

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1105

By: Mazzei

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5
6 AS INTRODUCED

7 An Act relating to the Uniform Commercial Code;
8 defining term; stating applicability of certain law;
9 establishing time at which a vehicle is covered by a
10 certain certificate; stating when certain certificate
11 ceases to be effective; stating effect of certain
12 certificate of origin; providing for codification;
13 and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1-9-303A of Title 12A, unless
17 there is created a duplication in numbering, reads as follows:

18 A. For the purposes of this section, "certificate of title"
19 means a certificate of title created by a governmental agency of any
20 state.

21 B. The local law of the state under whose certificate of title
22 a vehicle is covered governs all issues relating to the certificate
23 of title, from the time the vehicle becomes covered by the
24 certificate of title until the vehicle ceases to be covered by the
certificate of title, even if no other relationship exists between
the state and the vehicle of its owner.

1 C. A vehicle becomes covered by a certificate of title created
2 in this state when an application for a certificate of title and the
3 fee are received by the office in accordance with this act. A
4 vehicle becomes covered by a certificate of title in another state
5 when an application for a certificate of title and the fee are
6 received in that state pursuant to the law of that state.

7 D. A vehicle ceases to be covered by a certificate of title at
8 the earlier of the time the certificate of title ceases to be
9 effective under the law of the state pursuant to which it was
10 created or the time the vehicle becomes covered subsequently by
11 another certificate of title.

12 E. If a vehicle is not covered by a certificate of title but a
13 certificate of origin has been created for the vehicle:

14 1. If the parties to the certificate of origin have chosen the
15 law of a jurisdiction, the law of that jurisdiction applies to the
16 certificate of origin, even if there is no other relationship
17 between that jurisdiction and the vehicle or its owner; and

18 2. In the absence of an agreement effective under paragraph 1
19 of this subsection, the rights and obligations of the parties are
20 determined by the law that would apply under this state's choice-of-
21 law principles.

22 SECTION 2. This act shall become effective November 1, 2009.

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