

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

I move to amend House Bill No. 1510, on Page 1, Line 16½, by adding a new Section 1, as attached; and by renumbering subsequent sections.

Submitted by:

Senator Stanislawski

Stanislawski-JCR-FA3-HB1510
4/24/2017 5:22 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

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

3 Section 1113.

4 A. 1. Except for all-terrain vehicles, utility vehicles and
5 motorcycles used exclusively off roads and highways, upon the
6 filing of a registration application and the payment of the fees
7 provided for in the Oklahoma Vehicle License and Registration Act,
8 the Oklahoma Tax Commission or Corporation Commission, as
9 applicable, shall assign to the vehicle described in the
10 application a distinctive number, and issue to the owner of the
11 vehicle a certificate of registration, one license plate and a
12 yearly decal. The Oklahoma Tax Commission shall assign an all-
13 terrain vehicle, utility vehicle or motorcycle used exclusively off
14 roads and highways a distinctive number and issue to the owner a
15 certificate of registration and a decal but not a license plate.
16 For each subsequent registration year, the Tax Commission shall
17 issue a yearly decal to be affixed to the license plate, except for
18 an all-terrain vehicle, utility vehicle or motorcycle used
19 exclusively off roads and highways. The initial decal for an all-
20 terrain vehicle, utility vehicle or motorcycle shall be attached to
21 the front of the vehicle and shall be in clear view. The decal
22 shall be on the front or on the front fork of the motorcycle used
23 exclusively off roads and highways and the decal shall be in clear
24 view. The yearly decal shall have an identification number and the
25 last two numbers of the registration year for which it shall
26 expire. Except as provided by Section 1113A of this title, the
27 license plate shall be affixed to the exterior of the vehicle until
28 a replacement license plate is applied for. If the owner applies
29 for a replacement license plate, the Tax Commission shall charge
30 the fee provided for in Section 1114 of this title. The yearly
31 decal will validate the license plate for each registration period
32 other than the year the license plate is issued. The license plate
33 and decal shall be of such size, color, design and numbering as the
34 Tax Commission may direct. However, yearly decals issued to the
35 owner of a vehicle who has filed an affidavit with the appropriate
36 motor license agent in accordance with Section 7-607 of this title
37 shall be a separate and distinct color from all other decals issued
38 under this section. The Tax Commission shall also issue a monthly
39 decal which shall include a two-letter abbreviation corresponding
40 to the county in which the vehicle is registered. The Tax
41 Commission is hereby directed to develop the decal design to
42 incorporate these requirements in a manner that will permit county
43 abbreviation to be readily identified. The Tax Commission shall
44 develop a unique two-letter abbreviation for each county to be used
45 on the decals. The Tax Commission shall issue all decals in the
46 possession of the Tax Commission on January 1, 2010, prior to

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 issuing any of the county abbreviation decals created pursuant to
2 this paragraph.

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

30 4. Every vehicle owned by an agency of this state shall be
31 exempt from the payment of registration fees required by this
32 title. Provided, such vehicle shall be registered and shall
33 otherwise comply with the provisions of the Oklahoma Vehicle
34 License and Registration Act.

35 B. The license plates required under the provisions of this
36 title shall conform to the requirements and specifications listed
37 hereinafter:

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

41 2. The provisions of the Oklahoma Vehicle License and
42 Registration Act regarding the issuance of yearly decals shall not
43 apply to the issuance of apportioned license plates, including
44 license plates for state vehicles, and exempt plates for
45 governmental entities and fire departments organized pursuant to
46 Section 592 of Title 18 of the Oklahoma Statutes;

47 3. Within the limits herein prescribed the Tax Commission
48 shall redesign the official vehicle license plates which currently
49 bear the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute
50 therefor the legend "Oklahoma Native America" as further described

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

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

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

28 5. Within the limits prescribed in this section, the Tax
29 Commission shall design appropriate official license plates for
30 vehicles of the Oklahoma Highway Patrol. The license plates shall
31 have the legend "Oklahoma OK" and shall contain the letters "OHP"
32 followed by the state seal and the badge number of the Highway
33 Patrol officer to whom the vehicle is assigned. The words
34 "Oklahoma Highway Patrol" shall also be included on such license
35 plates;

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

43 7. Within the limits prescribed in this section, the Tax
44 Commission shall design appropriate official license plates for
45 vehicles of the Oklahoma Department of Corrections. Such license
46 plates shall contain the letters "DOC" followed by the Department
47 of Corrections badge and three numbers or letters or combination of
48 both as designated by the Director of the agency. The words
49 "Department of Corrections" shall also be included on such license
50 plates.

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 8. Within the limits prescribed in this section, the Oklahoma
2 Tourism and Recreation Department shall design any license plates
3 required by the initiation of a license plate reissuance by the
4 Oklahoma Tax Commission at the request of the Department of Public
5 Safety pursuant to the provisions of Section 1 of this act. Any
6 such new designs shall be submitted by the Oklahoma Tourism and
7 Recreation Department to the Department of Public Safety for its
8 approval prior to being issued by the Oklahoma Tax Commission.

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

20 D. The certificate of registration provided for in this
21 section shall be in convenient form, and the certificate of
22 registration, or a certified copy or photostatic copy thereof, duly
23 authenticated by the Tax Commission or Corporation Commission, as
24 applicable, shall be carried at all times in or upon commercial
25 vehicles so registered, in such manner as to permit a ready
26 examination thereof upon demand by any peace officer of the state
27 or duly authorized employee of the Department of Public Safety.
28 Any such officer or agent may seize and hold such commercial
29 vehicle when the operator of the same does not have the
30 registration certificate in the operator's possession or when any
31 such officer or agent determines that the registration certificate
32 has been obtained by misrepresentation of any essential or material
33 fact or when any number or identifying information appearing on
34 such certificate has been changed, altered, obliterated or
35 concealed in any way, until the proper registration or
36 identification of such vehicle has been made or produced by the
37 owner thereof.

38 E. The purchaser of a new or used manufactured home shall,
39 within thirty (30) days of the date of purchase, register the home
40 with the Tax Commission or a motor license agent pursuant to the
41 provisions of Section 1117 of this title. For a new manufactured
42 home, it shall be the responsibility of the dealer selling the home
43 to place a temporary license plate on the home in the same manner
44 as provided in Section 1128 of this title for other new motor
45 vehicles. For the first year that any manufactured home is
46 registered in this state, the Tax Commission shall issue a metal
47 license plate which shall be affixed to the manufactured home. The
48 temporary dealer license plate or the metal license plate shall be
49 displayed on the manufactured home at all times when upon a public
50 roadway; provided, a repossession affidavit issued pursuant to

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

1 Sections 1110 and 1126 of this title shall be permissible in lieu
2 of a current license plate and decal for the purposes of removing a
3 repossessed manufactured home to a secure location. Manufactured
4 homes previously registered and subject to ad valorem taxation as
5 provided by law shall have a decal affixed at the time ad valorem
6 taxes are paid for such manufactured home; provided, for a
7 manufactured home permanently affixed to real estate, no decal or
8 license plate shall be required to be affixed and the owner thereof
9 shall be given a receipt upon payment of ad valorem taxes due on
10 the home. The Tax Commission shall make sufficient plates and
11 decals available to the various motor license agents of the state
12 in order for an owner of a manufactured home to acquire the plate
13 or decal. A one-dollar fee shall be charged for issuance of any
14 plate or decal. The fee shall be apportioned each month to the
15 General Revenue Fund of the State Treasury.

16 F. The decal shall be easily visible for purposes of
17 verification by a county assessor that the manufactured home is
18 properly assessed for ad valorem taxation. In the first year of
19 registration, a decal shall be issued for placement on the license
20 plate indicating payment of applicable registration fees and excise
21 taxes. A duplicate manufactured home registration decal shall be
22 affixed inside the window nearest the front door of the
23 manufactured home. In the second and all subsequent years for which
24 the manufactured home is subject to ad valorem taxation, an annual
25 decal shall be affixed inside the window nearest the front door as
26 evidence of payment of ad valorem taxes. The Tax Commission shall
27 issue decals to the various county treasurers of the state in order
28 for a manufactured home owner to obtain such decal each year. Upon
29 presentation of a valid ad valorem tax receipt, the manufactured
30 home owner shall be issued the annual decal.

31 G. Upon the registration of a manufactured home in this state
32 for the first time or upon discovery of a manufactured home
33 previously registered within this state for which the information
34 required by this subsection is not known, the Tax Commission shall
35 obtain:

- 36 1. The name of the owner of the manufactured home;
- 37 2. The serial number or identification number of the
38 manufactured home;
- 39 3. A legal description or address of the location for the
40 home;
- 41 4. The actual retail selling price of the manufactured home
42 excluding Oklahoma taxes;
- 43 5. The certificate of title number for the home; and
- 44 6. Any other information which the Tax Commission deems to be
45 necessary.

46 The application for registration shall also include the school
47 district in which the manufactured home is located or is to be
48 located. The information shall be entered into a computer data
49 system which shall be used by the Tax Commission to provide
50 information to county assessors upon request by the assessor. The

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely ☐ Amendment Cycle Extended ☐ Secondary Amendment

1 assessor may request any information from the system in order to
2 properly assess a manufactured home for ad valorem taxation."
3
4
5
6
7
8

(Floor Amendments Only) Date and Time Filed: _____

☐

Untimely

☐

Amendment Cycle Extended

☐

Secondary Amendment