STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

SENATE BILL 866 By: Marlatt

AS INTRODUCED

An Act relating to motor vehicles; amending 68 O.S. 2011, Section 2104, which relates to excise tax; updating language; providing exception to certain determination of value; and providing an effective date.

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

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

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

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

for a trade-in. However, the value of the vehicle prior to the subtraction of such discounts or credits for a trade-in shall be required to be within twenty percent (20%) of the average retail price value of ~~such~~ the vehicle as listed in the automotive reference material prescribed by the Oklahoma Tax Commission; provided, this shall not apply to any recreational vehicle defined in Section 1102 of Title 47 of the Oklahoma Statutes. The actual sales price of the vehicle, which total shall be the basis of the motor vehicle excise tax, as well as the number of tires on the vehicle and the tire rim diameters, shall be entered on the bill of sale furnished by the seller to the purchaser, or on such other form as may be prescribed by the Tax Commission.

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

SECTION 2. This act shall become effective November 1, 2013.

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