

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 453 By: Quinn of the Senate
3 and
4 Lepak of the House
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8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Section 4-105, as amended by Section 1, Chapter
10 197, O.S.L. 2012 (47 O.S. Supp. 2014, Section 4-105),
11 which relates to stolen or converted vehicles;
12 deleting provision allowing Department of Public
13 Safety to disregard report; specifying circumstances
14 under which vehicle considered stolen or converted;
15 and providing an effective date.

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23 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
24 and insert

"An Act relating to motor vehicles; amending 47 O.S.
2011, Section 4-105, as amended by Section 1,
Chapter 197, O.S.L. 2012 (47 O.S. Supp. 2014,
Section 4-105), which relates to stolen or converted
vehicles; deleting provision allowing Department of
Public Safety to disregard report; specifying
circumstances under which a vehicle is considered to
be converted; and providing an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2011, Section 4-105, as
2 amended by Section 1, Chapter 197, O.S.L. 2012 (47 O.S. Supp. 2014,
3 Section 4-105), is amended to read as follows:

4 Section 4-105. A. It shall be the duty of every sheriff, chief
5 of police or peace officer to make immediate report to the
6 Department of Public Safety of all vehicles reported to their
7 respective jurisdictions as being stolen or recovered. Such report
8 shall be made as prescribed by the Department.

9 B. An owner or a lienholder may report the theft of a vehicle,
10 or its conversion ~~if a crime~~, to the Department, ~~but the Department~~
11 ~~may disregard the report of a conversion unless a warrant has been~~
12 ~~issued for the arrest of a person charged with the conversion.~~ A
13 person who has so reported the theft or conversion of a vehicle
14 shall, forthwith after learning of its recovery, report the recovery
15 to the Department. The Department shall consider the vehicle to be
16 converted if the person last known to be in possession of the
17 vehicle fails, refuses or neglects to return the vehicle to the
18 owner or lienholder in violation of any lawful court order.

19 C. An operator of a place of business for garaging, repairing,
20 parking or storing vehicles for the public, in which a vehicle
21 remains unclaimed for a period of thirty (30) days, shall, within
22 five (5) days after the expiration of that period, report the
23 vehicle as unclaimed to the Department. Such report shall be on a
24 form prescribed by the Department.

1 A vehicle left by its owner whose name and address are known to
2 the operator or employee of the operator is not considered
3 unclaimed. A person who fails to report a vehicle as unclaimed in
4 accordance with this subsection forfeits all claims and liens for
5 its garaging, parking or storing and is guilty of a misdemeanor
6 punishable by a fine ~~of~~ of not more than Twenty-five Dollars
7 (\$25.00) for each day the failure to report continues.

8 D. The Department shall maintain and appropriately index
9 cumulative public records of stolen, converted, recovered and
10 unclaimed vehicles reported to it pursuant to this section. The
11 Department may make and distribute weekly lists of such vehicles so
12 reported to it to peace officers upon request without fee and to
13 others for the fee, if any, the Department prescribes.

14 E. Any peace officer who has reason to believe or upon
15 receiving information that a motor vehicle has been stolen shall
16 have and is hereby vested with authority to confiscate and hold such
17 vehicle until satisfactory proof of ownership is established.
18 Provided, any vehicle that is towed by a licensed wrecker operator
19 pursuant to the provisions of Section 954A of this title shall be
20 returned to the licensed wrecker operator prior to any other claim
21 or assertion of ownership.

22 SECTION 2. This act shall become effective November 1, 2015."
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1 Passed the House of Representatives the 15th day of April, 2015.

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4 Presiding Officer of the House of
Representatives

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6 Passed the Senate the ____ day of _____, 2015.

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9 Presiding Officer of the Senate

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2 BILL NO. 453

By: Quinn of the Senate

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4 Lepak of the House

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11 SECTION 2. This act shall become effective November 1, 2015.

12 Passed the Senate the 11th day of March, 2015.

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Presiding Officer of the Senate

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16 Passed the House of Representatives the ____ day of _____,
17 2015.

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Presiding Officer of the House
of Representatives

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