

OKLAHOMA STATE SENATE
JOINT

COMMITTEE REPORT

May 21, 2012

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

SB 1983

By: Jolley of the Senate and Sears of the House

Title: Motor vehicles; updating references. Effective date.

Co-Authored By:

Recommendation: **DO PASS AS AMENDED**

Aye: Branan, Brinkley, David, Ford, Griffin, Marlatt, Newberry, Nichols, Stanislawski,
Sykes, Wilson, Justice, Jolley, Bingman

Nay:

Pass:



Senator Clark Jolley, Chair

Amendments:

1. Committee Substitute Attached.

OKLAHOMA HOUSE OF REPRESENTATIVES
COMMITTEE REPORT

JOINT APPROPRIATIONS AND BUDGET COMMITTEE

SB1983

By: Sears et al of the House

Jolley et al of the Senate

Title: Motor vehicles; updating references. Effective date.

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Amendments:

1. Committee Substitute Attached



Chr.
Representative Earl Sears

YEAS: 15

Armes, Cox, Dorman, Nelson, Billy, Dank, Liebmann, Peters, Blackwell, Denney, Martin,, Sc, Sears,
Brown, DeWitt, McPeak

NAYS: 0

CONSTITUTIONAL PRIVILEGE: 0

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1983

By: Jolley and Justice of the
Senate

6 and

7 Sears and Martin (Scott) of
8 the House

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to motor vehicle taxes and fees;
12 amending 47 O.S. 2011, Sections 1115, 1132 and 1151,
13 which relate to motor vehicle registration fees;
14 clarifying exceptions to penalties for delinquent
15 payment; limiting authority to waive certain
16 penalties; modifying apportionment of revenue from
17 penalties; providing an effective date; and declaring
18 an emergency.

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

20 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1115, is
21 amended to read as follows:

22 Section 1115. A. Unless provided otherwise by statute, the
23 following vehicles shall be registered annually: manufactured
24 homes, vehicles registered with a permanent nonexpiring license
plate pursuant to Section 1113 of this title, and commercial
vehicles registered pursuant to the installment plan provided in

1 subsection H of Section 1133 of this title. The following schedule
2 shall apply for such vehicle purchased in this state or brought into
3 this state by residents of this state:

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

6 2. Between April 1 and June 30, the payment of three-fourths
7 (3/4) the annual fee shall be required;

8 3. Between July 1 and September 30, the payment of one-half
9 (1/2) the annual fee shall be required; and

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

12 License plates or decals for each year shall be made available
13 on December 1 of each preceding year for such vehicles. Any person
14 who purchases such vehicle or manufactured home between December 1
15 and December 31 of any year shall register it within thirty (30)
16 days from date of purchase and obtain a license plate or
17 Manufactured Home License Registration Decal, as appropriate, for
18 the following calendar year upon payment of the full annual fee.
19 Unless provided otherwise by statute, all annual license,
20 registration and other fees for such vehicles shall be due and
21 payable on January 1 of each year and if not paid by February 1
22 shall be deemed delinquent.

23 B. 1. All vehicles, other than those required to be registered
24 pursuant to the provisions of subsection A of this section, shall be

1 registered on a staggered system of registration and licensing on a
2 monthly series basis to distribute the work of registering such
3 vehicles as uniformly and expeditiously as practicable throughout
4 the calendar year. After the end of the month following the
5 expiration date, the license and registration fees for the new
6 registration period shall become delinquent.

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

10 3. Applicants seeking to establish Oklahoma as the base
11 jurisdiction for registering apportioned fleet vehicles shall have a
12 one-time option of registering for a period of not less than six (6)
13 months nor greater than eighteen (18) months. Subsequent renewals
14 for these registrants will be for twelve (12) months, expiring on
15 the last day of the month chosen by the registrant under the one-
16 time option as provided herein. In addition, registrants with
17 multiple fleets may designate a different registration month of
18 expiration for each fleet.

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

21 4. Effective January 1, 2004, all motorcycles and mopeds shall
22 be registered on a staggered system of registration. The Oklahoma
23 Tax Commission shall notify in writing, prior to December 1, 2003,
24 all owners of motorcycles or mopeds registered as of such date, who

1 shall have a one-time option of registering for a period of not less
2 than three (3) months nor greater than fifteen (15) months.
3 Subsequent renewals for these registrants will be for twelve (12)
4 months, expiring on the last day of the month chosen by the
5 registrant under the one-time option as provided herein. All
6 motorcycles and mopeds registered pursuant to new applications
7 received on or after December 1, 2003, shall also be registered
8 pursuant to the provisions of this paragraph.

9 C. The following penalties shall apply for delinquent
10 registration fees:

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

21 2. For commercial vehicles registered under the provisions of
22 subsection B of this section, except those vehicles registered
23 pursuant to Section 1133.1 of this title, a penalty shall be
24 assessed after the last day of the month following the registration

1 expiration date. A penalty of twenty-five cents (\$0.25) per day
2 shall be added to the license fee of such vehicle and shall accrue
3 for one (1) month. Thereafter, the penalty shall be thirty percent
4 (30%) of the annual registration fee, or Two Hundred Dollars
5 (\$200.00), whichever is greater;

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

10 4. ~~Except as provided in subsection H of Section 1133 and~~
11 ~~subsection C of Section 1127 of this title, for~~ For all other
12 vehicles a penalty shall be assessed after the last day of the month
13 following the expiration date and no penalty shall be waived by the
14 Oklahoma Tax Commission or any motor license agent except as
15 provided for in subsection H of Section 1133 and subsection C of
16 Section 1127 of this title. A penalty of One Dollar (\$1.00) per day
17 shall be added to the license fee of such vehicle, provided that the
18 penalty shall not exceed One Hundred Dollars (\$100.00). Of each
19 dollar penalty collected pursuant to this subsection:

- 20 a. ~~twenty-five cents (\$0.25)~~ twenty-one cents (\$0.21)
21 shall be apportioned as provided in Section 1104 of
22 this title,
23 b. ~~twenty-five cents (\$0.25)~~ twenty-one cents (\$0.21)
24 shall be retained by the motor license agent, and

1 c. ~~fifty cents (\$0.50)~~ fifty-eight cents (\$0.58) shall be
2 deposited in the General Revenue Fund ~~for the fiscal~~
3 ~~year beginning on July 1, 2011, and for all subsequent~~
4 ~~fiscal years, shall be deposited in the State Highway~~
5 ~~Construction and Maintenance Fund.~~

6 D. In addition to all other penalties provided in the Oklahoma
7 Vehicle License and Registration Act, the following penalties shall
8 be imposed and collected by any Enforcement Officer of the
9 Corporation Commission upon finding any commercial vehicle being
10 operated in violation of the provisions of the Oklahoma Vehicle
11 License and Registration Act.

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

14 1. A penalty of not less than Fifty Dollars (\$50.00) shall be
15 imposed upon any person found to be operating a commercial vehicle
16 sixty (60) days after the end of the month in which the license
17 plate or registration credentials expire without the current year
18 license plate or registration credential displayed. Such penalty
19 shall not exceed the amount established by the Corporation
20 Commission pursuant to the provisions of subsection A of Section
21 1167 of this title. Revenue from such penalties shall be
22 apportioned as provided in Section 1167 of this title;

23 2. A penalty of not less than Fifty Dollars (\$50.00) shall be
24 imposed for any person operating a commercial vehicle subject to the

1 provisions of Section 1120 or Section 1133 of this title without the
2 proper display of, or, carrying in such commercial vehicle, the
3 identification credentials issued by the Corporation Commission as
4 evidence of payment of the fee or tax as provided in Section 1120 or
5 Section 1133 of this title. Such penalty shall not exceed the
6 amount established by the Corporation Commission pursuant to the
7 provisions of subsection A of Section 1167 of this title. Revenue
8 from such penalties shall be apportioned as provided in Section 1167
9 of this title; and

10 3. A penalty of not less than One Hundred Dollars (\$100.00)
11 shall be imposed for any person that fails to register any
12 commercial vehicle subject to the Oklahoma Vehicle License and
13 Registration Act. Such penalty shall not exceed the amount
14 established by the Corporation Commission pursuant to the provisions
15 of subsection A of Section 1167 of this title. Revenue from such
16 penalties shall be apportioned as provided in Section 1167 of this
17 title.

18 E. The Tax Commission, or Corporation Commission with respect
19 to vehicles registered under Section 1120 or Section 1133 of this
20 title, shall assess the registration fees and penalties for the year
21 or years a vehicle was not registered. For vehicles not registered
22 for two (2) or more years, the registration fees and penalties shall
23 be due only for the current year and one (1) previous year.

24

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

4 1. The registration of a vehicle registered pursuant to Section
5 1132 of this title is expired and it is sixty (60) or more days
6 after the end of the month of expiration; or

7 2. The registration fees for a vehicle that is subject to the
8 registration fees pursuant to Section 1132 of this title have not
9 been paid.

10 Such penalty shall not exceed the amount established by the
11 Corporation Commission pursuant to the provisions of subsection A of
12 Section 1167 of this title. Revenue from such penalties shall be
13 apportioned as provided in Section 1167 of this title.

14 G. If a vehicle is donated to a nonprofit charitable
15 organization, the nonprofit charitable organization shall be exempt
16 from paying any current or past due registration fees, excise tax,
17 transfer fees, and penalties and interest. However, after the
18 donation, if the person donating the vehicle, or someone on behalf
19 of such person, purchases the same vehicle back from the nonprofit
20 charitable organization to which the vehicle was donated, such
21 person shall be liable for all current and past-due registration
22 fees, excise tax, title or transfer fees, and penalties and interest
23 on such vehicle.

1 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1132, is
2 amended to read as follows:

3 Section 1132. A. For all vehicles, unless otherwise
4 specifically provided by the Oklahoma Vehicle License and
5 Registration Act, a registration fee shall be assessed at the time
6 of initial registration by the owner and annually thereafter, for
7 the use of the avenues of public access within this state in the
8 following amounts:

9 1. For the first through the fourth year of registration in
10 this state or any other state, Eighty-five Dollars (\$85.00);

11 2. For the fifth through the eighth year of registration in
12 this state or any other state, Seventy-five Dollars (\$75.00);

13 3. For the ninth through the twelfth year of registration in
14 this state or any other state, Fifty-five Dollars (\$55.00);

15 4. For the thirteenth through the sixteenth year of
16 registration in this state or any other state, Thirty-five Dollars
17 (\$35.00); and

18 5. For the seventeenth and any following year of registration
19 in this state or any other state, Fifteen Dollars (\$15.00).

20 The registration fee provided for in this subsection shall be in
21 lieu of all other taxes, general or local, unless otherwise
22 specifically provided.

23 B. For all-terrain vehicles and motorcycles used exclusively
24 for use off roads or highways purchased on or after July 1, 2005,

1 and for all-terrain vehicles and motorcycles used exclusively for
2 use off roads or highways purchased prior to July 1, 2005, which the
3 owner chooses to register pursuant to the provisions of Section
4 1115.3 of this title, an initial and nonrecurring registration fee
5 of Eleven Dollars (\$11.00) shall be assessed at the time of initial
6 registration by the owner. Nine Dollars (\$9.00) of the registration
7 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
8 Fund. Two Dollars (\$2.00) of the registration fee shall be retained
9 by the motor license agent. The fees required by subsection A of
10 this section shall not be required for all-terrain vehicles or
11 motorcycles used exclusively off roads and highways.

12 C. For utility vehicles used exclusively for use off roads or
13 highways purchased on or after July 1, 2008, and for utility
14 vehicles used exclusively for use off roads or highways purchased
15 prior to July 1, 2008, which the owner chooses to register pursuant
16 to the provisions of Section 1115.3 of this title, an initial and
17 nonrecurring registration fee of Eleven Dollars (\$11.00) shall be
18 assessed at the time of initial registration by the owner. Nine
19 Dollars (\$9.00) of the registration fee shall be deposited in the
20 Oklahoma Tax Commission Reimbursement Fund. Two Dollars (\$2.00) of
21 the registration fee shall be retained by the motor license agent.
22 The fees required by subsection A of this section shall not be
23 required for utility vehicles used exclusively off roads and
24 highways.

1 D. There shall be a credit allowed with respect to the fee for
2 registration of a new vehicle which is a replacement for:

3 1. A new original vehicle which is stolen from the
4 purchaser/registrant within ninety (90) days of the date of purchase
5 of the original vehicle as certified by a police report or other
6 documentation as required by the Oklahoma Tax Commission; or

7 2. A defective new original vehicle returned by the
8 purchaser/registrant to the seller within six (6) months of the date
9 of purchase of the defective new original vehicle as certified by
10 the manufacturer.

11 The credit shall be in the amount of the fee for registration
12 which was paid for the new original vehicle and shall be applied to
13 the registration fee for the replacement vehicle. In no event will
14 the credit be refunded.

15 E. Upon every transfer or change of ownership of a vehicle, the
16 new owner shall obtain title for and, except in the case of salvage
17 vehicles and manufactured homes, register the vehicle within thirty
18 (30) days of change of ownership and pay a transfer fee of Fifteen
19 Dollars (\$15.00) in addition to any other fees provided for in this
20 act. No new decal shall be issued to the registrant. Thereafter,
21 the owner shall register the vehicle annually on the anniversary
22 date of its initial registration in this state and shall pay the
23 fees provided in subsection A of this section and receive a decal
24

1 evidencing such payment. Provided, used motor vehicle dealers shall
2 be exempt from the provisions of this section.

3 F. ~~Except as provided in subsection C of Section 1127 of this~~
4 ~~title, in~~ In the event a new or used vehicle is not registered,
5 titled and tagged within thirty (30) days from the date of transfer
6 of ownership, the penalty for the failure of the owner of the
7 vehicle to register the vehicle within thirty (30) days shall be One
8 Dollar (\$1.00) per day, provided that in no event shall the penalty
9 exceed One Hundred Dollars (\$100.00). No penalty shall be waived by
10 the Oklahoma Tax Commission or any motor license agent except as
11 provided in subsection C of Section 1127 of this title. Of each
12 dollar penalty collected pursuant to this subsection:

13 1. ~~Twenty-five cents (\$0.25)~~ Twenty-one cents (\$0.21) shall be
14 apportioned as provided in Section 1104 of this title;

15 2. ~~Twenty-five cents (\$0.25)~~ Twenty-one cents (\$0.21) shall be
16 retained by the motor license agent; and

17 3. ~~Fifty cents (\$.50)~~ Fifty-eight cents (\$0.58) shall be
18 deposited in the General Revenue Fund ~~for the fiscal year beginning~~
19 ~~on July 1, 2011, and for all subsequent fiscal years, shall be~~
20 ~~deposited in the State Highway Construction and Maintenance Fund.~~

21 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1151, is
22 amended to read as follows:

23 Section 1151. A. It shall be unlawful for any person to commit
24 any of the following acts:

1 1. To lend or to sell to, or knowingly permit the use of by,
2 one not entitled thereto any certificate of title, license plate or
3 decal issued to or in the custody of the person so lending or
4 permitting the use thereof;

5 2. To alter or in any manner change a certificate of title,
6 registration certificate, license plate or decal issued under the
7 laws of this or any other state;

8 3. To procure from another state or country, or display upon
9 any vehicle owned by such person within this state, except as
10 otherwise provided in the Oklahoma Vehicle License and Registration
11 Act, any license plate issued by any state or country other than
12 this state, unless there shall be displayed upon such vehicle at all
13 times the current license plate and decal assigned to it by the
14 Oklahoma Tax Commission or the Corporation Commission or the vehicle
15 shall display evidence that the vehicle is registered as a
16 nonresident vehicle pursuant to rules promulgated by the Tax
17 Commission, with the concurrence of the Department of Public Safety.
18 A violation of the provisions of this paragraph shall be presumed to
19 have occurred if a person who is the holder of an Oklahoma driver
20 license operates a vehicle owned by such person on the public roads
21 or highways of this state and there is not displayed on the vehicle
22 a current Oklahoma license plate and decal, unless the vehicle is
23 owned by a member of the Armed Forces of the United States assigned

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1 to duty in this state in compliance with official military or naval
2 orders or the spouse of such a member of the Armed Forces;

3 4. To drive, operate or move, or for the owner to cause or
4 permit to be driven or moved, upon the roads, streets or highways of
5 this state, any vehicle loaded in excess of its registered laden
6 weight, or which is licensed for a capacity less than the
7 manufacturer's rated capacity as provided for in the Oklahoma
8 Vehicle License and Registration Act;

9 5. To operate a vehicle without proper license plate or decal
10 or on which all taxes due the state have not been paid;

11 6. To buy, sell or dispose of, or possess for sale, use or
12 storage, any secondhand or used vehicle on which the registration or
13 license fee has not been paid, as required by law, and on which
14 vehicle the person neglects, fails or refuses to display at all
15 times the license plate or decal assigned to it;

16 7. To give a fictitious name or fictitious address or make any
17 misstatement of facts in application for certificate of title and
18 registration of a vehicle;

19 8. To purchase a license plate on an assigned certificate of
20 title. This particular paragraph shall be applicable to all persons
21 except a bona fide registered dealer in used cars who are holders of
22 a current and valid used car dealer license;

23 9. To operate a vehicle upon the highways of this state after
24 the registration deadline for that vehicle without a proper license

1 plate, as prescribed by the Oklahoma Vehicle License and
2 Registration Act, for the current year;

3 10. For any owner of a vehicle registered on the basis of laden
4 weight to fail or refuse to weigh or reweigh it when requested to do
5 so by any enforcement officer charged with the duty of enforcing
6 this law;

7 11. To operate or possess any vehicle which bears a motor
8 number or serial number other than the original number placed
9 thereon by the factory except a number duly assigned and authorized
10 by the state;

11 12. For any motor license agent to release a license plate, a
12 manufactured home registration receipt, decal or excise tax receipt
13 to any unauthorized person or source, including any dealer in new or
14 used motor vehicles. Violation of this paragraph shall constitute
15 sufficient grounds for discharge of a motor license agent by the Tax
16 Commission;

17 13. To operate any vehicle registered as a commercial vehicle
18 without the lettering requirements of Section 1102 of this title; or

19 14. To operate any vehicle in violation of the provisions of
20 Sections 7-600 through 7-606 of this title while displaying a yearly
21 decal issued to the owner who has filed an affidavit with the
22 appropriate motor license agent in accordance with Section 7-607 of
23 this title.

24

1 Any person convicted of violating any provision of this
2 subsection, other than paragraph 3 of this subsection, shall be
3 deemed guilty of a misdemeanor and upon conviction shall be punished
4 by a fine not to exceed Five Hundred Dollars (\$500.00). Any person
5 convicted of violating the provisions of paragraph 3 of this
6 subsection shall be deemed guilty of a misdemeanor and, upon
7 conviction, shall be punished by a fine of not less than One Hundred
8 Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00)
9 and shall be required to obtain an Oklahoma license plate.
10 Employees of the Corporation Commission may be authorized by the
11 Corporation Commission to issue citations to motor carriers or
12 operators of commercial motor vehicles, pursuant to the jurisdiction
13 of the Corporation Commission, for a violation of this subsection.
14 If a person convicted of violating the provisions of this subsection
15 was issued a citation by a duly authorized employee of the
16 Corporation Commission, the fine herein levied shall be apportioned
17 as provided in Section 1167 of this title.

18 B. Except as otherwise authorized by law, it shall be unlawful
19 to:

20 1. Lend or sell to, or knowingly permit the use of by, one not
21 entitled thereto any certificate of title issued for a manufactured
22 home, manufactured home registration receipt, manufactured home
23 registration decal or excise tax receipt;

24

1 2. Alter or in any manner change a certificate of title issued
2 for a manufactured home under the laws of this state or any other
3 state;

4 3. Remove or alter a manufactured home registration receipt,
5 manufactured home registration decal or excise tax receipt attached
6 to a certificate of title or attach such receipts to a certificate
7 of title with the intent to misrepresent the payment of the required
8 excise tax and registration fees;

9 4. Buy, sell, or dispose of, or possess for sale, use or
10 storage any used manufactured home on which the registration fees or
11 excise taxes have not been paid as required by law; or

12 5. Purchase identification, manufactured home registration
13 receipt, manufactured home registration decal or excise tax receipt
14 on an assigned certificate of title.

15 Anyone violating the provisions of this subsection, upon
16 conviction, shall be guilty of a felony.

17 C. ~~Except as provided in subsection C of Section 1127 of this~~
18 ~~title, in~~ In the event a new vehicle is not registered within thirty
19 (30) days from date of purchase, the penalty for the failure of the
20 owner of the vehicle to register the vehicle within thirty (30) days
21 shall be One Dollar (\$1.00) per day; provided, that in no event
22 shall the penalty exceed One Hundred Dollars (\$100.00). No penalty
23 shall be waived by the Oklahoma Tax Commission or any motor license
24 agent except as provided in subsection C of Section 1127 of this

1 title. Of each dollar penalty collected pursuant to this
2 subsection:

3 1. ~~Twenty-five cents (\$0.25)~~ Twenty-one cents (\$0.21) shall be
4 apportioned as provided in Section 1104 of this title;

5 2. ~~Twenty-five cents (\$0.25)~~ Twenty-one cents (\$0.21) shall be
6 retained by the motor license agent; and

7 3. ~~Fifty cents (\$0.50)~~ Fifty-eight cents (\$0.58) shall be
8 deposited in the General Revenue Fund ~~for the fiscal year beginning~~
9 ~~on July 1, 2011, and for all subsequent fiscal years, shall be~~
10 ~~deposited in the State Highway Construction and Maintenance Fund.~~

11 The penalty for new commercial vehicles shall be equal to the
12 license fee for such vehicles.

13 ~~Except as provided in subsection C of Section 1127 of this~~
14 ~~title, if~~ If a used vehicle is brought into Oklahoma by a resident
15 of this state and is not registered within thirty (30) days, a
16 penalty of One Dollar (\$1.00) per day shall be charged from the date
17 of entry to the date of registration; provided, that in no event
18 shall the penalty exceed One Hundred Dollars (\$100.00). No penalty
19 shall be waived by the Oklahoma Tax Commission or any motor license
20 agent except as provided in subsection C of Section 1127 of this

21 title. Of each dollar penalty collected pursuant to this
22 subsection:

23 1. ~~Twenty-five cents (\$0.25)~~ Twenty-one cents (\$0.21) shall be
24 apportioned as provided in Section 1104 of this title;

1 2. ~~Twenty-five cents (\$0.25)~~ Twenty-one cents (\$0.21) shall be
2 retained by the motor license agent; and

3 3. ~~Fifty cents (\$0.50)~~ Fifty-eight cents (\$0.58) shall be
4 deposited in the General Revenue Fund ~~for the fiscal year beginning~~
5 ~~on July 1, 2011, and for all subsequent fiscal years, shall be~~
6 ~~deposited in the State Highway Construction and Maintenance Fund.~~

7 The penalty for used commercial vehicles shall be equal to the
8 license fee for such vehicles.

9 D. Any owner who knowingly makes or causes to be made any false
10 statement of a fact required in this section to be shown in an
11 application for the registration of one or more vehicles shall be
12 deemed guilty of a misdemeanor and, upon conviction, shall be fined
13 not more than One Thousand Dollars (\$1,000.00), or shall be
14 imprisoned in the county jail for not more than one (1) year, or by
15 both such fine and imprisonment.

16 E. The following self-propelled or motor-driven and operated
17 vehicles shall not be registered under the provisions of the
18 Oklahoma Vehicle License and Registration Act or, except as provided
19 for in Section 11-1116 of this title, be permitted to be operated on
20 the streets or highways of this state:

21 1. Vehicles known and commonly referred to as "minibikes" and
22 other similar trade names; provided, minibikes may be registered and
23 operated in this state by food vendor services upon streets having a
24 speed limit of thirty (30) miles per hour or less;

1 2. Golf carts;

2 3. Go-carts; and

3 4. Other motor vehicles, except motorcycles, which are
4 manufactured principally for use off the streets and highways.

5 Transfers and sales of such vehicles shall be subject to sales
6 tax and not motor vehicle excise taxes.

7 F. Any person violating paragraph 3 or 6 of subsection A of
8 this section, in addition to the penal provisions provided in this
9 section, shall pay as additional penalty a sum equal to the amount
10 of license fees due on such vehicle or registration fees due on a
11 manufactured home known to be in violation and such amount is hereby
12 declared to be a lien upon the vehicle as provided in the Oklahoma
13 Vehicle License and Registration Act. In addition to the penalty
14 provisions provided in this section, any person violating paragraph
15 3 of subsection A of this section shall be deemed guilty of a
16 misdemeanor and shall, upon conviction, be punished by a fine of One
17 Hundred Dollars (\$100.00).

18 G. Each violation of any provision of the Oklahoma Vehicle
19 License and Registration Act for each and every day such violation
20 has occurred shall constitute a separate offense.

21 H. Anyone violating any of the provisions heretofore enumerated
22 in this section shall be guilty of a misdemeanor and upon conviction
23 shall be fined not less than Ten Dollars (\$10.00) and not to exceed
24 Three Hundred Dollars (\$300.00).

1 I. Any violation of any portion of the Oklahoma Vehicle License
2 and Registration Act where a specific penalty has not been imposed
3 shall constitute a misdemeanor and upon conviction thereof the
4 person having violated it shall be fined not less than Ten Dollars
5 (\$10.00) and not to exceed Three Hundred Dollars (\$300.00).

6 J. Any provision of ~~Section 1101 et seq. of this title~~ the
7 Oklahoma Vehicle License and Registration Act providing for
8 proportional registration under reciprocal agreements and the
9 International Registration Plan that relates to the promulgation of
10 rules and regulations shall not be subject to the provisions of this
11 section.

12 SECTION 4. This act shall become effective July 1, 2012.

13 SECTION 5. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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18 53-2-3487 JCR 5/22/2012 10:45:56 PM

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