

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 201 By: Aldridge of the Senate
3 and
4 Nelson of the House
5
6
7

8 [payment of debts - motor vehicle violations -
9 Oklahoma Vehicle License and Registration Act -
10 specifying duties to be performed - effective
11 date]

12 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
13 entire bill and insert

14 "(payment of debts - motor vehicle violations -
15 Oklahoma Vehicle License and Registration Act -
16 specifying duties to be performed -
17 effective date)

18
19
20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY 22 O.S. 2001, Section 983, is
22 amended to read as follows:

23 Section 983. A. Any defendant found guilty of an offense in
24 any court of this state may be imprisoned for nonpayment of the

1 fine, cost, fee, or assessment when the trial court finds after
2 notice and hearing that the defendant is financially able but
3 refuses or neglects to pay the fine, cost, fee, or assessment. A
4 sentence to pay a fine, cost, fee, or assessment may be converted
5 into a jail sentence only after a hearing and a judicial
6 determination, memorialized of record, that the defendant is able to
7 satisfy the fine, cost, fee, or assessment by payment, but refuses
8 or neglects so to do.

9 B. After a judicial determination that the defendant is able to
10 pay the fine, cost, fee, or assessment in installments, the court
11 may order the fine, cost, fee, or assessment to be paid in
12 installments and shall set the amount and date for each installment.

13 C. In addition, the district court or municipal court, within
14 one hundred twenty (120) days from the date upon which the person
15 was originally ordered to make payment, may send notice of
16 nonpayment of any court-ordered fine and costs ~~for~~:

17 1. For a moving traffic violation to the Department of Public
18 Safety with a recommendation of suspension of driving privileges of
19 the defendant until the total amount of any fine and costs has been
20 paid. Upon receipt of payment of the total amount of the fine and
21 costs for the moving traffic violation, the court shall send notice
22 thereof to the Department, if a nonpayment notice was sent as
23 provided for in this subsection. Notices sent to the Department
24 shall be on forms or by a method approved by the Department; or

1 2. For any traffic violation, including parking violations, to
2 the Oklahoma Tax Commission with a recommendation of suspension of
3 renewal of registration of the motor vehicle associated with the
4 violation. Upon receipt of payment of the total amount of the fine
5 and costs for the traffic violation, the court shall send notice
6 thereof to the Oklahoma Tax Commission if a nonpayment notice was
7 sent as provided for in this subsection. Notices sent to the
8 Oklahoma Tax Commission shall be on forms or by a method approved by
9 the Oklahoma Tax Commission.

10 The provisions of this subsection shall not be construed to
11 allow and a court shall not request both suspension of driving
12 privileges of the defendant and suspension of renewal of
13 registration of the motor vehicle associated with the violation.
14 Provided, if a court first requests suspension of driving privileges
15 but subsequently withdraws the suspension with an order to the
16 Department to vacate the suspension, the court may then recommend
17 suspension of renewal of registration to the Oklahoma Tax
18 Commission.

19 Whenever the court provides notice to the Oklahoma Tax
20 Commission to suspend the renewal of registration of a motor vehicle
21 for nonpayment of a traffic violation, the court shall also be
22 required to provide notice to the owner of the motor vehicle that a
23 notice has been sent to the Tax Commission recommending suspension
24

1 of renewal of registration for the motor vehicle associated with the
2 violation.

3 D. The Court of Criminal Appeals shall implement procedures and
4 rules for methods of payment of fines, costs, fees, and assessments
5 by indigents, which procedures and rules shall be distributed to all
6 district courts and municipal courts by the Administrative Office of
7 the Courts.

8 SECTION 2. NEW LAW A new section of law to be codified in
9 the Oklahoma Statutes as Section 5-111.2 of Title 26, unless there
10 is created a duplication in numbering, reads as follows:

11 Any person required to file a Declaration of Candidacy to become
12 a member of the Legislature shall be prohibited from filing such
13 Declaration if records of the State Election Board indicate that the
14 renewal of the vehicle registration of the candidate has been
15 suspended for the nonpayment of a fine and costs for a traffic or
16 parking violation. Upon showing to the State Election Board proof
17 of payment of the total amount of the fine and costs, the candidate
18 shall be permitted to file his or her Declaration of Candidacy.

19 SECTION 3. NEW LAW A new section of law to be codified in
20 the Oklahoma Statutes as Section 5-111.3 of Title 26, unless there
21 is created a duplication in numbering, reads as follows:

22 Each candidate required to file a Declaration of Candidacy for
23 any state, county, municipal or judicial office in any general,
24 primary, or special election shall be prohibited from filing such

1 Declaration if records of the election board indicate that the
2 renewal of the vehicle registration of the candidate has been
3 suspended for the nonpayment of a fine and costs for a traffic or
4 parking violation. Upon showing to the election board proof of
5 payment of the total amount of the fine and costs, the candidate
6 shall be permitted to file his or her Declaration of Candidacy.

7 SECTION 4. AMENDATORY 47 O.S. 2001, Section 1106, as
8 last amended by Section 7, Chapter 238, O.S.L. 2006 (47 O.S. Supp.
9 2010, Section 1106), is amended to read as follows:

10 Section 1106. A. 1. If the Oklahoma Tax Commission shall:

11 a. determine at any time that an applicant for a
12 certificate of title of a vehicle is not entitled
13 thereto, it may refuse to issue such certificate or to
14 register such vehicle, or

15 b. receive notice of any nonpayment of fine and costs for
16 a traffic or parking violation with a recommendation
17 of suspension of renewal of registration for the
18 vehicle associated with the violation from any court
19 within this state, as provided in Section 983 of Title
20 22 of the Oklahoma Statutes, the Tax Commission shall
21 suspend the renewal of registration of the named
22 vehicle. An owner whose registration is subject to
23 suspension pursuant to this subsection may avoid the
24 suspension or, if the registration is already

1 suspended, shall be eligible for vacation of the
2 suspension, if otherwise eligible:

3 (1) upon making payment of the fine and costs to any
4 motor license agent, or

5 (2) upon showing to the Tax Commission or any motor
6 license agent proof of payment of the total
7 amount of fine and costs to the court or a
8 release from the court or the court clerk.

9 In addition, the Tax Commission shall provide notice
10 to the State Election Board of any person whose
11 renewal of registration has been suspended for
12 nonpayment of a traffic violation and when such
13 suspension has subsequently been vacated by the Tax
14 Commission. In addition, the Tax Commission shall
15 provide notice to all election boards in this state of
16 any person whose renewal of registration has been
17 suspended for nonpayment of a traffic violation and
18 when such suspension has subsequently been vacated by
19 the Tax Commission. The Tax Commission shall adopt
20 rules as may be deemed necessary to carry out the
21 provisions of this subparagraph.

22 2. The Commission may for a similar reason, after ten (10)
23 ~~days~~ days of notice and a hearing, revoke the registration and the
24 certificate of title already acquired on any outstanding certificate

1 of title. Said notice may be served in person or by registered
2 mail.

3 B. 1. The Oklahoma Tax Commission may refuse registration and
4 issuance of a certificate of title of a commercial motor vehicle, or
5 any transfer of title and registration of a commercial motor
6 vehicle, to a commercial motor carrier whose ability to operate has
7 been terminated or denied by a federal agency.

8 2. The Commission may revoke the registration, certificate of
9 title, and license plate of a commercial motor vehicle if the
10 vehicle has been assigned to be operated by a commercial motor
11 carrier whose ability to operate has been terminated or denied by a
12 federal agency.

13 C. The Corporation Commission may revoke, suspend or deny
14 registration of a commercial motor vehicle licensed pursuant to the
15 jurisdiction of the Corporation Commission and whose ability to
16 operate has been terminated or denied by a state or federal agency.

17 SECTION 5. AMENDATORY 47 O.S. 2001, Section 1140, as
18 last amended by Section 1, Chapter 386, O.S.L. 2009 (47 O.S. Supp.
19 2010, Section 1140), is amended to read as follows:

20 Section 1140. A. The Oklahoma Tax Commission shall adopt rules
21 prescribing minimum qualifications and requirements for locating
22 motor license agencies and for persons applying for appointment as a
23 motor license agent; provided, after the effective date of this act
24 such qualifications and requirements shall apply to agents in all

1 areas of this state. Such qualifications and requirements shall
2 include, but not be limited to, the following:

3 1. Necessary job skills and experience;

4 2. Minimum office hours;

5 3. Provision for sufficient staffing, equipment, office space
6 and parking to provide maximum efficiency and maximum convenience to
7 the public;

8 4. Obtainment of a faithful performance surety bond as provided
9 for by law;

10 5. A requirement that operation of a motor license agency be
11 the primary source of income for said agent;

12 6. That the applicant has not been convicted of a felony and
13 that no felony charges are pending against the applicant;

14 7. That a complete financial statement be submitted by the
15 applicant on forms provided by the Tax Commission;

16 8. That a report of the applicant's credit history be obtained
17 through the appropriate credit bureau; and

18 9. That the location specified in the application for
19 appointment as a motor license agent not be owned by a member of the
20 Oklahoma Legislature or any person related to a member of the
21 Oklahoma Legislature within the ~~third~~ second degree by consanguinity
22 or affinity and that the location not be within a three-mile radius
23 of an existing motor license agency unless the applicant is assuming
24 the location of an operating agency. The Tax Commission may, at its

1 discretion, approve the relocation of an existing agency within a
2 three-mile radius of another existing agency only if a naturally
3 intervening geographic barrier within that radius causes the
4 locations to be separated by not less than three (3) miles of
5 roadway by the most direct route.

6 After the necessary information has been forwarded to the Tax
7 Commission, each applicant shall be interviewed by the Tax
8 Commission or its designees and each item of information shall be
9 reviewed.

10 Any person making application to the Tax Commission for the
11 purpose of becoming a motor license agent shall pay when submitting
12 the application, a nonrefundable application fee of One Hundred
13 Dollars (\$100.00). All such application fees shall be deposited in
14 the Oklahoma Tax Commission Revolving Fund.

15 Upon application by a person to serve as a motor license agent,
16 in such counties, the Tax Commission shall make a determination
17 whether such person and such location meets the qualifications and
18 requirements prescribed herein and, if such be the case, shall
19 appoint such person to serve as a motor license agent.

20 A motor license agent, appointed pursuant to this subsection
21 shall be permitted to operate a motor license agency at a single
22 location and shall be prohibited from operating subagencies or
23 branch agencies, unless such subagencies or branch agencies were
24 established prior to June 1, 1985.

1 Unless otherwise specifically provided, motor license agents
2 appointed pursuant to this subsection shall be subject to all laws
3 relating to motor license agents and shall be subject to removal at
4 the will of the Tax Commission.

5 B. Before the effective date of this act, in all counties of
6 this state having a population of less than one hundred thirty
7 thousand (130,000) and in municipalities having a population of less
8 than eight thousand five hundred (8,500) located in a county having
9 a population in excess of one hundred thirty thousand (130,000),
10 according to the latest Federal Decennial Census, the Tax Commission
11 shall appoint as many motor license agents as it deems necessary to
12 carry out the provisions of the Motor Vehicle License and
13 Registration Act. Provided, that in counties with a population in
14 excess of twenty-five thousand (25,000) persons, according to the
15 latest Federal Decennial Census, having only one motor license agent
16 serving the county, the Tax Commission shall establish at least one
17 additional agency to serve the county. Any motor license agent
18 appointed pursuant to this subsection before the effective date of
19 this act may continue to serve until such agent vacates the position
20 by reason of resignation, removal, death or otherwise.

21 All motor license agents shall be self-employed independent
22 contractors and shall be under the supervision of the Tax
23 Commission; provided, any agent authorized to issue registrations
24 pursuant to the International Registration Plan shall also be under

1 the supervision of the Corporation Commission, subject to rules
2 promulgated by the Corporation Commission pursuant to the provisions
3 of subsection E of Section 1166 of this title. Any such agent, upon
4 being appointed, shall furnish and file with the Tax Commission a
5 bond in such amount as may be fixed by the Tax Commission. Such
6 agent shall be removable at the will of the Tax Commission. Such
7 agent shall perform all duties and do such things in the
8 administration of the laws of this state as shall be enjoined upon
9 and required by the Tax Commission or the Corporation Commission.
10 Provided, the Tax Commission may operate a motor license agency in
11 any county where a vacancy occurs.

12 C. In the event of a vacancy existing by reason of resignation,
13 removal, death or otherwise, in the position of any motor license
14 agent, the Tax Commission is hereby empowered and authorized to take
15 any and all actions it deems appropriate in order to provide for the
16 orderly transition and for the maintenance of operations of the
17 motor license agency including but not limited to the designation of
18 one of its regular employees to serve as "acting agent" without
19 bond, and to receive and expend all fees or charges authorized or
20 provided by law and exercise the same powers and authority as a
21 regularly appointed motor license agent. An acting agent may be
22 authorized by the Tax Commission equally as the preceding agent to
23 make disbursements from any balances in the preceding motor license
24 agent's operating account and the agent's operating funds for the

1 payment of expenses of operations and salaries and other overhead.
2 If such funds are insufficient, the Tax Commission is authorized to
3 expend from funds appropriated for the operation of the Tax
4 Commission such amounts as are necessary to maintain and continue
5 the operation of any such motor license agency until a successor
6 agent is appointed and qualified. The Tax Commission may require a
7 blanket fiduciary bond of the agency employees.

8 D. Any motor license agency operated by a motor license agent
9 who has been charged with a felony shall be closed immediately. The
10 State Auditor and Inspector shall immediately conduct an audit of
11 such motor license agency and forward the report of the audit to the
12 Tax Commission for review. The Tax Commission shall determine
13 whether the motor license agency shall be reopened and operated by
14 the motor license agent or whether the agency shall be reopened and
15 operated by the Tax Commission. The review of the audit and the Tax
16 Commission determination shall be effected as soon as possible to
17 prevent additional inconvenience to the public.

18 E. When an application for registration is made with the Tax
19 Commission, Corporation Commission or a motor license agent, a
20 registration fee of One Dollar and seventy-five cents (\$1.75) shall
21 be collected for each license plate or decal issued. Such fees
22 shall be in addition to the registration fees on motor vehicles and
23 when an application for registration is made to the motor license
24 agent such motor license agent shall retain a fee as provided in

1 Section 1141.1 of this title. When the fee is paid by a person
2 making application directly with the Tax Commission or Corporation
3 Commission, as applicable, the registration fees shall be in the
4 same amount as provided for motor license agents and the fee
5 provided by Section 1141.1 of this title shall be deposited in the
6 Oklahoma Tax Commission Revolving Fund or as provided in Section
7 1167 of this title, as applicable. The Tax Commission shall prepare
8 schedules of registration fees and charges for titles which shall
9 include the fees for such agents and all fees and charges paid by a
10 person shall be listed separately on the application and
11 registration and totaled on the application and registration. The
12 motor license agents shall charge only such fees as are specifically
13 provided for by law, and all such authorized fees shall be posted in
14 such a manner that any person shall have notice of all fees that are
15 imposed by law.

16 F. No person shall be appointed as a motor license agent unless
17 the person has attested under oath that the person is not related by
18 affinity or consanguinity within the third degree to:

19 1. Any member of the Oklahoma Legislature;

20 2. Any person who has served as a member of the Oklahoma
21 Legislature within the two-year period preceding the date of
22 appointment as motor license agent; or

23 3. Any employee of the Tax Commission.
24

1 G. Any motor license agent appointed under the provisions of
2 this title shall be responsible for all costs incurred by the Tax
3 Commission when relocating an existing motor license agency. The
4 Tax Commission may waive payment of such costs in case of unforeseen
5 business or emergency conditions beyond the control of the agent.

6 SECTION 6. AMENDATORY 47 O.S. 2001, Section 1141.1, as
7 last amended by Section 3, Chapter 443, O.S.L. 2009 (47 O.S. Supp.
8 2010, Section 1141.1), is amended to read as follows:

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

14 1. Beginning July 1, 2005, Two Dollars and eighty-one cents
15 (\$2.81) for each vehicle registered and for each special license
16 plate issued pursuant to the Oklahoma Vehicle License and
17 Registration Act. Beginning July 1, 2006, and thereafter, Three
18 Dollars and fifty-six cents (\$3.56) for each vehicle registered and
19 for each special license plate issued pursuant to the Oklahoma
20 Vehicle License and Registration Act;

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

24

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

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

7 5. Beginning October 1, 2000, three percent (3%) of the vehicle
8 excise tax collected pursuant to Section 2103 of Title 68 of the
9 Oklahoma Statutes. Beginning July 1, 2001, each motor license agent
10 shall be entitled to retain three and one hundred twenty-five one-
11 thousandths percent (3.125%) of the vehicle excise tax collected
12 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.

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

21 6. Four percent (4%) of the excise tax collected on the
22 transfer of boats and motors pursuant to the Oklahoma Statutes;
23
24

1 7. Two Dollars (\$2.00) for each driver license, endorsement,
2 identification license, or renewal or duplicate issued pursuant to
3 Section 6-101 et seq. of this title;

4 8. Two Dollars (\$2.00) for the recording of security interests
5 as provided in Section 1110 of this title;

6 9. Two Dollars (\$2.00) for each inspection conducted pursuant
7 to subsection L of Section 1105 of this title;

8 10. Three Dollars (\$3.00) for each inspection conducted
9 pursuant to subsection M of Section 1105 of this title;

10 11. One Dollar (\$1.00) for each certificate of ownership filed
11 pursuant to subsection Q of Section 1105 of this title;

12 12. One Dollar (\$1.00) for each temporary permit issued
13 pursuant to Section 1124 of this title;

14 13. One Dollar and fifty cents (\$1.50) for processing each
15 proof of financial responsibility, driver license information,
16 insurance verification information, and other additional information
17 as provided in Section 7-602 of this title;

18 14. The mailing fees and registration fees provided in Sections
19 1131 and 1140 of this title;

20 15. The notary fee provided in Section 1143 of this title;

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

24

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

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

6 19. Any amount specifically authorized by law to be retained by
7 the motor license agent for the furnishing of a summary of a traffic
8 record; ~~and~~

9 20. Each motor license agent shall also be entitled to collect
10 Twenty-five Dollars (\$25.00), which shall be assessed as an
11 additional fee, for collection of any fine and costs for a traffic
12 or parking violation for which suspension of renewal of registration
13 for the vehicle associated with the violation has occurred pursuant
14 to subparagraph b of paragraph 1 of subsection A of Section 1106 of
15 this title and subsection C of Section 1143.2 of this title; and

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

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

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

13 SECTION 7. AMENDATORY Section 11, Chapter 534, O.S.L.
14 2004 (47 O.S. Supp. 2010, Section 1143.2), is amended to read as
15 follows:

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

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

24

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

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

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

13 B. Any permit, license, or registration issued by a motor
14 license agent, and any document, report, return, or remittance
15 accepted by a motor license agent, pursuant to the provisions of
16 subsection A of this section, shall be deemed on the date of such
17 issuance or acceptance to have been issued or accepted by the Tax
18 Commission.

19 C. In addition to the duties and functions authorized to be
20 performed by motor license agents pursuant to the provisions of the
21 Oklahoma Vehicle License and Registration Act, the Oklahoma Tax
22 Commission is authorized to utilize motor license agents to collect
23 any outstanding fine or costs for a traffic or parking violation for
24 which the Oklahoma Tax Commission has received notice as provided in

1 subparagraph b of paragraph 1 of subsection A of Section 1106 of
2 this title. Upon acceptance of remittance for an outstanding fine
3 and costs for a traffic or parking violation, the motor license
4 agent shall forward such remittance to the appropriate court. The
5 Tax Commission shall adopt rules as may be deemed necessary to carry
6 out the provisions of this subsection.

7 D. In addition to the amounts authorized to be retained by
8 motor license agents pursuant to the provisions of Section 1141.1 of
9 ~~Title 47 of the Oklahoma Statutes~~ this title, motor license agents
10 shall be entitled to charge and receive fees for duties performed
11 pursuant to the provisions of subsections A and C of this section as
12 provided by law.

13 SECTION 8. AMENDATORY 68 O.S. 2001, Section 2913, as
14 last amended by Section 6, Chapter 436, O.S.L. 2008 (68 O.S. Supp.
15 2010, Section 2913), is amended to read as follows:

16 Section 2913. A. All taxes levied upon an ad valorem basis for
17 each fiscal year shall become due and payable on the first day of
18 November. Except for mortgage servicers, the exclusive method for
19 payment shall be as follows:

20 1. Unless one-half (1/2) of the taxes so levied has been paid
21 before the first day of January, the entire tax levy for such fiscal
22 year shall become delinquent on that date.

23 2. If the first half of the taxes levied upon an ad valorem
24 basis for any such fiscal year has been paid before the first day of

1 January, the second half shall be paid before the first day of April
2 thereafter and if not paid shall become delinquent on that date.

3 In no event may payment be made in more than two equal
4 installments subject to the provisions of the payment schedule
5 specified in this subsection.

6 B. Mortgage servicers, as defined in 24 C.F.R., part 3500.17,
7 shall pay all accounts which they are servicing in one annual
8 payment before the first day of January or the entire tax levy for
9 such fiscal year shall become delinquent on that date.

10 C. If the total tax owed is Twenty-five Dollars (\$25.00) or
11 less, then the total amount must be paid before January 1. If the
12 total tax is not paid before January 1, the unpaid balance owing
13 shall become delinquent on the first day of January and shall be
14 subject to delinquent charges as provided for in this section.

15 D. All delinquent taxes shall bear interest at the rate of one
16 and one-half percent (1 1/2%) per month or major fraction thereof
17 until paid. In no event shall such interest exceed a sum equal to
18 the unpaid principal amount of tax, and when such interest has
19 accumulated to a sum equivalent to one hundred percent (100%) of the
20 unpaid tax the further accumulation of interest shall cease.

21 E. In addition to any other penalties prescribed by law,
22 delinquent taxes shall be subject to a late payment penalty of five
23 percent (5%) per month or a major fraction thereof until paid. The
24 penalty assessed herein shall only apply to delinquent taxes that

1 are due on property located in a dependent school district in a
2 county with a population of less than seventy-five thousand (75,000)
3 according to the most recent Federal Decennial Census and held by a
4 nonindividual taxpayer when the tax has been paid delinquent for two
5 (2) or more separate and consecutive years and the fair cash value
6 of the property exceeds Five Hundred Thousand Dollars (\$500,000.00).

7 F. In addition to any other penalties prescribed by law, the
8 person shall be prohibited from renewing his or her driver license
9 as provided in Section 6-115 of Title 47 of the Oklahoma Statutes.
10 The Department of Public Safety is hereby authorized to deny the
11 issuance of a renewal driver license to the person for nonpayment of
12 ad valorem taxes. The person may apply for a renewal driver license
13 upon providing proof to the Department of Public Safety that the
14 unpaid balance of the taxes and additional delinquent charges have
15 been paid in full by the person.

16 G. The county treasurer shall stamp the date of receipt on each
17 letter received containing funds for payment of taxes and no
18 interest shall be added or charged after the receipt of such letter
19 or the amount due. It shall be the duty of every person subject to
20 taxation according to the law to attend the county treasurer's
21 office and pay his or her taxes. If any person neglects to pay his
22 or her taxes until after they have become delinquent, the county
23 treasurer is directed and required to collect the delinquent tax as
24 provided for by law. The first half of taxes payable pursuant to

1 the provisions of this section shall not become delinquent until
2 thirty (30) days after the tax rolls have become completed and filed
3 by the county assessor with the county treasurer.

4 ~~G.~~ H. The county treasurer may waive penalties or interest in
5 any case where it is shown to the county treasurer that such
6 penalties or interest were incurred through no fault of the
7 taxpayer. Each waiver of penalties or interest shall be audited by
8 the Office of the State Auditor and Inspector each year during the
9 annual audit of the county offices.

10 SECTION 9. This act shall become effective January 1, 2012.”

11 Passed the House of Representatives the 27th day of April, 2011.

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Presiding Officer of the House of
Representatives

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16 Passed the Senate the ____ day of _____, 2011.

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Presiding Officer of the Senate

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1 ENGROSSED SENATE
2 BILL NO. 201

By: Aldridge of the Senate

3 and

4 Nelson of the House

5
6
7 [payment of debts - motor vehicle violations -
8 Oklahoma Vehicle License and Registration Act -
9 specifying duties to be performed - effective
10 date]

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

12 SECTION 10. AMENDATORY 11 O.S. 2001, Section 14-111, as
13 last amended by Section 1, Chapter 413, O.S.L. 2008 (11 O.S. Supp.
14 2010, Section 14-111), is amended to read as follows:

15 Section 14-111. A. The governing body of a municipality may
16 provide for enforcement of its ordinances and establish fines,
17 penalties, or imprisonment, as authorized by subsections B through ~~D~~
18 E of this section, for any offense in violation of its ordinances,
19 which shall be recoverable together with costs of suit. The
20 governing body may provide that any person fined for violation of a
21 municipal ordinance who is financially able but refuses or neglects
22 to pay the fine or costs may be compelled to satisfy the amount owed
23 by working on the streets, alleys, avenues, areas, and public
24 grounds of the municipality, subject to the direction of the street

1 commissioner or other proper officer, at a rate per day as the
2 governing body may prescribe by ordinance, but not less than Fifty
3 Dollars (\$50.00) per day for useful labor, until the fine or costs
4 are satisfied.

5 B. 1. Except for municipal ordinances related to prostitution
6 and as otherwise provided in this section, cities having a municipal
7 criminal court of record may enact ordinances prescribing maximum
8 fines of One Thousand Two Hundred Dollars (\$1,200.00) and costs or
9 imprisonment not exceeding six (6) months or both the fine and
10 imprisonment, but shall not have authority to enact any ordinance
11 making unlawful an act or omission declared by state statute to be
12 punishable as a felony. Cities having a municipal criminal court of
13 record may enact ordinances prescribing maximum fines of One
14 Thousand Dollars (\$1,000.00) and costs or imprisonment not exceeding
15 six (6) months or both such fine and imprisonment for violations of
16 municipal ordinances regulating the pretreatment of wastewater and
17 regulating stormwater discharges. Cities having a municipal
18 criminal court of record may enact ordinances prescribing maximum
19 fines of One Thousand Two Hundred Fifty Dollars (\$1,250.00) and
20 costs or imprisonment not exceeding six (6) months or both such fine
21 and imprisonment for alcohol-related or drug-related traffic
22 offenses. The court shall remit Fifty Dollars (\$50.00) of each
23 alcohol fine or deferral fee to a fund of the municipality that
24 shall be used to defray costs for enforcement of laws relating to

1 juvenile access to alcohol, other laws relating to alcohol and other
2 intoxicating substances, and traffic-related offenses involving
3 alcohol or other intoxicating substances.

4 2. For violations of municipal ordinances relating to
5 prostitution, including but not limited to engaging in prostitution
6 or soliciting or procuring prostitution, a municipal criminal court
7 of record may enact ordinances prescribing an imprisonment not to
8 exceed six (6) months, and fines as follows: a fine not to exceed
9 Two Thousand Five Hundred Dollars (\$2,500.00) upon the first
10 conviction for violation of any such ordinances, a fine of not more
11 than Five Thousand Dollars (\$5,000.00) upon the second conviction
12 for violation of any of such ordinances, and a fine of not more than
13 Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or
14 subsequent convictions for violation of any of such ordinances, or
15 both such fine and imprisonment as well as a term of community
16 service of not less than forty (40) nor more than eighty (80) hours.

17 C. Municipalities having a municipal court not of record may
18 enact ordinances prescribing maximum fines pursuant to the
19 provisions of this subsection. A municipal ordinance may not impose
20 a penalty, including fine or deferral fee in lieu of a fine and
21 costs, which is greater than that established by statute for the
22 same offense. The maximum fine or deferral fee in lieu of a fine
23 for traffic-related offenses relating to speeding or parking shall
24 not exceed Two Hundred Dollars (\$200.00). The maximum fine or

1 deferral fee in lieu of a fine for alcohol-related or drug-related
2 offenses shall not exceed Eight Hundred Dollars (\$800.00). For all
3 other offenses, the maximum fine or deferral fee in lieu of a fine
4 shall not exceed Seven Hundred Fifty Dollars (\$750.00). The court
5 shall remit Fifty Dollars (\$50.00) of each alcohol fine or deferral
6 fee to a fund of the municipality that shall be used to defray costs
7 for enforcement of laws relating to juvenile access to alcohol,
8 other laws relating to alcohol and other intoxicating substances,
9 and traffic-related offenses involving alcohol or other intoxicating
10 substances. The ordinances may prescribe costs pursuant to the
11 provisions of Section 27-126 of this title or imprisonment not
12 exceeding sixty (60) days or both the fine and imprisonment;
13 provided, that municipalities having only a municipal court not of
14 record shall not have authority to enact any ordinance making
15 unlawful any act or omission declared by state statute to be
16 punishable as a felony; provided further, that municipalities having
17 a municipal court not of record may enact ordinances prescribing
18 maximum fines of One Thousand Dollars (\$1,000.00) and costs or
19 imprisonment not exceeding ninety (90) days or both such fine and
20 imprisonment for violations of municipal ordinances regulating the
21 pretreatment of wastewater and regulating stormwater discharges. If
22 imprisonment is available for the offense, then that person charged
23 shall have a right to a jury trial.

24

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

4 E. The governing body of a municipality may provide for the
5 payment of outstanding or delinquent fines, assessments or other
6 debts which have resulted from conviction on any traffic violation,
7 including parking violations associated with a motor vehicle payable
8 to, collectible by, or administered by the municipality through a
9 motor license agent pursuant to Section 1143.2 of Title 47 of the
10 Oklahoma Statutes by placing a hold on the registration renewal for
11 the motor vehicle associated with the violation.

12 F. No municipality may levy a fine or deferral fee in lieu of a
13 fine of over Fifty Dollars (\$50.00) until it has compiled and
14 published its penal ordinances as required in Sections 14-109 and
15 14-110 of this title.

16 ~~F.~~ G. No municipality may levy a fine of more than Ten Dollars
17 (\$10.00) nor court costs of more than Fifteen Dollars (\$15.00) for
18 exceeding the posted speedlimit by no more than ten (10) miles per
19 hour upon any portion of the National System of Interstate and
20 Defense Highways, federal-aid primary highways, and the state
21 highway system which are located on the outskirts of any
22 municipality as determined in Section 2-117 of Title 47 of the
23 Oklahoma Statutes.

1 SECTION 11. AMENDATORY Section 1, Chapter 271, O.S.L.
2 2009 (19 O.S. Supp. 2009, Section 863.13A), is amended to read as
3 follows:

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

8 B. 1. In addition to other powers and duties prescribed by
9 law, a board of county commissioners shall have the power to
10 establish and enforce fines and penalties for violation of its
11 zoning, subdivision, storm water and floodplain regulations,
12 including the issuance of citations by designated county personnel
13 for violations of its zoning, subdivision, storm water and
14 floodplain regulations. A board of county commissioners may
15 additionally establish that any person who fails to correct a
16 violation for which a citation has been issued within the period
17 permitted for its correction may be assessed a fine or penalty for
18 each ensuing day during which such failure or violation continues.

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

21 a. the employee shall prepare a written citation to
22 appear in court, containing the name and address of
23 the cited person and the violation/offense charged,
24 and stating when the person shall appear in district

1 court. The time to appear specified in the citation
2 shall be at least five (5) days after the issuance of
3 the citation,

4 b. one copy of the citation to appear shall be delivered
5 to the person cited, and such person shall sign a
6 duplicate written citation which shall be retained by
7 the county employee, and

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

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

13 4. Violations and penalties shall be deemed misdemeanor
14 offenses, punishable by a fine of up to Five Hundred Dollars
15 (\$500.00). Jurisdiction is hereby conferred upon the district court
16 within the county.

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

19 6. Issuance of citations and/or payment of fines or penalties
20 shall in no way preclude other remedies or appropriate action or
21 proceedings to prevent or remove a violation. The governing body of
22 a county may provide for the payment of outstanding or delinquent
23 fines, assessments or other debts which have resulted from
24 conviction on any traffic violation, including parking violations

1 associated with a motor vehicle payable to, collectible by, or
2 administered by the county through a motor license agent pursuant to
3 Section 1143.2 of Title 47 of the Oklahoma Statutes by placing a
4 hold on the registration renewal for the motor vehicle associated
5 with the violation.

6 SECTION 12. AMENDATORY 47 O.S. 2001, Section 1115, as
7 last amended by Section 18, Chapter 412, O.S.L. 2010 (47 O.S. Supp.
8 2010, Section 1115), is amended to read as follows:

9 Section 1115. A. Unless provided otherwise by statute, the
10 following vehicles shall be registered annually: manufactured
11 homes, vehicles registered with a permanent nonexpiring license
12 plate pursuant to Section 1113 of this title, and commercial
13 vehicles registered pursuant to the installment plan provided in
14 subsection H of Section 1133 of this title. The following schedule
15 shall apply for such vehicle purchased in this state or brought into
16 this state by residents of this state:

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

19 2. Between April 1 and June 30, the payment of three-fourths
20 (3/4) the annual fee shall be required;

21 3. Between July 1 and September 30, the payment of one-half
22 (1/2) the annual fee shall be required; and

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

1 License plates or decals for each year shall be made available
2 on December 1 of each preceding year for such vehicles. Any person
3 who purchases such vehicle or manufactured home between December 1
4 and December 31 of any year shall register it within thirty (30)
5 days from date of purchase and obtain a license plate or
6 Manufactured Home License Registration Decal, as appropriate, for
7 the following calendar year upon payment of the full annual fee.
8 Unless provided otherwise by statute, all annual license,
9 registration and other fees for such vehicles shall be due and
10 payable on January 1 of each year and if not paid by February 1
11 shall be deemed delinquent.

12 B. 1. All vehicles, other than those required to be registered
13 pursuant to the provisions of subsection A of this section, shall be
14 registered on a staggered system of registration and licensing on a
15 monthly series basis to distribute the work of registering such
16 vehicles as uniformly and expeditiously as practicable throughout
17 the calendar year. After the end of the month following the
18 expiration date, the license and registration fees for the new
19 registration period shall become delinquent.

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

23 3. Applicants seeking to establish Oklahoma as the base
24 jurisdiction for registering apportioned fleet vehicles shall have a

1 one-time option of registering for a period of not less than six (6)
2 months nor greater than eighteen (18) months. Subsequent renewals
3 for these registrants will be for twelve (12) months, expiring on
4 the last day of the month chosen by the registrant under the one-
5 time option as provided herein. In addition, registrants with
6 multiple fleets may designate a different registration month of
7 expiration for each fleet.

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

10 4. Effective January 1, 2004, all motorcycles and mopeds shall
11 be registered on a staggered system of registration. The Oklahoma
12 Tax Commission shall notify in writing, prior to December 1, 2003,
13 all owners of motorcycles or mopeds registered as of such date, who
14 shall have a one-time option of registering for a period of not less
15 than three (3) months nor greater than fifteen (15) months.
16 Subsequent renewals for these registrants will be for twelve (12)
17 months, expiring on the last day of the month chosen by the
18 registrant under the one-time option as provided herein. All
19 motorcycles and mopeds registered pursuant to new applications
20 received on or after December 1, 2003, shall also be registered
21 pursuant to the provisions of this paragraph.

22 C. The following penalties shall apply for delinquent
23 registration fees:
24

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

11 2. For commercial vehicles registered under the provisions of
12 subsection B of this section, except those vehicles registered
13 pursuant to Section 1133.1 of this title, a penalty shall be
14 assessed after the last day of the month following the registration
15 expiration date. A penalty of twenty-five cents (\$0.25) per day
16 shall be added to the license fee of such vehicle and shall accrue
17 for one (1) month. Thereafter, the penalty shall be thirty percent
18 (30%) of the annual registration fee, or Two Hundred Dollars
19 (\$200.00), whichever is greater;

20 3. For new or used manufactured homes, not registered within
21 thirty (30) days from date of purchase or date such manufactured
22 home was brought into this state, a penalty equal to the
23 registration fee shall be assessed; or
24

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

8 a. twenty-five cents (\$0.25) shall be apportioned as
9 provided in Section 1104 of this title,

10 b. twenty-five cents (\$0.25) shall be retained by the
11 motor license agent, and

12 c. fifty cents (\$0.50) shall be deposited in the General
13 Revenue Fund for the fiscal year beginning on July 1,
14 2010, and for all subsequent fiscal years, shall be
15 deposited in the State Highway Construction and
16 Maintenance Fund.

17 D. In addition to all other penalties provided in the Oklahoma
18 Vehicle License and Registration Act, the following penalties shall
19 be imposed and collected by any Enforcement Officer of the
20 Corporation Commission upon finding any commercial vehicle being
21 operated in violation of the provisions of the Oklahoma Vehicle
22 License and Registration Act.

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

1 1. A penalty of not less than Fifty Dollars (\$50.00) shall be
2 imposed upon any person found to be operating a commercial vehicle
3 sixty (60) days after the end of the month in which the license
4 plate or registration credentials expire without the current year
5 license plate or registration credential displayed. Such penalty
6 shall not exceed the amount established by the Corporation
7 Commission pursuant to the provisions of subsection A of Section
8 1167 of this title. Revenue from such penalties shall be
9 apportioned as provided in Section 1167 of this title;

10 2. A penalty of not less than Fifty Dollars (\$50.00) shall be
11 imposed for any person operating a commercial vehicle subject to the
12 provisions of Section 1120 or Section 1133 of this title without the
13 proper display of, or, carrying in such commercial vehicle, the
14 identification credentials issued by the Corporation Commission as
15 evidence of payment of the fee or tax as provided in Section 1120 or
16 Section 1133 of this title. Such penalty shall not exceed the
17 amount established by the Corporation Commission pursuant to the
18 provisions of subsection A of Section 1167 of this title. Revenue
19 from such penalties shall be apportioned as provided in Section 1167
20 of this title; and

21 3. A penalty of not less than One Hundred Dollars (\$100.00)
22 shall be imposed for any person that fails to register any
23 commercial vehicle subject to the Oklahoma Vehicle License and
24 Registration Act. Such penalty shall not exceed the amount

1 established by the Corporation Commission pursuant to the provisions
2 of subsection A of Section 1167 of this title. Revenue from such
3 penalties shall be apportioned as provided in Section 1167 of this
4 title.

5 E. The Tax Commission, or Corporation Commission with respect
6 to vehicles registered under Section 1120 or Section 1133 of this
7 title, shall assess the registration fees and penalties for the year
8 or years a vehicle was not registered. For vehicles not registered
9 for two (2) or more years, the registration fees and penalties shall
10 be due only for the current year and one (1) previous year.

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

14 1. The registration of a vehicle registered pursuant to Section
15 1132 of this title is expired and it is sixty (60) or more days
16 after the end of the month of expiration; or

17 2. The registration fees for a vehicle that is subject to the
18 registration fees pursuant to Section 1132 of this title have not
19 been paid.

20 Such penalty shall not exceed the amount established by the
21 Corporation Commission pursuant to the provisions of subsection A of
22 Section 1167 of this title. Revenue from such penalties shall be
23 apportioned as provided in Section 1167 of this title.

24

1 G. If a vehicle is donated to a nonprofit charitable
2 organization, the nonprofit charitable organization shall be exempt
3 from paying any current or past due registration fees, excise tax,
4 transfer fees, and penalties and interest. However, after the
5 donation, if the person donating the vehicle, or someone on behalf
6 of such person, purchases the same vehicle back from the nonprofit
7 charitable organization to which the vehicle was donated, such
8 person shall be liable for all current and past-due registration
9 fees, excise tax, title or transfer fees, and penalties and interest
10 on such vehicle.

11 H. A hold may be placed on the renewal of registration required
12 by this section, by a municipality, county or the Department of
13 Public Safety until satisfaction of the requirements of subsection B
14 of Section 1143.2 of this title, if there is a conviction for a
15 traffic violation, including parking violations, related to the
16 motor vehicle for which renewal of registration is being sought. If
17 such hold is placed on the renewal, it shall be released by the
18 entity which placed the hold after remittance of amounts required
19 pursuant to subsection B of Section 1143.2 of this title, in
20 addition to any penalties provided in the Oklahoma Vehicle License
21 and Registration Act for delinquent registration.

22 SECTION 13. AMENDATORY 47 O.S. 2001, Section 1141.1, as
23 last amended by Section 3, Chapter 443, O.S.L. 2009 (47 O.S. Supp.
24 2010, Section 1141.1), is amended to read as follows:

1 Section 1141.1 A. Each motor license agent shall be entitled
2 to retain the following amounts from the taxes and fees collected by
3 such agent to be used to fund the operation of the office of such
4 motor license agent subject to the provisions of Sections 1140
5 through 1147 of this title:

6 1. Beginning July 1, 2005, Two Dollars and eighty-one cents
7 (\$2.81) for each vehicle registered and for each special license
8 plate issued pursuant to the Oklahoma Vehicle License and
9 Registration Act. Beginning July 1, 2006, and thereafter, Three
10 Dollars and fifty-six cents (\$3.56) for each vehicle registered and
11 for each special license plate issued pursuant to the Oklahoma
12 Vehicle License and Registration Act;

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

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

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

22 5. Beginning October 1, 2000, three percent (3%) of the vehicle
23 excise tax collected pursuant to Section 2103 of Title 68 of the
24 Oklahoma Statutes. Beginning July 1, 2001, each motor license agent

1 shall be entitled to retain three and one hundred twenty-five one-
2 thousandths percent (3.125%) of the vehicle excise tax collected
3 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.
4 Beginning July 1, 2002, and for all subsequent years, each motor
5 license agent shall be entitled to retain three and twenty-five one-
6 hundredths percent (3.25%) of the vehicle excise tax collected
7 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.
8 However, beginning July 1, 2003, the Legislature shall annually
9 review the percentage to be retained by the motor license agents
10 pursuant to this paragraph to determine whether such percentage
11 should be adjusted;

12 6. Four percent (4%) of the excise tax collected on the
13 transfer of boats and motors pursuant to the Oklahoma Statutes;

14 7. Two Dollars (\$2.00) for each driver license, endorsement,
15 identification license, or renewal or duplicate issued pursuant to
16 Section 6-101 et seq. of this title;

17 8. Two Dollars (\$2.00) for the recording of security interests
18 as provided in Section 1110 of this title;

19 9. Two Dollars (\$2.00) for each inspection conducted pursuant
20 to subsection L of Section 1105 of this title;

21 10. Three Dollars (\$3.00) for each inspection conducted
22 pursuant to subsection M of Section 1105 of this title;

23 11. One Dollar (\$1.00) for each certificate of ownership filed
24 pursuant to subsection Q of Section 1105 of this title;

- 1 12. One Dollar (\$1.00) for each temporary permit issued
2 pursuant to Section 1124 of this title;
- 3 13. One Dollar and fifty cents (\$1.50) for processing each
4 proof of financial responsibility, driver license information,
5 insurance verification information, and other additional information
6 as provided in Section 7-602 of this title;
- 7 14. The mailing fees and registration fees provided in Sections
8 1131 and 1140 of this title;
- 9 15. The notary fee provided in Section 1143 of this title;
- 10 16. Three Dollars (\$3.00) for each lien entry form completed
11 and recorded on a certificate of title pursuant to subsection G of
12 Section 1105 of this title;
- 13 17. Seven Dollars (\$7.00) for each notice of transfer as
14 provided by subsection B of Section 1107.4 of this title;
- 15 18. Seven Dollars (\$7.00) for each certificate of title or each
16 certificate of registration issued for repossessed vehicles pursuant
17 to Section 1126 of this title;
- 18 19. Any amount specifically authorized by law to be retained by
19 the motor license agent for the furnishing of a summary of a traffic
20 record and for renewing the registration for a motor vehicle on
21 which a hold has been placed pursuant to subsection B of Section
22 1143.2 of this title; and
- 23 20. Beginning July 1, 2009, each motor license agent shall also
24 be entitled to a portion of the penalties for delinquent

1 registration or payment of excise tax as provided for in subsection
2 C of Section 1115, subsection F of Section 1132 and subsection C of
3 Section 1151 of this title and of subsection A of Section 2103 of
4 Title 68 of the Oklahoma Statutes.

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

8 B. For each certificate of registration issued for boats and
9 motors, each motor license agent shall be entitled to retain the
10 greater of One Dollar and twenty-five cents (\$1.25) or an amount to
11 be determined by the Tax Commission according to the provisions of
12 this subsection. At the end of fiscal year 1997 and each fiscal
13 year thereafter, the Tax Commission shall compute the average amount
14 of registration fees for all boats and motors registered in this
15 state during the fiscal year and shall multiply the result by six
16 and twenty-two one-hundredths percent (6.22%). The resulting
17 product shall be the amount which may be retained by each motor
18 license agent for each certificate of registration for boats and
19 motors issued during the following calendar year.

20 SECTION 14. AMENDATORY Section 11, Chapter 534, O.S.L.
21 2004 (47 O.S. Supp. 2010, Section 1143.2), is amended to read as
22 follows:

23 Section 1143.2 A. In addition to the duties and functions
24 authorized to be performed by motor license agents pursuant to the

1 provisions of the Oklahoma Vehicle License and Registration Act, the
2 Oklahoma Tax Commission is authorized to utilize motor license
3 agents to perform the following duties:

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

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

11 3. Provide information regarding the status of any permit or
12 license issued by the Tax Commission, or the franchise tax status of
13 any corporation, upon written request and subject to the provisions
14 of Section 205 of Title 68 of the Oklahoma Statutes and any other
15 provision of law relating to the confidentiality of records or
16 information; and

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

19 B. In addition to the duties and functions authorized to be
20 performed by motor license agents pursuant to the provisions of the
21 Oklahoma Vehicle License and Registration Act, the Department of
22 Public Safety and any county or municipality shall be authorized to
23 utilize motor license agents to perform the following duties:

24

1 1. Renew a motor vehicle registration, as such renewal is
2 required by Section 1115 of this title, on which a hold has been
3 placed pursuant to subsection H of Section 1115 of this title, if
4 the applicant for renewal has remitted to the motor license agent
5 any outstanding or delinquent fines, assessments or other debts
6 payable to, collectible by or administered by the Department of
7 Public Safety or any county or municipality as the result of a final
8 conviction of any traffic violation associated with the motor
9 vehicle; provided, the applicant for renewal may also provide to the
10 motor license agent proof authorized by the Department of Public
11 Safety, a county or a city that outstanding amounts have been paid;
12 and

13 2. Upon acceptance of remittance for outstanding or delinquent
14 fines, assessments or other debts payable to, collectible by or
15 administered by the Department of Public Safety or any county or
16 municipality, the motor license agent shall forward such remittance
17 to the appropriate entity;

18 C. Any permit, license, or registration issued by a motor
19 license agent, and any document, report, return, or remittance
20 accepted by a motor license agent, pursuant to the provisions of
21 subsection A of this section, shall be deemed on the date of such
22 issuance or acceptance to have been issued or accepted by the Tax
23 Commission, Department of Public Safety, municipality or county.

24

