

EHB 2567

1 THE STATE SENATE
2 Monday, March 29, 2010

3 ENGROSSED

4 House Bill No. 2567

5 As Amended

6 ENGROSSED HOUSE BILL NO. 2567 - By: Wesselhoft, Shoemake, Sherrer,
7 Cannaday and Pittman of the House and Leftwich and Anderson of the
8 Senate.

9 [motor vehicles - relating to disabled parking - modifying
10 procedures - effective date]

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

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

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

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

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

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

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

6 5. A physically disabled placard or license plate issued by
7 another state.

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

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

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

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

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

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

5 SECTION 2. AMENDATORY 47 O.S. 2001, Section 15-112, as
6 last amended by Section 3, Chapter 302, O.S.L. 2008 (47 O.S. Supp.
7 2009, Section 15-112), is amended to read as follows:

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

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

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

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

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

- 1 a. cannot walk two hundred (200) feet without stopping to
2 rest,
3 b. cannot walk without the use of or assistance from a
4 brace, cane, crutch, another person, prosthetic
5 device, wheelchair or other assistance device,
6 c. is restricted to such an extent that the person's
7 forced (respiratory) expiratory volume for one (1)
8 second, when measured by spirometry, is less than one
9 (1) liter, or the arterial oxygen tension is less than
10 sixty (60) mm/hg on room air at rest,
11 d. must use portable oxygen,
12 e. has functional limitations which are classified in
13 severity as Class III or Class IV according to
14 standards set by the American Heart Association,
15 f. is severely limited in the person's ability to walk
16 due to an arthritic, neurological or orthopedic
17 condition, or from complications due to pregnancy,
18 g. is certified legally blind, or
19 h. is missing one or more limbs.

20 B. ~~±~~ The Department of Public Safety shall issue a detachable
21 placard indicating physical disability to any person who submits an
22 application on a form furnished by the Department and certified by a
23 physician, physician assistant, or advanced registered nurse

1 practitioner attesting that the applicant has a physical disability.
2 The attestation of the physician, physician assistant, or advanced
3 registered nurse practitioner shall denote "temporary" as the type
4 of placard requested and shall indicate an expiration date which the
5 physician, physician assistant, or advanced registered nurse
6 practitioner estimates to be the date of termination of such
7 physical disability; however, if the physician, physician assistant,
8 or advanced registered nurse practitioner certifies that the
9 physical disability is permanent, the physician, physician
10 assistant, or advanced registered nurse practitioner shall denote
11 "five-year" as the type of placard requested.

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

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

18 1. The placard expires;

19 2. The person to whom the placard was issued requests a
20 replacement placard; or

21 3. The placard is no longer needed by the person to whom the
22 placard was issued for the disability for which the placard was

1 originally issued, whereupon such placard shall be returned to the
2 Department.

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

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

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

22 4. On and after January 1, 1998, all placards issued prior to
23 October 31, 1990, shall expire on the last day of the month in which

1 the placard was issued, and the person to whom such placard was
2 issued may follow the procedure provided for in subsection B of this
3 section to obtain a second or subsequent placard.

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

10 E. A physician, physician assistant, or advanced registered
11 nurse practitioner may sign an application certifying that a person
12 has a physical disability, as provided in subsection B of this
13 section, only if care and treatment of the illness, disease, injury
14 or condition causing the physical disability of such person falls
15 within the authorized scope of practice of the physician or
16 physician assistant, or advanced registered nurse practitioner.

17 ~~F. The Department shall recognize handicap and disability~~
18 ~~stickers issued by the Department of Veterans Affairs and federal~~
19 ~~military bases in the same manner as the placard issued by the~~
20 ~~Department as provided for in this section. For purposes of this~~
21 ~~section and other sections of law relating to the physical~~
22 ~~disability placard, the term "physical disability placard" shall~~

1 ~~include those handicap and disability stickers issued by the~~
2 ~~Department of Veterans Affairs and federal military bases.~~

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

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

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

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

22 B. 1. Any person who has not been issued a physically disabled
23 parking placard pursuant to the provisions of Section 15-112 of this

1 title, a physically disabled license plate issued pursuant to the
2 provisions of Section 1135.1 of this title, a disabled veterans
3 license plate pursuant to the provisions of Section 1135.2 of this
4 title, a disability sticker issued by the Department of Veterans
5 Affairs and federal military bases, or a physically disabled placard
6 or license plate issued by another state, and uses a placard,
7 sticker, or license plate to park in a disabled parking place is
8 guilty of a misdemeanor and upon conviction shall be punished by a
9 fine of Five Hundred Dollars (\$500.00). A person transporting a
10 physically disabled person with an authorized placard, sticker or
11 license plate, as provided in subsection A of Section 11-1007 of
12 this title, shall be excluded from the provisions of this section.

13 2. Any person who has been issued a physically disabled parking
14 placard pursuant to the provisions of Section 15-112 of this title,
15 a physically disabled license plate issued pursuant to the
16 provisions of Section 1135.1 of this title, or a disabled veterans
17 license plate pursuant to the provisions of Section 1135.2 of this
18 title, and knowingly allows the placard or license plate to be used
19 by a person not issued the placard or license plate as described in
20 paragraph 1 of this subsection, is guilty of a misdemeanor and upon
21 conviction shall be punished by a fine of Five Hundred Dollars
22 (\$500.00).

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

6 SECTION 4. AMENDATORY 47 O.S. 2001, Section 11-1007.1,
7 as renumbered by Section 14, Chapter 302, O.S.L. 2008 (47 O.S. Supp.
8 2009, Section 15-115), is amended to read as follows:

9 Section 15-115. A. A city, town or municipality may, by
10 adoption of a local law or ordinance, establish a civilian volunteer
11 ~~handicapped~~ disabled parking violation unit to assist in the
12 enforcement of ~~handicapped~~ disabled parking laws or ordinances.
13 Persons appointed to such units shall be volunteers, shall serve
14 without compensation, and shall be authorized to provide evidence of
15 violations of ~~handicapped~~ disabled parking laws or ordinances to the
16 appropriate law enforcement authority. Such evidence may include
17 photographing a violation, provided that such photograph is taken in
18 compliance with the requirements of this section. The civilian
19 volunteer disabled parking violation unit shall have the authority
20 to report violations of disabled parking ordinances or rules on both
21 public and private property where the public is invited as provided
22 for in Section 15-116 of this title.

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

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

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

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

11 4. Establish procedures for the uniform reporting of
12 violations, which shall include the identification number of the
13 volunteer making the report;

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

16 a. grant only the local law enforcement agency the
17 authority to process or to contract for the processing
18 of all film or digital files submitted by volunteers,

19 b. require any photographs evidencing a violation to be
20 available for inspection in any proceeding to
21 adjudicate the liability for such violation,

22 c. provide that a certificate, sworn to or affirmed by a
23 technician employed by the municipality in which the

1 charged violation occurred, or a facsimile thereof,
2 based upon inspection of photographs produced from
3 film or digital files submitted by volunteers, shall
4 be prima facie evidence of the facts contained
5 therein, and

6 d. prohibit the use of such a photograph for any purpose
7 other than as evidence of a ~~handicapped~~ disabled
8 parking violation; and

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

10 a. a notice of violation shall be sent by first class
11 mail to each person alleged to be liable as an owner
12 for a violation of a ~~handicapped~~ disabled parking law
13 or ordinance. A manual or automatic record of mailing
14 prepared in the ordinary course of business shall be
15 prima facie evidence of the facts contained therein,

16 b. a notice of violation shall reference the law which
17 was allegedly violated, and shall contain the name and
18 address of the person alleged to be liable as an owner
19 for a violation of a ~~handicapped~~ disabled parking law
20 or ordinance, the license tag number of the vehicle
21 involved in such violation, the location where such
22 violation took place, the date and time of such

1 violation, and the identification number of the
2 volunteer who recorded the violation,
3 c. a notice of violation shall contain information
4 advising the person charged of the manner and the time
5 in which he or she may contest the violation alleged
6 in the notice, and shall also contain a warning to
7 advise the persons charged that failure to contest in
8 the manner and time provided shall be deemed an
9 admission of liability and that a default judgment may
10 be entered thereon.

11 C. Upon a conviction of a local law or ordinance which complies
12 with the provisions of subsection B of this section, notwithstanding
13 any other law, the local law enforcement entity shall have the
14 authority:

15 ~~1. To confiscate the placard if not valid or used fraudulently,~~
16 ~~report the conviction, and send the placard to the Department of~~
17 ~~Public Safety, which shall then revoke the privilege of using the~~
18 ~~placard; and~~

19 ~~2. To~~ to dedicate not less than twelve and one-half percent (12
20 1/2%) of any fine that resulted from citations or for violations of
21 the ~~handicapped~~ disabled parking regulations in accordance with
22 subsection B of Section 15-113 and subsection B of Section 11-1007
23 of this title, to be deposited in a special dedicated fund to be

1 used by the local municipality for the sole purpose of establishing,
2 maintaining and perpetuating a citizen volunteer ~~handicapped~~
3 disabled parking violation unit.

4 SECTION 5. AMENDATORY 47 O.S. 2001, Section 11-1008, as
5 renumbered by Section 14, Chapter 302, O.S.L. 2008 (47 O.S. Supp.
6 2009, Section 15-116), is amended to read as follows:

7 Section 15-116. ~~Any municipality or political subdivision of~~
8 ~~this state may enact and enforce~~ Upon the enactment of any
9 ordinance, rule or regulation adopted in conformity with this act-
10 ~~Such ordinance shall also authorize the municipality to investigate~~
11 ~~accidents on private property,~~ the municipality or political
12 subdivision is authorized to investigate and enforce the ordinance,
13 rule, or regulation on public property, or private property where
14 the public is invited ~~or on public property~~ such as, but not limited
15 to, the following:

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

18 2. Establishments serving food or drink including, but not
19 limited to, restaurants and bars;

20 3. Places of exhibition or entertainment including, but not
21 limited to, motion picture houses, theaters, concert halls, and
22 stadiums;

1 4. Places of public gathering including, but not limited to,
2 auditoriums, convention centers, and lecture halls;

3 5. Sales or rental establishments including, but not limited
4 to, bakeries, grocery stores, hardware stores, and shopping centers;

5 6. Service establishments including, but not limited to,
6 laundromats, dry cleaners, banks, barber shops, beauty shops, travel
7 services, shoe repair services, funeral parlors, gas stations,
8 offices of accountants or lawyers, pharmacies, insurance offices,
9 professional offices of health care providers, and hospitals;

10 7. Public transportation terminals, depots, or stations, not
11 including facilities relating to air transportation;

12 8. Places of public display or collection including, but not
13 limited to, museums, libraries, and galleries;

14 9. Places of recreation including, but not limited to, parks,
15 zoos, and amusement parks;

16 10. Places of education including, but not limited to, nursery
17 schools, elementary, secondary, undergraduate, or postgraduate
18 private schools;

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

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

1 SECTION 6. AMENDATORY Section 10, Chapter 504, O.S.L.
2 2004, as amended by Section 1, Chapter 272, O.S.L. 2007 (47 O.S.
3 Supp. 2009, Section 1135.1), is amended to read as follows:

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

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

12 Except as provided in subsection B of this section, special
13 license plates shall be renewed each year by the Tax Commission or a
14 motor license agent. The Tax Commission shall annually notify by
15 mail all persons issued special license plates. The notice shall
16 contain all necessary information and shall contain instructions for
17 the renewal procedure upon presentation to a motor license agent or
18 the Tax Commission. The license plates shall be issued on a
19 staggered system. The motor license agent fees shall be paid out of
20 the Oklahoma Tax Commission Reimbursement Fund.

21 B. The special license plates provided by this section are as
22 follows:

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

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

13 2. Tax-Exempt or Nonprofit License Plates - such plates shall
14 be designed for:

15 a. any motor bus, manufactured home, or mobile chapel and
16 power unit owned and operated by a religious
17 corporation or society of this state holding a valid
18 exemption from taxation issued pursuant to Section
19 501(a) of the Internal Revenue Code, 26 U.S.C.,
20 Section 501(a), and listed as an exempt organization
21 in Section 501(c) (3) of the Internal Revenue Code, as
22 amended, 26 U.S.C., Section 501(c) (3), and that is

1 used by the corporation or society solely for the
2 furtherance of its religious functions,
3 b. any vehicle owned and operated only by nonprofit
4 organizations devoted exclusively to youth programs
5 including, but not limited to, the Girl Scouts and Boy
6 Scouts of America,
7 c. any vehicle, except passenger automobiles, owned or
8 operated by nonprofit organizations actually involved
9 in programs for the employment of the handicapped and
10 used exclusively in the transportation of goods or
11 materials for such organization,
12 d. any vehicle owned and operated by a nonprofit
13 organization that provides older persons
14 transportation to and from medical, dental and
15 religious services and relief from business and social
16 isolation,
17 e. any vehicle owned and operated by a private nonprofit
18 organization that:
19 (1) warehouses and distributes surplus foods to other
20 nonprofit agencies and organizations, and
21 (2) holds a valid exemption from taxation issued
22 pursuant to Section 501(c) of the Internal
23 Revenue Code, as amended, 26 U.S.C., Section

1 501(c), and listed as an exempt organization in
2 Section 501(c)(3) of the Internal Revenue Code,
3 as amended, and

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

6 f. any vehicle which:

7 (1) is owned and operated by a private, nonprofit
8 organization which is exempt from taxation
9 pursuant to the provisions of Section 501(c)(3)
10 of the Internal Revenue Code, 26 U.S.C., Section
11 501(c)(3), and which is primarily funded by a
12 fraternal or civic service organization with at
13 least one hundred local chapters or clubs, and
14 (2) is designed and used to provide mobile health
15 screening services to the general public at no
16 cost to the recipient, and for which no
17 reimbursement of any kind is received from any
18 health insurance provider, health maintenance
19 organization or governmental program.

20 Any person claiming to be eligible for a tax-exempt or nonprofit
21 license plate under the provisions of this paragraph must have the
22 name of the tax-exempt or nonprofit organization prominently
23 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

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

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

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

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

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

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

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. Any

1 person registering an antique or classic vehicle may elect to have
2 the vehicle registered for a ten-year period. The registration fee
3 for the elected ten-year registration shall be Seventy-five Dollars
4 (\$75.00). The motor license agent registering the antique or
5 classic vehicle for a ten-year period shall receive one hundred
6 percent (100%) of the fees the motor license agent would have
7 otherwise received pursuant to subsection A of Section 1141.1 of
8 this title if the antique or classic vehicle had been registered on
9 an annual basis; and

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

22 C. Special license plates provided by this section shall be
23 designed in such a manner as to identify the use or ownership of the

1 vehicle. Use of any vehicle possessing a special license plate
2 provided by this section for any purpose not specified herein shall
3 be grounds for revocation of the special license plate and
4 registration certificate.

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

7 SECTION 7. AMENDATORY Section 11, Chapter 504, O.S.L.
8 2004, as last amended by Section 1, Chapter 311, O.S.L. 2009 (47
9 O.S. Supp. 2009, Section 1135.2), is amended to read as follows:

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

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

19 Special license plates shall be renewed each year by the Tax
20 Commission or a motor license agent. The Tax Commission shall
21 annually notify by mail all persons issued special license plates.
22 The notice shall contain all necessary information and shall contain
23 instructions for the renewal procedure upon presentation to a motor

1 license agent or the Tax Commission. The license plates shall be
2 issued on a staggered system except for legislative plates and
3 amateur radio operator license plates.

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

16 B. The special license plates provided by this section are as
17 follows:

18 1. Prisoner of War License Plates - such plates shall be
19 designed for honorably discharged or present members of the United
20 States Armed Forces and civilians who were former prisoners of war
21 held by a foreign country and who can provide proper certification
22 of that status. Such persons may apply for a prisoner of war
23 license plate for no more than two vehicles with each vehicle having

1 a rated carrying capacity of one (1) ton or less. The surviving
2 spouse of any deceased former prisoner of war, if the spouse has not
3 since remarried, or if remarried, the remarriage is terminated by
4 death, divorce, or annulment, may apply for a prisoner of war
5 license plate for one vehicle with a rated carrying capacity of one
6 (1) ton or less. The fee provided by this section for the special
7 license plate authorized by this paragraph shall be in addition to
8 all other registration fees provided by law, except the registration
9 fees levied by Section 1132 of this title;

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

15 3. Air National Guard License Plates - such plates shall be
16 designed for active or retired members of the Oklahoma Air National
17 Guard. Retirees who are eligible for such plates shall provide
18 proof of eligibility upon initial application, but shall not be
19 required to provide proof of eligibility annually;

20 4. United States Armed Forces - such plates shall be designed
21 for active, retired, former or reserve members of the United States
22 Armed Forces, and shall identify which branch of service, and carry
23 the emblem and name of either the Army, Navy, Air Force, Marines or

1 Coast Guard, according to the branch of service to which the member
2 belongs or did belong. Former members who have been dishonorably
3 discharged shall not be eligible for such plates. Persons applying
4 for such license plate must show proof of present or past military
5 service by presenting a valid Uniformed Services Identity Card or
6 the United States Department of Defense Form (DD)214. Retired or
7 former members who are eligible for such plates shall provide proof
8 of eligibility upon initial application, but shall not be required
9 to provide proof of eligibility annually;

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

16 6. Missing In Action License Plates - such plates shall be
17 designed to honor members of the United States Armed Forces who are
18 missing in action. The spouse of such missing person, if the spouse
19 has not since remarried, or if remarried, the remarriage is
20 terminated by death, divorce, or annulment, and each parent of the
21 missing person may apply for a missing in action license plate upon
22 presenting proper certification that the person is missing in action
23 and that the person making the application is the qualifying spouse

1 or the parent of the missing person. The qualifying spouse and each
2 parent of the missing person may each apply for the missing in
3 action license plate for each vehicle with a rated carrying capacity
4 of one (1) ton or less;

5 7. Purple Heart Recipient License Plates - such plates shall be
6 designed for any resident of this state presenting proper
7 certification from the United States Department of Veterans Affairs
8 or the Armed Forces of the United States certifying that such
9 resident has been awarded the Purple Heart military decoration.
10 Such persons may apply for a Purple Heart recipient license plate
11 for vehicles having a rated carrying capacity of one (1) ton or
12 less. The surviving spouse of any deceased veteran who has been
13 awarded the Purple Heart military decoration, if such spouse has not
14 since remarried, or if remarried, the remarriage has been terminated
15 by death, divorce or annulment, may apply for such plate for one
16 vehicle with a rated carrying capacity of one (1) ton or less;

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

21 a. a member of the United States Armed Forces on December
22 7, 1941,

- 1 b. stationed on December 7, 1941, during the hours of
2 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor,
3 the island of Oahu, or offshore at a distance not to
4 exceed three (3) miles, and
5 c. a recipient of an honorable discharge from the United
6 States Armed Forces.

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

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

- 14 a. a member of the United States Armed Forces in February
15 of 1945,
16 b. stationed in February of 1945 on or in the immediate
17 vicinity of the island of Iwo Jima, and
18 c. a recipient of an honorable discharge from the United
19 States Armed Forces.

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

22 Such license plate shall have the legend "Oklahoma OK" and shall
23 contain three letters and three numbers. Between the letters and

1 numbers shall be a logo of the flag-raising at Iwo Jima. Below the
2 letters, logo and numbers, the plate shall contain the words "FEB."
3 at the left, "Iwo Jima" in the center and "1945" at the right. Such
4 plates shall not be subject to the design requirements of any other
5 license plates prescribed by law other than the space for the
6 placement of the yearly decals for each succeeding year of
7 registration after the initial issue;

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

- 12 a. a member of the United States Armed Forces on June 6,
13 1944,
- 14 b. a participant in the Allied invasion of the coast of
15 Normandy on June 6, 1944; provided, if such
16 participation cannot be verified by the United States
17 Department of Veterans Affairs or the Armed Forces of
18 the United States, the Tax Commission may, in its
19 discretion, accept evidence of such participation from
20 the person applying for the license plate, and
- 21 c. a recipient of an honorable discharge from the United
22 States Armed Forces.

1 Such person may apply for a D-Day Survivor license plate for
2 each vehicle with a rated carrying capacity of one (1) ton or less;
3 11. Killed in Action License Plates - such plates shall be
4 designed to honor members of the United States Armed Forces who were
5 killed in action. The spouse of the deceased person, if the spouse
6 has not remarried, or if remarried, the remarriage is terminated by
7 death, divorce, or annulment, may apply for a killed in action
8 license plate upon presenting proper certification that the person
9 was killed in action and that the person making the application is
10 the qualifying spouse of the deceased person. The qualifying spouse
11 may apply for a killed in action license plate for no more than two
12 vehicles with each vehicle with a rated carrying capacity of one (1)
13 ton or less. The fee provided by this section for the special
14 license plate authorized by this paragraph shall be in addition to
15 all other registration fees provided by law, except the registration
16 fees levied by Section 1132 of this title;

17 12. Gold Star Parents License Plates - such plates shall be
18 designed to honor members of the United States Armed Forces who were
19 killed during a war. The parents of the deceased person may apply
20 for a gold star license plate upon presenting proper certification
21 that the person was killed during a war and that the person making
22 the application is the parent of the deceased person. The parent
23 may apply for a gold star parent license plate for no more than two

1 vehicles with each vehicle having a rated carrying capacity of one
2 (1) 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 13. Military Decoration License Plates - such plates shall be
7 designed for any resident of this state who has been awarded the
8 Distinguished Service Medal, the Distinguished Service Cross, the
9 Distinguished Flying Cross, the Bronze Star military decoration or
10 the Silver Star military decoration. Such persons may apply for a
11 military decoration license plate for each vehicle with a rated
12 carrying capacity of one (1) ton or less;

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

18 15. Police Officer License Plates - such plates shall be
19 designed for any currently employed, reserve or retired municipal
20 police officer or full-time, reserve or retired university police
21 officer certified by the Council on Law Enforcement Education and
22 Training or common education police officer certified by the Council
23 on Law Enforcement Education and Training. Police officers may

1 apply for police officer license plates for vehicles with a rated
2 capacity of one (1) ton or less or for a motorcycle upon proof of
3 employment by or retirement from a municipal, university or common
4 education police department by either an identification card or
5 letter from the chief of the police department or the Oklahoma
6 Police Pension and Retirement Board. Retirees who are eligible for
7 such plates shall provide proof of eligibility upon initial
8 application, but shall not be required to provide proof of
9 eligibility annually. The license plates shall be designed in
10 consultation with municipal police departments of this state;
11 provided, the license plate for motorcycles may be of similar design
12 to the license plate for motor vehicles or may be a new design in
13 order to meet space requirements for a motorcycle license plate;

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

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

10 17. Korean War Veteran License Plates - such plates shall be
11 designed to honor honorably discharged former members of the United
12 States Armed Forces who are residents of this state and who can be
13 verified by the Oklahoma Military Department, the Department of
14 Veterans Affairs or the Armed Forces of the United States as having
15 served on federal active duty anytime during the period from June
16 27, 1950, to January 31, 1955, both dates inclusive. The former
17 members may apply for a Korean War Veteran license plate for
18 vehicles with a rated carrying capacity of one (1) ton or less.

19 The license plate shall have the legend "OKLAHOMA" and shall
20 contain, in the center of the plate, either the Thunderbird Insignia
21 of the 45th Infantry Division in the prescribed red and gold
22 coloring or the emblem of the Army, Navy, Air Force, Marines or
23 Coast Guard according to the branch of service to which the member

1 belonged. For the purpose of license plate identification, the
2 plate shall contain four digits, two digits at the left and two
3 digits at the right of the insignia or emblem. Centered on the
4 bottom of the license plate shall be the word "KOREA";

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

10 19. Red Cross Volunteer License Plates - such plates shall be
11 designed to honor American Red Cross volunteers and staff who are
12 residents of this state. Such persons must present an
13 identification card issued by the American Red Cross and bearing a
14 photograph of the person. The license plate shall be designed with
15 the assistance of the American Red Cross and shall have the legend
16 "Oklahoma OK!" in the color Pantone 186C Red. Below the legend the
17 symbol of the American Red Cross and no more than three letters and
18 three numbers shall be in the color Pantone 186C Red. Below the
19 symbol and letters and numbers shall be the words "American Red
20 Cross" in black. The plates shall not be subject to the design
21 requirements of any other license plates prescribed by law other
22 than the space for the placement of the yearly decals for each
23 succeeding year of registration after the initial issue;

1 20. Veterans of Foreign Wars License Plates - such plates shall
2 be designed to honor the veterans of foreign wars and issued to any
3 resident of this state who is a member of a Veterans of Foreign Wars
4 organization in this state. Such persons may apply for Veterans of
5 Foreign Wars license plates upon proof of membership in a Veterans
6 of Foreign Wars organization. The license plate shall be designed
7 in consultation with the Veterans of Foreign Wars organization;

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

14 22. Military Reserve Unit License Plates - such plates shall be
15 designed and issued to any honorably discharged or present member of
16 a reserve unit of the United States Armed Forces. Such persons may
17 apply for a Military Reserve Unit license plate for each vehicle
18 with a rated carrying capacity of one (1) ton or less;

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

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

7 25. Ninety-Nines License Plates - such plates shall be designed
8 and issued to members of the Ninety-Nines. Persons applying for
9 such license plate must show proof of membership in the Ninety-
10 Nines. The license plates shall be designed in consultation with
11 the Ninety-Nines;

12 26. Combat Infantryman Badge License Plates - such plates shall
13 be designed to honor recipients of the Combat Infantryman Badge.
14 The plate shall have the legend "Oklahoma OK". Below the legend
15 shall be the Combat Infantryman Badge and three numbers. Below the
16 badge and the numbers shall be the words "Combat Infantryman Badge".
17 Such persons may apply for a Combat Infantryman Badge license plate
18 for each vehicle with a rated carrying capacity of one (1) ton or
19 less;

20 27. Somalia Combat Veterans License Plates - such plates shall
21 be designed and issued to any honorably discharged or present member
22 of the United States Armed Forces who saw combat in the United
23 Nations relief effort. Such persons may apply for a Somalia Combat

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

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

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

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

19 31. Legislative License Plates - such plates shall be designed
20 for persons elected to the Oklahoma Legislature and shall designate
21 the house of the Legislature in which the legislator serves and the
22 district number;

1 32. Disabled Veterans License Plates - such plates shall be
2 designed for persons presenting proper certification from the United
3 States Department of Veterans Affairs or the Armed Forces of the
4 United States certifying such veteran has a service-connected
5 disability rating of fifty percent (50%) or more, regardless which
6 agency pays the disability benefits, or that such veteran has been
7 awarded a vehicle by the United States government or receives a
8 grant from the United States Department of Veterans Affairs for the
9 purchase of an automobile due to a service-connected disability
10 rating or due to the loss of use of a limb or an eye. Such persons
11 may apply to the Tax Commission for a disabled veterans license
12 plate or to a motor license agent for a regular license plate for no
13 more than two vehicles with each vehicle having a rated carrying
14 capacity of one (1) ton or less. The surviving spouse of any
15 deceased disabled veteran, if the spouse has not since remarried, or
16 if remarried, the remarriage is terminated by death, divorce, or
17 annulment, may apply for a disabled veterans license plate for one
18 vehicle with a rated carrying capacity of one (1) ton or less. The
19 fee provided by this section for the special license plate
20 authorized by this paragraph shall be in addition to all other
21 registration fees provided by law, except the registration fees
22 levied by Section 1132 of this title. The total expense of this
23 license plate shall not exceed Five Dollars (\$5.00).

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

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

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

1 35. Amateur Radio Operator License Plates - such plates shall
2 be designed and issued to any person, holding a valid operator's
3 license, technician class or better, issued by the Federal
4 Communications Commission, and who is also the owner of a motor
5 vehicle currently registered in Oklahoma, in which has been
6 installed amateur mobile transmitting and receiving equipment.
7 Eligible persons shall be entitled to two special vehicle
8 identification plates as herein provided. Application for such
9 identification plates shall be on a form prescribed by the Tax
10 Commission and the plates issued to such applicant shall have
11 stamped thereon the word "Oklahoma" and bear the official call
12 letters of the radio station assigned by the Federal Communications
13 Commission to the individual amateur operator thereof. All
14 applications for such plates must be made to the Tax Commission on
15 or before the first day of October of any year for such plates for
16 the following calendar year and must be accompanied by the fee
17 required in this section together with a certificate, or such other
18 evidence as the Tax Commission may require, of proof that applicant
19 has a valid technician class or better amateur operator's license
20 and proof of applicant's ownership of a vehicle in which radio
21 receiving and transmitting equipment is installed. Applicants shall
22 only be entitled to one set of special identification plates in any
23 one (1) year, and such calendar year shall be stamped thereon. The

1 right to such special identification plates herein provided for
2 shall continue until the amateur radio operator's license of the
3 person to whom such plates are issued expires or is revoked;

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

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

22 38. Surviving Spouse License Plates - such plates shall be
23 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;

1 40. Korea Defense Service Medal License Plates - such plates
2 shall be designed and issued to any resident of this state who has
3 been awarded the Korea Defense Service Medal by the United States
4 Secretary of Defense. Such persons may apply for a Korea Defense
5 Service Medal license plate for each vehicle with a rated carrying
6 capacity of one (1) ton or less;

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

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

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

1 Tax Commission Reimbursement Fund to be used for the administration
2 of the Oklahoma Vehicle License and Registration Act.

3 SECTION 8. AMENDATORY 47 O.S. 2001, Section 11-1007, as
4 last amended by Section 14, Chapter 62, O.S.L. 2007 (47 O.S. Supp.
5 2009, Section 11-1007), is amended to read as follows:

6 Section 11-1007. A. 1. It shall be unlawful for any person to
7 place or park a motor vehicle in any parking space that is
8 designated and posted as a reserved area for the parking of a motor
9 vehicle operated by or transporting a physically disabled person
10 unless such person has applied for and been issued a detachable
11 ~~insignia~~ placard indicating physical disability under the provisions
12 of Section 15-112 of this title, and such ~~insignia~~ placard is
13 displayed as provided in Section 15-112 of this title or in rules
14 adopted pursuant thereto, or has applied for and been issued a
15 physically disabled ~~special~~ license plate pursuant to the provisions
16 of Section 1135.1 or 1135.2 of this title, and such license plate is
17 displayed pursuant to the provisions of the Oklahoma Vehicle License
18 and Registration Act.

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

1 B. 1. Violation of these provisions shall be a misdemeanor and
2 upon conviction ~~such the~~ person shall be fined ~~not less than One~~
3 ~~Hundred Fifty Dollars (\$150.00) and not more than Two Hundred Fifty~~
4 ~~Dollars (\$250.00)~~ Five Hundred Dollars (\$500.00). Provided, any
5 person cited for a first offense of a violation of this section who
6 has displayed a placard which has expired pursuant to paragraph 4 or
7 5 of subsection D of Section 15-112 of this title shall be entitled
8 to dismissal of such charge and shall not be required to pay the
9 fine or court costs if the person presents to the court within
10 thirty (30) days of the issuance of the citation a notice from the
11 Department of Public Safety that the person has obtained a valid
12 placard pursuant to the provisions of subsection D of Section 15-112
13 of this title. Fines collected by municipalities pursuant to this
14 section shall be distributed as follows:

- 15 a. eighty percent (80%) to the general fund of a
16 municipality, subject to the provisions of subsection
17 C of Section 15-115 of this title, and
18 b. twenty percent (20%) to a dedicated fund established
19 by the Department of Public Safety for the
20 development, implementation and maintenance of a
21 system for the enforcement of the disability parking
22 provisions of this title.

1 2. In addition, vehicles unlawfully parked in violation of
2 these provisions shall be subject to immediate tow by a licensed tow
3 truck operator at the request of the landowner or a duly appointed
4 agent of the landowner, at the request of any person unable to
5 lawfully gain access to or move their vehicle, at the request of any
6 person unable to lawfully gain access to the area blocked by the
7 unlawfully parked vehicle, or at the request of appropriate law-
8 enforcement personnel. The owner of any vehicle unlawfully parked
9 in violation of these provisions shall pay any and all reasonable
10 and necessary costs associated with towing and storage of the
11 vehicle.

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

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

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-10 - DO
23 PASS, As Amended and Coauthored.