

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 261

By: Mazzei

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6 AS INTRODUCED

7 An Act relating to special license plates; amending
8 Section 6, Chapter 416, O.S.L. 2005 (47 O.S. Supp.
9 2010, Section 1135.7), which relates to Oklahoma Tax
10 Commission issuance of special license plates;
11 updating language; modifying the requirements for Tax
12 Commission design and issue of special license
13 plates; and providing an effective date.

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

15 SECTION 1. AMENDATORY Section 6, Chapter 416, O.S.L.
16 2005 (47 O.S. Supp. 2010, Section 1135.7), is amended to read as
17 follows:

18 Section 1135.7. A. ~~Beginning January 1, 2006, the~~ The Oklahoma
19 Tax Commission is authorized to design and issue special license
20 plates to any person that applies to the Tax Commission for the
21 creation of a special license plate and meets the minimum standards
22 and qualifications specified in this section.

23 B. If the following standards and guidelines are satisfied, the
24 Tax Commission shall issue a special license plate to the person
making application for the special license plate:

1 1. The license plate is to:

2 a. show membership in or affiliation with an
3 organization, or

4 b. demonstrate support for an organization, group or
5 cause;

6 2. The license plate does not advertise or endorse a product,
7 brand, or service that is provided for sale; and

8 3. The license plate does not promote any philosophy based on
9 prejudice or that is contrary to state civil rights laws; ~~and~~ .

10 ~~4.—Five~~ Any special license plate which meets with the
11 requirements of this section prior to the effective date of this act
12 shall only be issued if five hundred prepaid applications for the
13 special license plate are received by the Tax Commission. On or
14 after the effective date of this act, any special license plate
15 which meets with the requirements of this section shall only be
16 issued if two hundred fifty prepaid applications for the special
17 license plate are received by the Tax Commission.

18 C. The fee for special license plates that do not provide
19 financial assistance shall be Fifteen Dollars (\$15.00) and shall be
20 in addition to all other registration fees provided by the Oklahoma
21 Vehicle License and Registration Act. Unless otherwise provided in
22 this section, the fee shall be apportioned as follows: Eight
23 Dollars (\$8.00) of the special license plate fee shall be deposited
24 in the Oklahoma Tax Commission Reimbursement Fund to be used for the

1 administration of the Oklahoma Vehicle License and Registration Act
2 and the remaining Seven Dollars (\$7.00) of the special license plate
3 fee shall be apportioned as provided in Section 1104 of ~~Title 47 of~~
4 ~~the Oklahoma Statutes~~ this title.

5 D. The fee for special license plates that provide financial
6 assistance shall be Thirty-five Dollars (\$35.00) and shall be in
7 addition to all other registration fees provided by the Oklahoma
8 Vehicle License and Registration Act. The fee shall be apportioned
9 as follows:

10 1. Twenty Dollars (\$20.00) of the fee shall be apportioned to
11 the License Plate Special Program Assistance Revolving Fund created
12 in Section 7 1135.8 of this ~~act~~ title to be used in the manner
13 detailed in the application for the special license plate;

14 2. Eight Dollars (\$8.00) of the fee shall be deposited in the
15 Oklahoma Tax Commission Reimbursement Fund to be used for the
16 administration of the Oklahoma Vehicle License and Registration Act;
17 and

18 3. Seven Dollars (\$7.00) of the fee shall be apportioned as
19 provided in Section 1104 of ~~Title 47 of the Oklahoma Statutes~~ this
20 title.

21 E. If a person applies for a special license plate that
22 provides financial assistance, the application shall designate a
23 state agency to be responsible for expending the funds generated by
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1 the special license plate and the application shall designate a
2 specific public purpose for which the funds are to be used.

3 F. Special license plates shall not be transferred to any other
4 person but shall be removed from the vehicle upon transfer of
5 ownership and retained. The special license plate may then be used
6 on another vehicle but only after such other vehicle has been
7 registered for the current year.

8 Special license plates shall be renewed each year by the Tax
9 Commission or a motor license agent. The Tax Commission shall
10 annually notify by mail all persons issued special license plates.
11 The notice shall contain all necessary information and shall contain
12 instructions for the renewal procedure upon presentation to a motor
13 license agent or the Tax Commission. The license plates shall be
14 issued on a staggered system.

15 The Tax Commission is hereby directed to develop and implement a
16 system whereby motor license agents are permitted to accept
17 applications for special license plates authorized under this
18 section. The motor license agent shall confirm the applicant's
19 eligibility, if applicable, collect and deposit any amount
20 specifically authorized by law, accept and process the necessary
21 information directly into such system and generate a receipt
22 accordingly. For performance of these duties, motor license agents
23 shall retain the fee provided in Section 1141.1 of ~~Title 47 of the~~
24 ~~Oklahoma Statutes~~ this title for registration of a motor vehicle.

1 The motor license agent fees for acceptance of applications and
2 renewals shall be paid out of the Oklahoma Tax Commission
3 Reimbursement Fund.

4 G. All special plates issued by the Tax Commission prior to the
5 ~~effective date of this act~~ November 1, 2005 shall not be subject to
6 the requirements and qualifications outlined in this section.

7 H. As used in this section, "person" includes an individual,
8 group, organization or not-for-profit corporation that is recognized
9 as such by the Internal Revenue Service.

10 SECTION 2. This act shall become effective November 1, 2011.

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