

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1338

By: Lockhart

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5  
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; modifying calculation of excise tax;  
10 providing an effective date; and declaring an  
11 emergency.

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

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

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

22 B. The value of any vehicle, for purposes of the excise tax  
23 levied by Section 2103 of this title, shall be the actual sales  
24 price of such a vehicle before any discounts or credits are given

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

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

17 SECTION 2. This act shall become effective July 1, 2013.

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

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23 54-1-5281 CJB 01/11/13  
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