

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 2374

By: Tibbs and Roan of the House

and

Sykes of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to motor vehicles; amending 47 O.S.
11 2011, Section 4-105, which relates to stolen
12 vehicles; providing for the return of certain towed
13 vehicles to the licensed wrecker operator prior to
14 certain claims or assertions; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 47 O.S. 2011, Section 4-105, is
18 amended to read as follows:

19 Section 4-105. A. It shall be the duty of every sheriff, chief
20 of police or peace officer to make immediate report to the
21 Department of Public Safety of all vehicles reported to their
22 respective jurisdictions as being stolen or recovered. Such report
23 shall be made as prescribed by the Department.

24 B. An owner or a lienholder may report the theft of a vehicle,
or its conversion if a crime, to the Department, but the Department

1 may disregard the report of a conversion unless a warrant has been
2 issued for the arrest of a person charged with the conversion. A
3 person who has so reported the theft or conversion of a vehicle
4 shall, forthwith after learning of its recovery, report the recovery
5 to the Department.

6 C. An operator of a place of business for garaging, repairing,
7 parking or storing vehicles for the public, in which a vehicle
8 remains unclaimed for a period of thirty (30) days, shall, within
9 five (5) days after the expiration of that period, report the
10 vehicle as unclaimed to the Department. Such report shall be on a
11 form prescribed by the Department.

12 A vehicle left by its owner whose name and address are known to
13 the operator or ~~his~~ employee of the operator is not considered
14 unclaimed. A person who fails to report a vehicle as unclaimed in
15 accordance with this subsection forfeits all claims and liens for
16 its garaging, parking or storing and is guilty of a misdemeanor
17 punishable by a fine or not more than Twenty-five Dollars (\$25.00)
18 for each day ~~his~~ the failure to report continues.

19 D. The Department shall maintain and appropriately index
20 cumulative public records of stolen, converted, recovered and
21 unclaimed vehicles reported to it pursuant to this section. The
22 Department may make and distribute weekly lists of such vehicles so
23 reported to it to peace officers upon request without fee and to
24 others for the fee, if any, the Department prescribes.

1 E. Any peace officer who has reason to believe or upon
2 receiving information that a motor vehicle has been stolen shall
3 have and is hereby vested with authority to confiscate and hold such
4 vehicle until satisfactory proof of ownership is established.
5 Provided, any vehicle that is towed by a licensed wrecker operator
6 pursuant to the provisions of Section 954A of this title shall be
7 returned to the licensed wrecker operator prior to any other claim
8 or assertion of ownership.

9 SECTION 2. This act shall become effective November 1, 2012.

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