

SB 299

1 THE STATE SENATE
2 Tuesday, February 17, 2009

3 Senate Bill No. 299
4 As Amended

5 SENATE BILL NO. 299 - By: Bingman of the Senate and Thompson of the
6 House.

7 [motor vehicles - penalties - effective date -
8 emergency]

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

10 SECTION 1. AMENDATORY 47 O.S. 2001, Section 1115.1, as
11 amended by Section 14, Chapter 522, O.S.L. 2004 (47 O.S. Supp. 2008,
12 Section 1115.1) is amended to read as follows:

13 Section 1115.1 In addition to the penalties provided in the
14 Oklahoma Vehicle License and Registration Act, after ninety (90)
15 days from the expiration date for annual registration of a vehicle,
16 the Corporation Commission, Department of Public Safety, county
17 sheriffs, and all other duly authorized peace officers of this state
18 may seize and take into custody every vehicle owned within this
19 state not bearing or displaying a proper license plate required by
20 the Oklahoma Vehicle License and Registration Act. The vehicle
21 shall not be released to the owner until it is duly registered and
22 the license, registration, or title fee and penalties due are paid
23 in full, proof of security or an affidavit that the vehicle will not
24 be used on public highways or public streets, as required pursuant

1 to Section 7-600 et seq. of this title, is furnished, and the cost
2 of seizure, including the reasonable cost of taking the vehicle into
3 custody and storing the vehicle, have been paid. In the event the
4 owner of any vehicle seized fails to pay such fees and penalties
5 due, together with cost of seizure and storage, and fails to provide
6 proof of security or an affidavit that the vehicle will not be used
7 on public highways or public streets, the ~~Corporation Commission~~
8 Department of Central Services shall proceed to sell the vehicle by
9 posting not fewer than five notices of sale in five different public
10 places in the county where the vehicle is located, one of such
11 notices to be posted at the place where the vehicle is stored. A
12 copy of the notice shall also be sent by certified mail, restricted
13 delivery, with return receipt requested, to the last-known address
14 of the registered owner of the vehicle. The vehicle shall be sold
15 at such sale subject to the following terms and conditions:

16 1. In the event the sale price is equal to, or greater than,
17 the total costs of sale, seizure and the fee and penalty, the
18 purchaser shall be issued a certificate of purchase, license plate,
19 manufactured home registration receipt and decal and registration
20 certificate;

21 2. In the event the sale price is less than the total costs of
22 sale, seizure, and the fee and penalty, the vehicle shall be sold as
23 junk to the highest bidder, whereupon the bidder shall receive a

1 certificate of purchase; and if the vehicle be dismantled, the
2 record to the junked vehicle shall be canceled. If not dismantled,
3 the vehicle shall be immediately registered; and

4 3. Any residual amount remaining unclaimed by the delinquent
5 owner shall be administered in accordance with the Uniform Unclaimed
6 Property Act.

7 SECTION 2. This act shall become effective July 1, 2009.

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

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-11-09 - DO
13 PASS, As Amended and Coauthored.