

1 ENGROSSED SENATE
2 BILL NO. 60

By: Bice of the Senate

3 and

4 Martinez of the House
5

6 An Act relating to motor vehicle registration;
7 amending 47 O.S. 2011, Section 1113, which relates to
8 license plates; modifying type of information
9 required on monthly decals; deleting requirement for
10 certain design; and modifying requirement to utilize
11 existing decals.

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

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

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

1 the effective date of this act, the Tax Commission shall also issue
2 a monthly decal which shall include a two-letter abbreviation
3 corresponding to the county in which the vehicle is registered. ~~The~~
4 ~~Tax Commission is hereby directed to develop the decal design to~~
5 ~~incorporate these requirements in a manner that will permit county~~
6 ~~abbreviation to be readily identified. The Tax Commission shall~~
7 ~~develop a unique two-letter abbreviation for each county to be used~~
8 ~~on the decals.~~ The Tax Commission shall issue all decals in the
9 possession of the Tax Commission on ~~January 1, 2010, prior to~~
10 ~~issuing any of the county abbreviation decals created pursuant to~~
11 ~~this paragraph~~ the effective date of this act before issuing any
12 decals which do not contain the county abbreviation.

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

1 3. Upon payment of the annual registration fee provided in
2 Section 1133 of this title, the Tax Commission or Corporation
3 Commission, as applicable, or a motor license agent may issue a
4 permanent nonexpiring license plate to an owner of one hundred or
5 more commercial motor vehicles and for vehicles registered under the
6 provisions of Section 1120 of this title. Upon payment of the
7 annual registration fee, the Tax Commission or Corporation
8 Commission shall issue a certificate of registration that shall be
9 carried at all times in the vehicle for which it is issued.
10 Provided, if the registrant submits its application through
11 electronic means, such qualified owners of one hundred or more
12 commercial motor vehicles, properly registered pursuant to the
13 provisions of Section 1133 of this title, may elect to receive a
14 permanent certificate of registration that shall be carried at all
15 times in the vehicle for which it is issued.

16 4. Every vehicle owned by an agency of this state shall be
17 exempt from the payment of registration fees required by this title.
18 Provided, such vehicle shall be registered and shall otherwise
19 comply with the provisions of the Oklahoma Vehicle License and
20 Registration Act.

21 B. The license plates required under the provisions of this
22 title shall conform to the requirements and specifications listed
23 hereinafter:
24

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

4 2. The provisions of the Oklahoma Vehicle License and
5 Registration Act regarding the issuance of yearly decals shall not
6 apply to the issuance of apportioned license plates, including
7 license plates for state vehicles, and exempt plates for
8 governmental entities and fire departments organized pursuant to
9 Section 592 of Title 18 of the Oklahoma Statutes;

10 3. ~~Within the limits herein prescribed the Tax Commission shall~~
11 ~~redesign the official vehicle license plates which currently bear~~
12 ~~the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute~~
13 ~~therefor the legend "Oklahoma Native America" as further described~~
14 ~~in this paragraph. Except for personalized license plates and~~
15 ~~license plates issued for motorcycles and mopeds, the emblem on the~~
16 ~~state flag of Oklahoma as provided for in Section 91 of Title 25 of~~
17 ~~the Oklahoma Statutes shall be a part of all license plates issued~~
18 ~~after December 31, 1988. The Tax Commission may continue to issue~~
19 ~~license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"~~
20 ~~until any inventory of such license plates is depleted but the Tax~~
21 ~~Commission shall not produce or cause to be produced any additional~~
22 ~~license plates with these legends. Except for personalized license~~
23 ~~plates, license plates issued for commercial vehicles, and license~~
24 ~~plates issued for motorcycles and mopeds, the "Oklahoma Native~~

1 ~~America" emblem shall be a part of all license plates issued after~~
2 ~~December 31, 1993. The specifications for lettering style and~~
3 ~~appearance for the legend "Oklahoma Native America" shall be~~
4 ~~provided to the Tax Commission by the Oklahoma Tourism and~~
5 ~~Recreation Department.~~ All license plates and decals shall be made
6 with reflectorized material as a background to the letters, numbers
7 and characters displayed thereon. The reflectorized material shall
8 be of such a nature as to provide effective and dependable
9 brightness during the service period for which the license plate or
10 decal is issued;

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

17 5. Within the limits prescribed in this section, the Tax
18 Commission shall design appropriate official license plates for
19 vehicles of the Oklahoma Highway Patrol. The license plates shall
20 have the legend "Oklahoma OK" and shall contain the letters "OHP"
21 followed by the state seal and the badge number of the Highway
22 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
23 Highway Patrol" shall also be included on such license plates;

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

8 7. Within the limits prescribed in this section, the Oklahoma
9 Tourism and Recreation Department shall design any license plates
10 required by the initiation of a license plate reissuance by the
11 Oklahoma Tax Commission at the request of the Department of Public
12 Safety pursuant to the provisions of Section ~~4~~ 1113.2 of this ~~act~~
13 title. Any such new designs shall be submitted by the Oklahoma
14 Tourism and Recreation Department to the Department of Public Safety
15 for its approval prior to being issued by the Oklahoma Tax
16 Commission.

17 C. Where the applicant has satisfactorily shown that the
18 applicant owns the vehicle sought to be registered but is unable to
19 produce documentary evidence of the ownership, a license plate may
20 be issued upon approval by the Tax Commission or Corporation
21 Commission, as applicable. In such instances the reason for not
22 issuing a certificate of title shall be indicated on the receipt
23 given to the applicant. It shall still be the duty of the applicant
24 to immediately take all necessary steps to obtain the Oklahoma

1 certificate of title and it shall be unlawful for the applicant to
2 sell the vehicle until the certificate has been obtained in the
3 applicant's name.

4 D. The certificate of registration provided for in this section
5 shall be in convenient form, and the certificate of registration, or
6 a certified copy or photostatic copy thereof, duly authenticated by
7 the Tax Commission or Corporation Commission, as applicable, shall
8 be carried at all times in or upon commercial vehicles so
9 registered, in such manner as to permit a ready examination thereof
10 upon demand by any peace officer of the state or duly authorized
11 employee of the Department of Public Safety. Any such officer or
12 agent may seize and hold such commercial vehicle when the operator
13 of the same does not have the registration certificate in the
14 operator's possession or when any such officer or agent determines
15 that the registration certificate has been obtained by
16 misrepresentation of any essential or material fact or when any
17 number or identifying information appearing on such certificate has
18 been changed, altered, obliterated or concealed in any way, until
19 the proper registration or identification of such vehicle has been
20 made or produced by the owner thereof.

21 E. The purchaser of a new or used manufactured home shall,
22 within thirty (30) days of the date of purchase, register the home
23 with the Tax Commission or a motor license agent pursuant to the
24 provisions of Section 1117 of this title. For a new manufactured

1 home, it shall be the responsibility of the dealer selling the home
2 to place a temporary license plate on the home in the same manner as
3 provided in Section 1128 of this title for other new motor vehicles.
4 For the first year that any manufactured home is registered in this
5 state, the Tax Commission shall issue a metal license plate which
6 shall be affixed to the manufactured home. The temporary dealer
7 license plate or the metal license plate shall be displayed on the
8 manufactured home at all times when upon a public roadway; provided,
9 a repossession affidavit issued pursuant to Sections 1110 and 1126
10 of this title shall be permissible in lieu of a current license
11 plate and decal for the purposes of removing a repossessed
12 manufactured home to a secure location. Manufactured homes
13 previously registered and subject to ad valorem taxation as provided
14 by law shall have a decal affixed at the time ad valorem taxes are
15 paid for such manufactured home; provided, for a manufactured home
16 permanently affixed to real estate, no decal or license plate shall
17 be required to be affixed and the owner thereof shall be given a
18 receipt upon payment of ad valorem taxes due on the home. The Tax
19 Commission shall make sufficient plates and decals available to the
20 various motor license agents of the state in order for an owner of a
21 manufactured home to acquire the plate or decal. A one-dollar fee
22 shall be charged for issuance of any plate or decal. The fee shall
23 be apportioned each month to the General Revenue Fund of the State
24 Treasury.

1 F. The decal shall be easily visible for purposes of
2 verification by a county assessor that the manufactured home is
3 properly assessed for ad valorem taxation. In the first year of
4 registration, a decal shall be issued for placement on the license
5 plate indicating payment of applicable registration fees and excise
6 taxes. A duplicate manufactured home registration decal shall be
7 affixed inside the window nearest the front door of the manufactured
8 home. In the second and all subsequent years for which the
9 manufactured home is subject to ad valorem taxation, an annual decal
10 shall be affixed inside the window nearest the front door as
11 evidence of payment of ad valorem taxes. The Tax Commission shall
12 issue decals to the various county treasurers of the state in order
13 for a manufactured home owner to obtain such decal each year. Upon
14 presentation of a valid ad valorem tax receipt, the manufactured
15 home owner shall be issued the annual decal.

16 G. Upon the registration of a manufactured home in this state
17 for the first time or upon discovery of a manufactured home
18 previously registered within this state for which the information
19 required by this subsection is not known, the Tax Commission shall
20 obtain:

- 21 1. The name of the owner of the manufactured home;
- 22 2. The serial number or identification number of the
23 manufactured home;
- 24 3. A legal description or address of the location for the home;

4. The actual retail selling price of the manufactured home
excluding Oklahoma taxes;

5. The certificate of title number for the home; and

6. Any other information which the Tax Commission deems to be necessary.

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

Passed the Senate the 9th day of March, 2017.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2017.

Presiding Officer of the House
of Representatives