STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1408 By: Bass

AS INTRODUCED

An Act relating to motor vehicle registration; amending 47 O.S. 2011, Section 1127, which relates to registration of vehicles by military personnel; modifying requirements for certain special fee; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1127, is amended to read as follows:

Section 1127. A. All vehicles owned by members of the Armed Forces of the United States, the Reserve Corps of the Armed Forces of the United States, and the Oklahoma National Guard or their spouses assigned to duty in this state in compliance with official military or naval orders or owned by the spouse, who resides in Oklahoma, of a member of the Armed Forces of the United States serving in a foreign country, which vehicles are not being used in a trade or business or for any commercial purpose, are hereby classified specially for vehicle license and registration purposes in this state. Any such vehicle which is not registered and

licensed for the current year in the state of residence or domicile of the serviceman, Guardsman, or Reservist or of the spouse owning the vehicle must be registered for the current year in Oklahoma as herein provided, except that any such vehicle which has been licensed in some other state by such serviceman, Guardsman, Reservist, or spouse while the serviceman, Guardsman, or Reservist was stationed in the other state may be operated in this state for the remainder of the year or period for which it is licensed. If such vehicle currently is registered with the Armed Forces of the United States rather than being registered in a state and the serviceman, Guardsman, or Reservist is transferred to a duty station within this state pursuant to military orders, the serviceman, Guardsman, Reservist, or spouse owning the vehicle shall not be required to register the vehicle in this state for a period of thirty (30) days after the date the serviceman, Guardsman, or Reservist is required to report for duty pursuant to the military.

The serviceman, Guardsman, Reservist, or spouse applying for the registration of any such vehicle shall submit an appropriate statement, to be attached to the vehicle registration application, showing the following: A description of the vehicle owned by applicant; the state and address of the applicant's legal residence or domicile; <u>and except as provided in this subsection,</u> that applicant or applicant's spouse is on active duty in the Armed Forces of the United States assigned or stationed at a named

location in compliance with official military orders. The statement shall be signed by the applicant and certified to by a proper officer of the organization to which applicant is assigned for duty or where the applicant is the spouse of such serviceman, Guardsman, or Reservist serving in a foreign country, the statement shall be signed by the spouse under the penalties of perjury. The application shall be accompanied by a registration fee of Fifteen Dollars ($15.00). The fifteen-dollar fee shall apply to any member of the Oklahoma National Guard or the member's spouse, whether or not the member is on active duty.

B. Any Oklahoma resident who is stationed out of state due to an official assignment of the Armed Forces of the United States or their spouse shall be entitled to register his or her vehicle or vehicles in this state for the same registration fee afforded members of the Armed Forces of the United States assigned to duty in this state pursuant to subsection A of this section. Such Oklahoma resident or their spouse who is stationed out of state due to an official assignment of the Armed Forces of the United States shall be exempt from the vehicle inspection requirements of Section 1105 of this title; provided, such Oklahoma resident or his or her spouse who is stationed out of state presents valid documentation acceptable to the Oklahoma Tax Commission evidencing that such inspection has been made by an out-of-state authority acceptable to the Oklahoma Tax Commission.

Any Oklahoma resident who is stationed out of state due to an official assignment of the Armed Forces of the United States may authorize his or her parents to register his or her vehicle or vehicles as provided for in this subsection if the serviceman, Guardsman, or Reservist is not able to register the vehicle at the appropriate time.

C. Any Oklahoma resident who is a member of the Armed Forces of the United States, Reserve Corps of the Armed Forces of the United States or the Oklahoma National Guard stationed outside of the state due to official assignment of the Armed Forces of the United States, or his or her spouse, shall be exempt from the penalties assessed pursuant to paragraph 4 of subsection C of Section 1115, subsection F of Section 1132 and subsection C of Section 1151 of this title for the duration of such official assignment and for a period of sixty (60) days after such assignment ends. If registration is not completed after the sixtieth day, the expiration date and the period for assessment of penalties shall commence on the sixty-first day. The exemption provided for in this section shall be granted only if the serviceman, Guardsman, Reservist, or spouse registering such vehicle submits an appropriate statement, to be attached to the vehicle registration application, showing the following: A description of the vehicle owned by applicant; the state and address of the applicant's legal residence or domicile; that the applicant or applicant's spouse is on active duty in the Armed Forces of the

United States assigned or stationed at a named location outside the state in compliance with official military orders. The statement shall be signed by the applicant and certified to by a proper officer of the organization to which the applicant is assigned for duty or where the applicant is the spouse of such serviceman, Guardsman, or Reservist serving outside the state, the statement shall be signed by his or her spouse under the penalties of perjury.

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

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