

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2274

By: Murphey

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6 AS INTRODUCED

7 An Act relating to revenue and taxation; amending 68
8 O.S. 2011, Section 2104, which relates to vehicle
9 excise tax; allowing alternative reference material
when determining value; providing an effective date;
and declaring an emergency.

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

14 SECTION 1. AMENDATORY 68 O.S. 2011, Section 2104, is
15 amended to read as follows:

16 Section 2104. A. The value of any motor vehicle, except a
17 manufactured home, for the purposes of the excise tax levied by
18 Section 2103 of this title, shall be determined as of the time the
19 person applying for a certificate of title thereto obtained either
20 ownership or possession of the vehicle, which shall be presumed to
21 be the actual date of the sale or other transfer of ownership, and
22 assignment of the certificate of title.

23 B. The value of any vehicle, for purposes of the excise tax
24 levied by Section 2103 of this title, shall be the actual sales

1 price of such a vehicle before any discounts or credits are given
2 for a trade-in. However, the value of the vehicle prior to the
3 subtraction of such discounts or credits for a trade-in shall be
4 required to be within twenty percent (20%) of the average retail
5 price value of such vehicle as listed in the automotive reference
6 material prescribed by the Oklahoma Tax Commission, or the average
7 trade-in value, accounting for the condition of the vehicle,
8 according to the National Auto Dealers Association (NADA), whichever
9 is less. The actual sales price of the vehicle, which total shall
10 be the basis of the motor vehicle excise tax, as well as the number
11 of tires on the vehicle and the tire rim diameters, shall be entered
12 on the bill of sale furnished by the seller to the purchaser, or on
13 such other form as may be prescribed by the Tax Commission.

14 Upon receipt of the properly completed bill of sale or other
15 form as prescribed by the Tax Commission, and the payment of all
16 applicable taxes and fees, the Tax Commission or an appointed motor
17 license agent shall issue a vehicle certificate of title in
18 accordance with the provisions of the Oklahoma Vehicle License and
19 Registration Act.

20 SECTION 2. This act shall become effective July 1, 2012.

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

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