 - By: Martin (Steve) and Roan of the House and Justice of the Senate.

[ motor vehicles - off-premises display and sales of certain vehicles - effective date - emergency ]

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

SECTION 1. AMENDATORY 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), is amended to read as follows:

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

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

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

- a. the motor vehicles are for display purposes only and not for sale at the off-premise display event,
- b. no selling activities shall be conducted,

1 c. the display is in dealer's factory-approved area of  
2 sales and service responsibility<sup>7</sup><sub>1</sub>

3 d. the dealer must obtain written approval from the  
4 manufacturer or distributor, and

5 e. the dealer is required to obtain approval for the  
6 display location from the sponsoring entity; and

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

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

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

15 c. the sponsoring entity of the sales event shall obtain  
16 a license from the Commission at the rate of Two  
17 Hundred Dollars (\$200.00) per event,

18 d. new motorized recreational vehicle dealers whose  
19 factory-approved area of sales and service  
20 responsibility includes the event location would be  
21 eligible to participate,

1 e. new motorized recreational vehicle dealers must obtain  
2 written approval from the manufacturer or distributor,  
3 and

4 f. the off-premise sales event shall be conducted within  
5 municipal, county, or state-owned or controlled  
6 facilities or within the grounds of any county,  
7 district, or state fair.

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

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

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

18 b. no selling activities shall be conducted; and

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

- 1           a. permits for a sales event described in this paragraph  
2                           shall be obtained from the Commission at the rate of  
3                           Fifteen Dollars (\$15.00) per vehicle, per event,  
4           b. the permit shall be for a period not to exceed ten  
5                           (10) consecutive days,  
6           c. the sponsoring entity of the sales event shall obtain  
7                           a license from the Commission at the rate of Two  
8                           Hundred Dollars (\$200.00) per event, and  
9           d. the off-premise sales event shall be conducted within  
10                          municipal, county, or state-owned or controlled  
11                          facilities or within the grounds of any county,  
12                          district, or state fair.

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

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

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

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

1           SECTION 3. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.  
5 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 3-22-10 -  
6 DO PASS, As Amended.