

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 2207

By: Aldridge

4
5
6 AS INTRODUCED

7 An Act relating to motor vehicles, cities and towns
8 and counties and county officers; amending 11 O.S.
9 2001, Section 14-111, as last amended by Section 1,
10 Chapter 413, O.S.L. 2008 (11 O.S. Supp. 2009, Section
11 14-111), which relates to payment of fines or
12 penalties to a municipality; authorizing the payment
13 of certain fines or penalties to a municipality
14 through a motor license agent; amending Section 1,
15 Chapter 271, O.S.L. 2009 (19 O.S. Supp. 2009, Section
16 863.13A), which relates to payment of fines or
17 penalties to a county; authorizing the payment of
18 certain fines or penalties to a county through a
19 motor license agent; amending 47 O.S. 2001, Sections
20 1115, as last amended by Section 1, Chapter 443,
21 O.S.L. 2009, 1141.1, as last amended by Section 3,
22 Chapter 443, O.S.L. 2009 and Section 11, Chapter 534,
23 O.S.L. 2004 (47 O.S. Supp. 2009, Sections 1115,
24 1141.1 and 1143.2), which relate to the Oklahoma
Vehicle License and Registration Act; providing for
certain hold to be placed on renewal of registration
and subsequently released contingent upon the payment
of certain fee, under specified circumstances;
authorizing a motor license agent to retain a
specified amount for release of certain hold;
authorizing the Oklahoma Tax Commission and any
county or municipality to utilize motor license
agents to perform specified duties; specifying duties
which may be performed; modifying provision relating
to date of issuance or acceptance of items issued or
accepted by motor license agents; authorizing certain
fee for motor license agents for specified duty; and
providing an effective date.

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

2 SECTION 1. AMENDATORY 11 O.S. 2001, Section 14-111, as
3 last amended by Section 1, Chapter 413, O.S.L. 2008 (11 O.S. Supp.
4 2009, Section 14-111), is amended to read as follows:

5 Section 14-111. A. The governing body of a municipality may
6 provide for enforcement of its ordinances and establish fines,
7 penalties, or imprisonment, as authorized by subsections B through ~~D~~
8 E of this section, for any offense in violation of its ordinances,
9 which shall be recoverable together with costs of suit. The
10 governing body may provide that any person fined for violation of a
11 municipal ordinance who is financially able but refuses or neglects
12 to pay the fine or costs may be compelled to satisfy the amount owed
13 by working on the streets, alleys, avenues, areas, and public
14 grounds of the municipality, subject to the direction of the street
15 commissioner or other proper officer, at a rate per day as the
16 governing body may prescribe by ordinance, but not less than Fifty
17 Dollars (\$50.00) per day for useful labor, until the fine or costs
18 are satisfied.

19 B. 1. Except for municipal ordinances related to prostitution
20 and as otherwise provided in this section, cities having a municipal
21 criminal court of record may enact ordinances prescribing maximum
22 fines of One Thousand Two Hundred Dollars (\$1,200.00) and costs or
23 imprisonment not exceeding six (6) months or both the fine and
24 imprisonment, but shall not have authority to enact any ordinance

1 making unlawful an act or omission declared by state statute to be
2 punishable as a felony. Cities having a municipal criminal court of
3 record may enact ordinances prescribing maximum fines of One
4 Thousand Dollars (\$1,000.00) and costs or imprisonment not exceeding
5 six (6) months or both such fine and imprisonment for violations of
6 municipal ordinances regulating the pretreatment of wastewater and
7 regulating stormwater discharges. Cities having a municipal
8 criminal court of record may enact ordinances prescribing maximum
9 fines of One Thousand Two Hundred Fifty Dollars (\$1,250.00) and
10 costs or imprisonment not exceeding six (6) months or both such fine
11 and imprisonment for alcohol-related or drug-related traffic
12 offenses. The court shall remit Fifty Dollars (\$50.00) of each
13 alcohol fine or deferral fee to a fund of the municipality that
14 shall be used to defray costs for enforcement of laws relating to
15 juvenile access to alcohol, other laws relating to alcohol and other
16 intoxicating substances, and traffic-related offenses involving
17 alcohol or other intoxicating substances.

18 2. For violations of municipal ordinances relating to
19 prostitution, including but not limited to engaging in prostitution
20 or soliciting or procuring prostitution, a municipal criminal court
21 of record may enact ordinances prescribing an imprisonment not to
22 exceed six (6) months, and fines as follows: a fine not to exceed
23 Two Thousand Five Hundred Dollars (\$2,500.00) upon the first
24 conviction for violation of any such ordinances, a fine of not more

1 than Five Thousand Dollars (\$5,000.00) upon the second conviction
2 for violation of any of such ordinances, and a fine of not more than
3 Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or
4 subsequent convictions for violation of any of such ordinances, or
5 both such fine and imprisonment as well as a term of community
6 service of not less than forty (40) nor more than eighty (80) hours.

7 C. Municipalities having a municipal court not of record may
8 enact ordinances prescribing maximum fines pursuant to the
9 provisions of this subsection. A municipal ordinance may not impose
10 a penalty, including fine or deferral fee in lieu of a fine and
11 costs, which is greater than that established by statute for the
12 same offense. The maximum fine or deferral fee in lieu of a fine
13 for traffic-related offenses relating to speeding or parking shall
14 not exceed Two Hundred Dollars (\$200.00). The maximum fine or
15 deferral fee in lieu of a fine for alcohol-related or drug-related
16 offenses shall not exceed Eight Hundred Dollars (\$800.00). For all
17 other offenses, the maximum fine or deferral fee in lieu of a fine
18 shall not exceed Seven Hundred Fifty Dollars (\$750.00). The court
19 shall remit Fifty Dollars (\$50.00) of each alcohol fine or deferral
20 fee to a fund of the municipality that shall be used to defray costs
21 for enforcement of laws relating to juvenile access to alcohol,
22 other laws relating to alcohol and other intoxicating substances,
23 and traffic-related offenses involving alcohol or other intoxicating
24 substances. The ordinances may prescribe costs pursuant to the

1 provisions of Section 27-126 of this title or imprisonment not
2 exceeding sixty (60) days or both the fine and imprisonment;
3 provided, that municipalities having only a municipal court not of
4 record shall not have authority to enact any ordinance making
5 unlawful any act or omission declared by state statute to be
6 punishable as a felony; provided further, that municipalities having
7 a municipal court not of record may enact ordinances prescribing
8 maximum fines of One Thousand Dollars (\$1,000.00) and costs or
9 imprisonment not exceeding ninety (90) days or both such fine and
10 imprisonment for violations of municipal ordinances regulating the
11 pretreatment of wastewater and regulating stormwater discharges. If
12 imprisonment is available for the offense, then that person charged
13 shall have a right to a jury trial.

14 D. Municipalities having both municipal criminal courts of
15 record and municipal courts not of record may enact ordinances,
16 within the authority of this section, for each court.

17 E. The governing body of a municipality may provide for the
18 payment of outstanding or delinquent fines, assessments or other
19 debts which have resulted from conviction on any traffic violation,
20 including parking violations associated with a motor vehicle payable
21 to, collectible by, or administered by the municipality through a
22 motor license agent pursuant to Section 1143.2 of Title 47 of the
23 Oklahoma Statutes by placing a hold on the registration renewal for
24 the motor vehicle associated with the violation.

1 F. No municipality may levy a fine or deferral fee in lieu of a
2 fine of over Fifty Dollars (\$50.00) until it has compiled and
3 published its penal ordinances as required in Sections 14-109 and
4 14-110 of this title.

5 ~~F.~~ G. No municipality may levy a fine of more than Ten Dollars
6 (\$10.00) nor court costs of more than Fifteen Dollars (\$15.00) for
7 exceeding the posted speed limit by no more than ten (10) miles per
8 hour upon any portion of the National System of Interstate and
9 Defense Highways, federal-aid primary highways, and the state
10 highway system which are located on the outskirts of any
11 municipality as determined in Section 2-117 of Title 47 of the
12 Oklahoma Statutes.

13 SECTION 2. AMENDATORY Section 1, Chapter 271, O.S.L.
14 2009 (19 O.S. Supp. 2009, Section 863.13A), is amended to read as
15 follows:

16 Section 863.13A A. A board of county commissioners may provide
17 for enforcement of its regulations and establish fines, penalties or
18 other remedies for any offense in violation of its regulations,
19 which shall be recoverable together with costs of suit.

20 B. 1. In addition to other powers and duties prescribed by
21 law, a board of county commissioners shall have the power to
22 establish and enforce fines and penalties for violation of its
23 zoning, subdivision, storm water and floodplain regulations,
24 including the issuance of citations by designated county personnel

1 for violations of its zoning, subdivision, storm water and
2 floodplain regulations. A board of county commissioners may
3 additionally establish that any person who fails to correct a
4 violation for which a citation has been issued within the period
5 permitted for its correction may be assessed a fine or penalty for
6 each ensuing day during which such failure or violation continues.

7 2. In issuing a citation pursuant to this subsection, the
8 county employee shall proceed as follows:

9 a. the employee shall prepare a written citation to
10 appear in court, containing the name and address of
11 the cited person and the violation/offense charged,
12 and stating when the person shall appear in district
13 court. The time to appear specified in the citation
14 shall be at least five (5) days after the issuance of
15 the citation,

16 b. one copy of the citation to appear shall be delivered
17 to the person cited, and such person shall sign a
18 duplicate written citation which shall be retained by
19 the county employee, and

20 c. as soon as practicable, one copy of the citation shall
21 be filed with the district court specified therein and
22 one copy delivered to the prosecuting attorney.

23 3. If a person fails to appear in district court at the
24 designated time, a warrant for arrest shall be issued.

1 4. Violations and penalties shall be deemed misdemeanor
2 offenses, punishable by a fine of up to Five Hundred Dollars
3 (\$500.00). Jurisdiction is hereby conferred upon the district court
4 within the county.

5 5. Fines and penalties collected pursuant to this subsection
6 shall be deposited in the appropriate county fund.

7 6. Issuance of citations and/or payment of fines or penalties
8 shall in no way preclude other remedies or appropriate action or
9 proceedings to prevent or remove a violation. The governing body of
10 a county may provide for the payment of outstanding or delinquent
11 finances, assessments or other debts which have resulted from
12 conviction on any traffic violation, including parking violations
13 associated with a motor vehicle payable to, collectible by, or
14 administered by the county through a motor license agent pursuant to
15 Section 1143.2 of Title 47 of the Oklahoma Statutes by placing a
16 hold on the registration renewal for the motor vehicle associated
17 with the violation.

18 SECTION 3. AMENDATORY 47 O.S. 2001, Section 1115, as
19 last amended by Section 1, Chapter 443, O.S.L. 2009 (47 O.S. Supp.
20 2009, Section 1115), is amended to read as follows:

21 Section 1115. A. Unless provided otherwise by statute, the
22 following vehicles shall be registered annually: manufactured
23 homes, vehicles registered with a permanent nonexpiring license
24 plate pursuant to Section 1113 of this title, and commercial

1 vehicles registered pursuant to the installment plan provided in
2 subsection H of Section 1133 of this title. The following schedule
3 shall apply for such vehicle purchased in this state or brought into
4 this state by residents of this state:

5 1. Between January 1 and March 31, the payment of the full
6 annual fee shall be required;

7 2. Between April 1 and June 30, the payment of three-fourths
8 (3/4) the annual fee shall be required;

9 3. Between July 1 and September 30, the payment of one-half
10 (1/2) the annual fee shall be required; and

11 4. Between October 1 and November 30, one-fourth (1/4) the
12 annual fee shall be required.

13 License plates or decals for each year shall be made available
14 on December 1 of each preceding year for such vehicles. Any person
15 who purchases such vehicle or manufactured home between December 1
16 and December 31 of any year shall register it within thirty (30)
17 days from date of purchase and obtain a license plate or
18 Manufactured Home License Registration Decal, as appropriate, for
19 the following calendar year upon payment of the full annual fee.
20 Unless provided otherwise by statute, all annual license,
21 registration and other fees for such vehicles shall be due and
22 payable on January 1 of each year and if not paid by February 1
23 shall be deemed delinquent.

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1 B. 1. All vehicles, other than those required to be registered
2 pursuant to the provisions of subsection A of this section, shall be
3 registered on a staggered system of registration and licensing on a
4 monthly series basis to distribute the work of registering such
5 vehicles as uniformly and expeditiously as practicable throughout
6 the calendar year. After the end of the month following the
7 expiration date, the license and registration fees for the new
8 registration period shall become delinquent.

9 2. All fleet vehicles registered pursuant to new applications
10 approved pursuant to the provisions of Section 1120 of this title
11 shall be registered on a staggered system monthly basis.

12 3. Applicants seeking to establish Oklahoma as the base
13 jurisdiction for registering apportioned fleet vehicles shall have a
14 one-time option of registering for a period of not less than six (6)
15 months nor greater than eighteen (18) months. Subsequent renewals
16 for these registrants will be for twelve (12) months, expiring on
17 the last day of the month chosen by the registrant under the one-
18 time option as provided herein. In addition, registrants with
19 multiple fleets may designate a different registration month of
20 expiration for each fleet.

21 As used in this section, "fleet" shall have the same meaning as
22 set forth in the International Registration Plan.

23 4. Effective January 1, 2004, all motorcycles and mopeds shall
24 be registered on a staggered system of registration. The Oklahoma

1 Tax Commission shall notify in writing, prior to December 1, 2003,
2 all owners of motorcycles or mopeds registered as of such date, who
3 shall have a one-time option of registering for a period of not less
4 than three (3) months nor greater than fifteen (15) months.
5 Subsequent renewals for these registrants will be for twelve (12)
6 months, expiring on the last day of the month chosen by the
7 registrant under the one-time option as provided herein. All
8 motorcycles and mopeds registered pursuant to new applications
9 received on or after December 1, 2003, shall also be registered
10 pursuant to the provisions of this paragraph.

11 C. The following penalties shall apply for delinquent
12 registration fees:

13 1. For fleet vehicles required to be registered pursuant to the
14 provisions of Section 1120 of this title for which a properly
15 completed application for registration has not been received by the
16 Corporation Commission by the last day of the month following the
17 registration expiration date, a penalty of thirty percent (30%) of
18 the Oklahoma portion of the annual registration fee, or Two Hundred
19 Dollars (\$200.00), whichever is greater, shall be assessed. The
20 license and registration cards issued by the Corporation Commission
21 for each fleet vehicle shall be valid until two (2) months after the
22 registration expiration date;

23 2. For commercial vehicles registered under the provisions of
24 subsection B of this section, except those vehicles registered

1 pursuant to Section 1133.1 of this title, a penalty shall be
2 assessed after the last day of the month following the registration
3 expiration date. A penalty of twenty-five cents (\$0.25) per day
4 shall be added to the license fee of such vehicle and shall accrue
5 for one (1) month. Thereafter, the penalty shall be thirty percent
6 (30%) of the annual registration fee, or Two Hundred Dollars
7 (\$200.00), whichever is greater;

8 3. For new or used manufactured homes, not registered within
9 thirty (30) days from date of purchase or date such manufactured
10 home was brought into this state, a penalty equal to the
11 registration fee shall be assessed; or

12 4. Except as provided in subsection H of Section 1133 of this
13 title, for all other vehicles a penalty shall be assessed after the
14 last day of the month following the expiration date. A penalty of
15 One Dollar (\$1.00) per day shall be added to the license fee of such
16 vehicle, provided that the penalty shall not exceed One Hundred
17 Dollars (\$100.00). Of each dollar penalty collected pursuant to
18 this subsection:

19 1. Twenty-five cents (\$0.25) shall be apportioned as provided
20 in Section 1104 of this title;

21 2. Twenty-five cents (\$0.25) shall be retained by the motor
22 license agent; and

23 3. Fifty cents (\$0.50) shall be deposited in the General
24 Revenue Fund for the fiscal year beginning on July 1, 2009, and for

1 all subsequent fiscal years, shall be deposited in the State Highway
2 Construction and Maintenance Fund.

3 D. In addition to all other penalties provided in the Oklahoma
4 Vehicle License and Registration Act, the following penalties shall
5 be imposed and collected by any Enforcement Officer of the
6 Corporation Commission upon finding any commercial vehicle being
7 operated in violation of the provisions of the Oklahoma Vehicle
8 License and Registration Act.

9 The penalties shall apply to any commercial vehicle found to be
10 operating in violation of the following provisions:

11 1. A penalty of not less than Fifty Dollars (\$50.00) shall be
12 imposed upon any person found to be operating a commercial vehicle
13 sixty (60) days after the end of the month in which the license
14 plate or registration credentials expire without the current year
15 license plate or registration credential displayed. Such penalty
16 shall not exceed the amount established by the Corporation
17 Commission pursuant to the provisions of subsection A of Section
18 1167 of this title. Revenue from such penalties shall be
19 apportioned as provided in Section 1167 of this title;

20 2. A penalty of not less than Fifty Dollars (\$50.00) shall be
21 imposed for any person operating a commercial vehicle subject to the
22 provisions of Section 1120 or Section 1133 of this title without the
23 proper display of, or, carrying in such commercial vehicle, the
24 identification credentials issued by the Corporation Commission as

1 evidence of payment of the fee or tax as provided in Section 1120 or
2 Section 1133 of this title. Such penalty shall not exceed the
3 amount established by the Corporation Commission pursuant to the
4 provisions of subsection A of Section 1167 of this title. Revenue
5 from such penalties shall be apportioned as provided in Section 1167
6 of this title; and

7 3. A penalty of not less than One Hundred Dollars (\$100.00)
8 shall be imposed for any person that fails to register any
9 commercial vehicle subject to the Oklahoma Vehicle License and
10 Registration Act. Such penalty shall not exceed the amount
11 established by the Corporation Commission pursuant to the provisions
12 of subsection A of Section 1167 of this title. Revenue from such
13 penalties shall be apportioned as provided in Section 1167 of this
14 title.

15 E. The Tax Commission, or Corporation Commission with respect
16 to vehicles registered under Section 1120 or Section 1133 of this
17 title, shall assess the registration fees and penalties for the year
18 or years a vehicle was not registered. For vehicles not registered
19 for two (2) or more years, the registration fees and penalties shall
20 be due only for the current year and one (1) previous year.

21 F. In addition to any other penalty prescribed by law, there
22 shall be a penalty of not less than Twenty Dollars (\$20.00) upon a
23 finding by an enforcement officer that:

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1 1. The registration of a vehicle registered pursuant to Section
2 1132 of this title is expired and it is sixty (60) or more days
3 after the end of the month of expiration; or

4 2. The registration fees for a vehicle that is subject to the
5 registration fees pursuant to Section 1132 of this title have not
6 been paid.

7 Such penalty shall not exceed the amount established by the
8 Corporation Commission pursuant to the provisions of subsection A of
9 Section 1167 of this title. Revenue from such penalties shall be
10 apportioned as provided in Section 1167 of this title.

11 G. If a vehicle is donated to a nonprofit charitable
12 organization, the nonprofit charitable organization shall be exempt
13 from paying any current or past due registration fees, excise tax,
14 transfer fees, and penalties and interest. However, after the
15 donation, if the person donating the vehicle, or someone on behalf
16 of such person, purchases the same vehicle back from the nonprofit
17 charitable organization to which the vehicle was donated, such
18 person shall be liable for all current and past-due registration
19 fees, excise tax, title or transfer fees, and penalties and interest
20 on such vehicle.

21 H. A hold may be placed on the renewal of registration required
22 by this section by a municipality, county or the Department of
23 Public Safety pursuant to subsection B of Section 1143.2 of this
24 title if there is a conviction for a traffic violation, including

1 parking violations, related to the motor vehicle for which renewal
2 of registration is being sought. If such hold is placed on the
3 renewal, it shall be released by the entity which placed the hold
4 after remittance of amounts required pursuant to subsection B of
5 Section 1143.2 of this title in addition to any penalties provided
6 in the Oklahoma Vehicle License and Registration Act for delinquent
7 registration.

8 SECTION 4. AMENDATORY 47 O.S. 2001, Section 1141.1, as
9 last amended by Section 3, Chapter 443, O.S.L. 2009 (47 O.S. Supp.
10 2009, Section 1141.1), is amended to read as follows:

11 Section 1141.1 A. Each motor license agent shall be entitled
12 to retain the following amounts from the taxes and fees collected by
13 such agent to be used to fund the operation of the office of such
14 motor license agent subject to the provisions of Sections 1140
15 through 1147 of this title:

16 1. Beginning July 1, 2005, Two Dollars and eighty-one cents
17 (\$2.81) for each vehicle registered and for each special license
18 plate issued pursuant to the Oklahoma Vehicle License and
19 Registration Act. Beginning July 1, 2006, and thereafter, Three
20 Dollars and fifty-six cents (\$3.56) for each vehicle registered and
21 for each special license plate issued pursuant to the Oklahoma
22 Vehicle License and Registration Act;

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1 2. One Dollar and twenty-five cents (\$1.25) for each
2 certificate of title issued for boats and motors pursuant to the
3 Oklahoma Statutes;

4 3. For each certificate of registration issued for boats and
5 motors pursuant to the Oklahoma Statutes, an amount determined
6 pursuant to the provisions of subsection B of this section;

7 4. Two Dollars and twenty-five cents (\$2.25) for each
8 certificate of title issued pursuant to the Oklahoma Vehicle License
9 and Registration Act;

10 5. Beginning October 1, 2000, three percent (3%) of the vehicle
11 excise tax collected pursuant to Section 2103 of Title 68 of the
12 Oklahoma Statutes. Beginning July 1, 2001, each motor license agent
13 shall be entitled to retain three and one hundred twenty-five one-
14 thousandths percent (3.125%) of the vehicle excise tax collected
15 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.
16 Beginning July 1, 2002, and for all subsequent years, each motor
17 license agent shall be entitled to retain three and twenty-five one-
18 hundredths percent (3.25%) of the vehicle excise tax collected
19 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.
20 However, beginning July 1, 2003, the Legislature shall annually
21 review the percentage to be retained by the motor license agents
22 pursuant to this paragraph to determine whether such percentage
23 should be adjusted;

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- 1 6. Four percent (4%) of the excise tax collected on the
2 transfer of boats and motors pursuant to the Oklahoma Statutes;
- 3 7. Two Dollars (\$2.00) for each driver license, endorsement,
4 identification license, or renewal or duplicate issued pursuant to
5 Section 6-101 et seq. of this title;
- 6 8. Two Dollars (\$2.00) for the recording of security interests
7 as provided in Section 1110 of this title;
- 8 9. Two Dollars (\$2.00) for each inspection conducted pursuant
9 to subsection L of Section 1105 of this title;
- 10 10. Three Dollars (\$3.00) for each inspection conducted
11 pursuant to subsection M of Section 1105 of this title;
- 12 11. One Dollar (\$1.00) for each certificate of ownership filed
13 pursuant to subsection Q of Section 1105 of this title;
- 14 12. One Dollar (\$1.00) for each temporary permit issued
15 pursuant to Section 1124 of this title;
- 16 13. One Dollar and fifty cents (\$1.50) for processing each
17 proof of financial responsibility, driver license information,
18 insurance verification information, and other additional information
19 as provided in Section 7-602 of this title;
- 20 14. The mailing fees and registration fees provided in Sections
21 1131 and 1140 of this title;
- 22 15. The notary fee provided in Section 1143 of this title;

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1 16. Three Dollars (\$3.00) for each lien entry form completed
2 and recorded on a certificate of title pursuant to subsection G of
3 Section 1105 of this title;

4 17. Seven Dollars (\$7.00) for each notice of transfer as
5 provided by subsection B of Section 1107.4 of this title;

6 18. Seven Dollars (\$7.00) for each certificate of title or each
7 certificate of registration issued for repossessed vehicles pursuant
8 to Section 1126 of this title;

9 19. Any amount specifically authorized by law to be retained by
10 the motor license agent for the furnishing of a summary of a traffic
11 record and for renewing the registration for a motor vehicle on
12 which a hold has been placed pursuant to subsection B of Section
13 1143.2 of this title; and

14 20. Beginning July 1, 2009, each motor license agent shall also
15 be entitled to a portion of the penalties for delinquent
16 registration or payment of excise tax as provided for in subsection
17 C of Section 1115, subsection F of Section 1132 and subsection C of
18 Section 1151 of this title and of subsection A of Section 2103 of
19 Title 68 of the Oklahoma Statutes.

20 The balance of the funds collected shall be remitted to the
21 Oklahoma Tax Commission as provided in Section 1142 of this title to
22 be apportioned pursuant to Section 1104 of this title.

23 B. For each certificate of registration issued for boats and
24 motors, each motor license agent shall be entitled to retain the

1 greater of One Dollar and twenty-five cents (\$1.25) or an amount to
2 be determined by the Tax Commission according to the provisions of
3 this subsection. At the end of fiscal year 1997 and each fiscal
4 year thereafter, the Tax Commission shall compute the average amount
5 of registration fees for all boats and motors registered in this
6 state during the fiscal year and shall multiply the result by six
7 and twenty-two one-hundredths percent (6.22%). The resulting
8 product shall be the amount which may be retained by each motor
9 license agent for each certificate of registration for boats and
10 motors issued during the following calendar year.

11 SECTION 5. AMENDATORY Section 11, Chapter 534, O.S.L.
12 2004 (47 O.S. Supp. 2009, Section 1143.2), is amended to read as
13 follows:

14 Section 1143.2 A. In addition to the duties and functions
15 authorized to be performed by motor license agents pursuant to the
16 provisions of the Oklahoma Vehicle License and Registration Act, the
17 Oklahoma Tax Commission is authorized to utilize motor license
18 agents to perform the following duties:

19 1. Process, receive, and issue permits, licenses, and
20 registration relating to any tax which is payable to, collectible
21 by, or administered by the Tax Commission;

22 2. Accept documents, reports, or returns required to be filed
23 with the Tax Commission and accept payment of remittances required
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1 to be made to the Tax Commission as provided by the tax laws of this
2 state;

3 3. Provide information regarding the status of any permit or
4 license issued by the Tax Commission, or the franchise tax status of
5 any corporation, upon written request and subject to the provisions
6 of Section 205 of Title 68 of the Oklahoma Statutes and any other
7 provision of law relating to the confidentiality of records or
8 information; and

9 4. Perform any other duties specified by the Tax Commission
10 relating to the enforcement or administration of any state tax law.

11 B. In addition to the duties and functions authorized to be
12 performed by motor license agents pursuant to the provisions of the
13 Oklahoma Vehicle License and Registration Act, the Department of
14 Public Safety and any county or municipality shall be authorized to
15 utilize motor license agents to perform the following duties:

16 1. Renew a motor vehicle registration, as such renewal is
17 required by Section 1115 of this title, on which a hold has been
18 placed pursuant to subsection H of Section 1115 of this title, if
19 the applicant for renewal has remitted to the motor license agent
20 any outstanding or delinquent fines, assessments or other debts
21 payable to, collectible by or administered by the Department of
22 Public Safety or any county or municipality as the result of a final
23 conviction of any traffic violation associated with the motor
24 vehicle; provided, the applicant for renewal may also provide to the

1 motor license agent proof authorized by the Department of Public
2 Safety, a county or a city that outstanding amounts have been paid;
3 and

4 2. Upon acceptance of remittance for outstanding or delinquent
5 finances, assessments or other debts payable to, collectible by or
6 administered by the Department of Public Safety or any county or
7 municipality, the motor license agent shall forward such remittance
8 to the appropriate entity;

9 C. Any permit, license, or registration issued by a motor
10 license agent, and any document, report, return, or remittance
11 accepted by a motor license agent, pursuant to the provisions of
12 subsection A of this section, shall be deemed on the date of such
13 issuance or acceptance to have been issued or accepted by the Tax
14 Commission, Department of Public Safety municipality or county.

15 ~~C.~~ D. In addition to the amounts authorized to be retained by
16 motor license agents pursuant to the provisions of Section 1141.1 of
17 Title 47 of the Oklahoma Statutes, motor license agents shall be
18 entitled to charge and receive fees for duties performed pursuant to
19 the provisions of this section as provided by law. For the duties
20 performed pursuant to subsection B of this section, motor license
21 agents shall be entitled to charge and receive a fee of Twenty-five
22 Dollars (\$25.00).

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SECTION 6. This act shall become effective January 1, 2011.

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