

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2570

By: Hoskin

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 1113, which relates to license plates;  
9 directing Oklahoma Tax Commission to include veteran  
10 designation on certain decals; providing standard for  
11 determining eligibility for such decal; and providing  
12 an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1113, is  
15 amended to read as follows:

16 Section 1113. A. 1. Except for all-terrain vehicles, utility  
17 vehicles and motorcycles used exclusively off roads and highways,  
18 upon the filing of a registration application and the payment of the  
19 fees provided for in the Oklahoma Vehicle License and Registration  
20 Act, the Oklahoma Tax Commission or Corporation Commission, as  
21 applicable, shall assign to the vehicle described in the application  
22 a distinctive number, and issue to the owner of the vehicle a  
23 certificate of registration, one license plate and a yearly decal.  
24 The Oklahoma Tax Commission shall assign an all-terrain vehicle,  
utility vehicle or motorcycle used exclusively off roads and

1 highways a distinctive number and issue to the owner a certificate  
2 of registration and a decal but not a license plate. For each  
3 subsequent registration year, the Tax Commission shall issue a  
4 yearly decal to be affixed to the license plate, except for an all-  
5 terrain vehicle, utility vehicle or motorcycle used exclusively off  
6 roads and highways. The initial decal for an all-terrain vehicle,  
7 utility vehicle or motorcycle shall be attached to the front of the  
8 vehicle and shall be in clear view. The decal shall be on the front  
9 or on the front fork of the motorcycle used exclusively off roads  
10 and highways and the decal shall be in clear view. The yearly decal  
11 shall have an identification number and the last two numbers of the  
12 registration year for which it shall expire. Except as provided by  
13 Section 1113A of this title, the license plate shall be affixed to  
14 the exterior of the vehicle until a replacement license plate is  
15 applied for. If the owner applies for a replacement license plate,  
16 the Tax Commission shall charge the fee provided for in Section 1114  
17 of this title. The yearly decal will validate the license plate for  
18 each registration period other than the year the license plate is  
19 issued. The license plate and decal shall be of such size, color,  
20 design and numbering as the Tax Commission may direct. However,  
21 yearly decals issued to the owner of a vehicle who has filed an  
22 affidavit with the appropriate motor license agent in accordance  
23 with Section 7-607 of this title shall be a separate and distinct  
24 color from all other decals issued under this section. The Tax

1 Commission shall also issue a monthly decal which shall include a  
2 two-letter abbreviation corresponding to the county in which the  
3 vehicle is registered and when applicable include the word "veteran"  
4 to designate the owner's status as an honorably discharged veteran  
5 of the United States Armed Forces. The Tax Commission is hereby  
6 directed to develop the decal design to incorporate these  
7 requirements in a manner that will permit county abbreviation to be  
8 readily identified, as well as identify honorably discharged  
9 veterans. The Tax Commission shall develop a unique two-letter  
10 abbreviation for each county to be used on the decals. ~~The Tax~~  
11 ~~Commission shall issue all decals in the possession of the Tax~~  
12 ~~Commission on January 1, 2010, prior to issuing any of the county~~  
13 ~~abbreviation decals created pursuant to this paragraph~~ Upon the  
14 filing of a registration application and in addition to other  
15 documentation required by the Tax Commission, persons requesting the  
16 "veteran" designation shall show proof of past military service by  
17 presenting:

- 18 a. a valid Uniformed Services Identity Card,
  - 19 b. a United States Department of Defense Form (DD)214,  
20 (DD)215 or a World War II discharge document WD AGO  
21 Form or NavPers Form that shows a discharge status of  
22 "honorable" or "general under honorable conditions",
  - 23 c. an Oklahoma Army or Air National Guard NGB Form 22, or
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1           d. a United States Department of Veterans Affairs photo  
2           identification card.

3           2. The license plate shall be securely attached to the rear of  
4 the vehicle, except truck-tractor plates which shall be attached to  
5 the front of the vehicle. The Tax Commission may, with the  
6 concurrence of the Department of Public Safety, by Joint Rule,  
7 change and direct the manner, place and location of display of any  
8 vehicle license plate when such action is deemed in the public  
9 interest. The license plate, decal and all letters and numbers  
10 shall be clearly visible at all times. The operation of a vehicle  
11 in this state, regardless of where such vehicle is registered, upon  
12 which the license plate is covered, overlaid or otherwise screened  
13 with any material, whether such material be clear, translucent,  
14 tinted or opaque, shall be a violation of this paragraph.

15           3. Upon payment of the annual registration fee provided in  
16 Section 1133 of this title, the Tax Commission or Corporation  
17 Commission, as applicable, or a motor license agent may issue a  
18 permanent nonexpiring license plate to an owner of one hundred or  
19 more commercial motor vehicles and for vehicles registered under the  
20 provisions of Section 1120 of this title. Upon payment of the  
21 annual registration fee, the Tax Commission or Corporation  
22 Commission shall issue a certificate of registration that shall be  
23 carried at all times in the vehicle for which it is issued.  
24 Provided, if the registrant submits its application through

1 electronic means, such qualified owners of one hundred or more  
2 commercial motor vehicles, properly registered pursuant to the  
3 provisions of Section 1133 of this title, may elect to receive a  
4 permanent certificate of registration that shall be carried at all  
5 times in the vehicle for which it is issued.

6 4. Every vehicle owned by an agency of this state shall be  
7 exempt from the payment of registration fees required by this title.  
8 Provided, such vehicle shall be registered and shall otherwise  
9 comply with the provisions of the Oklahoma Vehicle License and  
10 Registration Act.

11 B. The license plates required under the provisions of this  
12 title shall conform to the requirements and specifications listed  
13 hereinafter:

14 1. Each license plate shall have a space for the placement of  
15 the yearly decals for each succeeding year of registration after the  
16 initial issue;

17 2. The provisions of the Oklahoma Vehicle License and  
18 Registration Act regarding the issuance of yearly decals shall not  
19 apply to the issuance of apportioned license plates, including  
20 license plates for state vehicles, and exempt plates for  
21 governmental entities and fire departments organized pursuant to  
22 Section 592 of Title 18 of the Oklahoma Statutes;

23 3. Within the limits herein prescribed the Tax Commission shall  
24 redesign the official vehicle license plates which currently bear

1 the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute  
2 therefor the legend "Oklahoma Native America" as further described  
3 in this paragraph. Except for personalized license plates and  
4 license plates issued for motorcycles and mopeds, the emblem on the  
5 state flag of Oklahoma as provided for in Section 91 of Title 25 of  
6 the Oklahoma Statutes shall be a part of all license plates issued  
7 after December 31, 1988. The Tax Commission may continue to issue  
8 license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"  
9 until any inventory of such license plates is depleted but the Tax  
10 Commission shall not produce or cause to be produced any additional  
11 license plates with these legends. Except for personalized license  
12 plates, license plates issued for commercial vehicles, and license  
13 plates issued for motorcycles and mopeds, the "Oklahoma Native  
14 America" emblem shall be a part of all license plates issued after  
15 December 31, 1993. The specifications for lettering style and  
16 appearance for the legend "Oklahoma Native America" shall be  
17 provided to the Tax Commission by the Oklahoma Tourism and  
18 Recreation Department. All license plates and decals shall be made  
19 with reflectorized material as a background to the letters, numbers  
20 and characters displayed thereon. The reflectorized material shall  
21 be of such a nature as to provide effective and dependable  
22 brightness during the service period for which the license plate or  
23 decal is issued;

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1       4. Except as otherwise provided in this subsection, the Tax  
2 Commission shall design appropriate official license plates for all  
3 state vehicles. Such license plates shall be permanent in nature  
4 and designed in such manner as to remain with the vehicle for the  
5 duration of the vehicle's life span or until the title is  
6 transferred to a nongovernmental owner;

7       5. Within the limits prescribed in this section, the Tax  
8 Commission shall design appropriate official license plates for  
9 vehicles of the Oklahoma Highway Patrol. The license plates shall  
10 have the legend "Oklahoma OK" and shall contain the letters "OHP"  
11 followed by the state seal and the badge number of the Highway  
12 Patrol officer to whom the vehicle is assigned. The words "Oklahoma  
13 Highway Patrol" shall also be included on such license plates;

14       6. Within the limits prescribed in this section, the Tax  
15 Commission shall design appropriate official license plates for  
16 vehicles of the Oklahoma Military Department. Such license plates  
17 shall have the legend "Oklahoma OK" and shall contain the letters  
18 "OMD" followed by the state seal and three numbers or letters as  
19 designated by the Adjutant General. The words "Oklahoma Military  
20 Department" shall also be included on such license plates; and

21       7. Within the limits prescribed in this section, the Oklahoma  
22 Tourism and Recreation Department shall design any license plates  
23 required by the initiation of a license plate reissuance by the  
24 Oklahoma Tax Commission at the request of the Department of Public

1 Safety pursuant to the provisions of Section 4 1113.2 of this ~~act~~  
2 title. Any such new designs shall be submitted by the Oklahoma  
3 Tourism and Recreation Department to the Department of Public Safety  
4 for its approval prior to being issued by the Oklahoma Tax  
5 Commission.

6 C. Where the applicant has satisfactorily shown that the  
7 applicant owns the vehicle sought to be registered but is unable to  
8 produce documentary evidence of the ownership, a license plate may  
9 be issued upon approval by the Tax Commission or Corporation  
10 Commission, as applicable. In such instances the reason for not  
11 issuing a certificate of title shall be indicated on the receipt  
12 given to the applicant. It shall still be the duty of the applicant  
13 to immediately take all necessary steps to obtain the Oklahoma  
14 certificate of title and it shall be unlawful for the applicant to  
15 sell the vehicle until the certificate has been obtained in the  
16 applicant's name.

17 D. The certificate of registration provided for in this section  
18 shall be in convenient form, and the certificate of registration, or  
19 a certified copy or photostatic copy thereof, duly authenticated by  
20 the Tax Commission or Corporation Commission, as applicable, shall  
21 be carried at all times in or upon commercial vehicles so  
22 registered, in such manner as to permit a ready examination thereof  
23 upon demand by any peace officer of the state or duly authorized  
24 employee of the Department of Public Safety. Any such officer or

1 agent may seize and hold such commercial vehicle when the operator  
2 of the same does not have the registration certificate in the  
3 operator's possession or when any such officer or agent determines  
4 that the registration certificate has been obtained by  
5 misrepresentation of any essential or material fact or when any  
6 number or identifying information appearing on such certificate has  
7 been changed, altered, obliterated or concealed in any way, until  
8 the proper registration or identification of such vehicle has been  
9 made or produced by the owner thereof.

10 E. The purchaser of a new or used manufactured home shall,  
11 within thirty (30) days of the date of purchase, register the home  
12 with the Tax Commission or a motor license agent pursuant to the  
13 provisions of Section 1117 of this title. For a new manufactured  
14 home, it shall be the responsibility of the dealer selling the home  
15 to place a temporary license plate on the home in the same manner as  
16 provided in Section 1128 of this title for other new motor vehicles.  
17 For the first year that any manufactured home is registered in this  
18 state, the Tax Commission shall issue a metal license plate which  
19 shall be affixed to the manufactured home. The temporary dealer  
20 license plate or the metal license plate shall be displayed on the  
21 manufactured home at all times when upon a public roadway; provided,  
22 a repossession affidavit issued pursuant to Sections 1110 and 1126  
23 of this title shall be permissible in lieu of a current license  
24 plate and decal for the purposes of removing a repossessed

1 manufactured home to a secure location. Manufactured homes  
2 previously registered and subject to ad valorem taxation as provided  
3 by law shall have a decal affixed at the time ad valorem taxes are  
4 paid for such manufactured home; provided, for a manufactured home  
5 permanently affixed to real estate, no decal or license plate shall  
6 be required to be affixed and the owner thereof shall be given a  
7 receipt upon payment of ad valorem taxes due on the home. The Tax  
8 Commission shall make sufficient plates and decals available to the  
9 various motor license agents of the state in order for an owner of a  
10 manufactured home to acquire the plate or decal. A one-dollar fee  
11 shall be charged for issuance of any plate or decal. The fee shall  
12 be apportioned each month to the General Revenue Fund of the State  
13 Treasury.

14 F. The decal shall be easily visible for purposes of  
15 verification by a county assessor that the manufactured home is  
16 properly assessed for ad valorem taxation. In the first year of  
17 registration, a decal shall be issued for placement on the license  
18 plate indicating payment of applicable registration fees and excise  
19 taxes. A duplicate manufactured home registration decal shall be  
20 affixed inside the window nearest the front door of the manufactured  
21 home. In the second and all subsequent years for which the  
22 manufactured home is subject to ad valorem taxation, an annual decal  
23 shall be affixed inside the window nearest the front door as  
24 evidence of payment of ad valorem taxes. The Tax Commission shall

1 issue decals to the various county treasurers of the state in order  
2 for a manufactured home owner to obtain such decal each year. Upon  
3 presentation of a valid ad valorem tax receipt, the manufactured  
4 home owner shall be issued the annual decal.

5 G. Upon the registration of a manufactured home in this state  
6 for the first time or upon discovery of a manufactured home  
7 previously registered within this state for which the information  
8 required by this subsection is not known, the Tax Commission shall  
9 obtain:

- 10 1. The name of the owner of the manufactured home;
- 11 2. The serial number or identification number of the  
12 manufactured home;
- 13 3. A legal description or address of the location for the home;
- 14 4. The actual retail selling price of the manufactured home  
15 excluding Oklahoma taxes;
- 16 5. The certificate of title number for the home; and
- 17 6. Any other information which the Tax Commission deems to be  
18 necessary.

19 The application for registration shall also include the school  
20 district in which the manufactured home is located or is to be  
21 located. The information shall be entered into a computer data  
22 system which shall be used by the Tax Commission to provide  
23 information to county assessors upon request by the assessor. The  
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1 assessor may request any information from the system in order to  
2 properly assess a manufactured home for ad valorem taxation.

3 SECTION 2. This act shall become effective November 1, 2014.

4 54-2-8667 JM 01/05/14  
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