

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2736

By: Kerbs

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8
9 COMMITTEE SUBSTITUTE

10 An Act relating to vehicle registration; defining and
11 limiting term; amending 47 O.S. 2011, Section 1113,
12 as last amended by Section 1, Chapter 331, O.S.L.
13 2017 (47 O.S. Supp. 2017, Section 1113), which
14 relates to registrations, license plates and decals;
15 expanding exemption from certain license plate
16 requirement; providing for additional initial and
17 renewal registration decals for certain types of
18 trailers; specifying acceptable decal attachments;
19 amending 47 O.S. 2011, Section 1115.3, which relates
20 to registration of all-terrain vehicles, utility
21 vehicles and motorcycles; requiring registration of
22 certain types of trailers within certain period;
23 amending 47 O.S. 2011, Section 1132, as amended by
24 Section 2, Chapter 337, O.S.L. 2012 (47 O.S. Supp.
 2017, Section 1132), which relates to vehicle
 registration fees; establishing certain initial and
 renewal registration fee; providing for apportionment
 of fee; providing exemption to certain fee; requiring
 titling of certain types of trailer; providing for
 penalty for failure to register; amending 47 O.S.
 2011, Section 1134, which relates to farm vehicles;
 requiring certain trailers be registered as
 noncommercial trailers; amending 47 O.S. 2011,
 Section 1141.1, as amended by Section 4, Chapter 158,
 O.S.L. 2012 (47 O.S. Supp. 2017, Section 1141.1),
 which relates to retention of taxes and fees by motor
 license agents; authorizing retention of certain
 percentage of certain fee; repealing 47 O.S. 2011,

1 Section 1133.3, which relates to the optional
2 registration of noncommercial trailers; providing for
3 codification; and providing an effective date.
4

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

6 SECTION 1. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1-136.4 of Title 47, unless
8 there is created a duplication in numbering, reads as follows:

9 "Noncommercial trailer" means a trailer as defined in Section 1-
10 180 of Title 47 of the Oklahoma Statutes, except that its meaning:

11 1. Shall include implements of husbandry as defined in Section
12 1-125 of Title 47 of the Oklahoma Statutes that would otherwise meet
13 the definition of a trailer; but

14 2. Shall not include frac tanks, construction machinery,
15 agricultural machinery, agricultural equipment, rental trailers,
16 commercial trailers or semitrailers subject to registration under
17 Section 1133 of Title 47 of the Oklahoma Statutes.

18 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1113, as
19 last amended by Section 1, Chapter 331, O.S.L. 2017 (47 O.S. Supp.
20 2017, Section 1113), is amended to read as follows:

21 Section 1113. A. 1. Except for all-terrain vehicles, utility
22 vehicles and motorcycles used exclusively off roads and highways,
23 and noncommercial trailers, upon the filing of a registration
24 application and the payment of the fees provided for in the Oklahoma

1 Vehicle License and Registration Act, the Oklahoma Tax Commission or
2 Corporation Commission, as applicable, shall assign to the vehicle
3 described in the application a distinctive number, and issue to the
4 owner of the vehicle a certificate of registration, one license
5 plate and a yearly decal. The Oklahoma Tax Commission shall assign
6 an all-terrain vehicle, utility vehicle or motorcycle used
7 exclusively off roads and highways, and noncommercial trailers, a
8 distinctive number and issue to the owner a certificate of
9 registration and a decal but not a license plate. For each
10 subsequent registration year, the Tax Commission shall issue a
11 yearly decal to be affixed to the license plate, except for an all-
12 terrain vehicle, utility vehicle or motorcycle used exclusively off
13 roads and highways, and noncommercial trailers. The initial decal
14 for an all-terrain vehicle, utility vehicle or motorcycle shall be
15 attached to the front of the vehicle and shall be in clear view.
16 The decal shall be on the front or on the front fork of the
17 motorcycle used exclusively off roads and highways and the decal
18 shall be in clear view. The initial decal or renewal decal for a
19 noncommercial trailer shall be attached to the rear of the trailer
20 and shall be in clear view. The yearly decal shall have an
21 identification number and the last two numbers of the registration
22 year for which it shall expire. Except as provided by Section 1113A
23 of this title, the license plate shall be affixed to the exterior of
24 the vehicle until a replacement license plate is applied for. If

1 the owner applies for a replacement license plate, the Tax
2 Commission shall charge the fee provided for in Section 1114 of this
3 title. The yearly decal will validate the license plate for each
4 registration period other than the year the license plate is issued.
5 The license plate and decal shall be of such size, color, design and
6 numbering as the Tax Commission may direct. However, yearly decals
7 issued to the owner of a vehicle who has filed an affidavit with the
8 appropriate motor license agent in accordance with Section 7-607 of
9 this title shall be a separate and distinct color from all other
10 decals issued under this section. Before the effective date of this
11 act, the Tax Commission shall also issue a monthly decal which shall
12 include a two-letter abbreviation corresponding to the county in
13 which the vehicle is registered. The Tax Commission shall issue all
14 decals in the possession of the Tax Commission on the effective date
15 of this act before issuing any decals which do not contain the
16 county abbreviation.

17 2. The license plate shall be securely attached to the rear of
18 the vehicle, except truck-tractor plates which shall be attached to
19 the front of the vehicle. The Tax Commission may, with the
20 concurrence of the Department of Public Safety, by Joint Rule,
21 change and direct the manner, place and location of display of any
22 vehicle license plate when such action is deemed in the public
23 interest. The license plate, decal and all letters and numbers
24 shall be clearly visible at all times. The operation of a vehicle

1 in this state, regardless of where such vehicle is registered, upon
2 which the license plate is covered, overlaid or otherwise screened
3 with any material, whether such material be clear, translucent,
4 tinted or opaque, shall be a violation of this paragraph.

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

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

1 B. The license plates required under the provisions of this
2 title shall conform to the requirements and specifications listed
3 hereinafter:

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

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

13 3. All license plates and decals shall be made with
14 reflectorized material as a background to the letters, numbers and
15 characters displayed thereon. The reflectorized material shall be
16 of such a nature as to provide effective and dependable brightness
17 during the service period for which the license plate or decal is
18 issued;

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

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

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

15 7. Within the limits prescribed in this section, the Tax
16 Commission shall design appropriate official license plates for
17 vehicles of the Oklahoma Department of Corrections. Such license
18 plates shall contain the letters "DOC" followed by the Department of
19 Corrections badge and three numbers or letters or combination of
20 both as designated by the Director of the agency. The words
21 "Department of Corrections" shall also be included on such license
22 plates; and

23 8. Within the limits prescribed in this section, the Oklahoma
24 Tourism and Recreation Department shall design any license plates

1 required by the initiation of a license plate reissuance by the
2 Oklahoma Tax Commission at the request of the Department of Public
3 Safety pursuant to the provisions of Section 1113.2 of this title.
4 Any such new designs shall be submitted by the Oklahoma Tourism and
5 Recreation Department to the Department of Public Safety for its
6 approval prior to being issued by the Oklahoma Tax Commission.

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

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

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

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

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

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

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

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

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

20 The application for registration shall also include the school
21 district in which the manufactured home is located or is to be
22 located. The information shall be entered into a computer data
23 system which shall be used by the Tax Commission to provide
24 information to county assessors upon request by the assessor. The

1 assessor may request any information from the system in order to
2 properly assess a manufactured home for ad valorem taxation.

3 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1115.3, is
4 amended to read as follows:

5 Section 1115.3 A. Except as otherwise provided by this
6 section, all-terrain vehicles, utility vehicles and motorcycles used
7 exclusively off roads or highways shall be registered once with the
8 Oklahoma Tax Commission within thirty (30) days after purchase.

9 B. For all-terrain vehicles or motorcycles used exclusively off
10 roads or highways purchased prior to July 1, 2005, registration, as
11 otherwise required by Section 1115 of this title, shall not be
12 required, but shall be allowed at the option of the owner of the
13 all-terrain vehicle or motorcycle used exclusively off roads or
14 highways.

15 C. For utility vehicles used exclusively off roads or highways
16 purchased prior to July 1, 2008, registration, as otherwise required
17 by Section 1115 of this title, shall not be required but shall be
18 allowed at the option of the owner of the utility vehicle used
19 exclusively off roads or highways.

20 D. All-terrain vehicles, utility vehicles or motorcycles used
21 exclusively off roads or highways owned or purchased by a person
22 that possesses an agricultural exemption pursuant to Section 1358.1
23 of Title 68 of the Oklahoma Statutes may be registered as provided
24 by this section, but shall not require registration.

1 E. Noncommercial trailers shall be registered with the Oklahoma
2 Tax Commission within thirty (30) days of purchase.

3 SECTION 4. AMENDATORY 47 O.S. 2011, Section 1132, as
4 amended by Section 2, Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2017,
5 Section 1132), is amended to read as follows:

6 Section 1132. A. For all vehicles, unless otherwise
7 specifically provided by the Oklahoma Vehicle License and
8 Registration Act, a registration fee shall be assessed at the time
9 of initial registration by the owner and annually thereafter, for
10 the use of the avenues of public access within this state in the
11 following amounts:

12 1. For the first through the fourth year of registration in
13 this state or any other state, Eighty-five Dollars (\$85.00);

14 2. For the fifth through the eighth year of registration in
15 this state or any other state, Seventy-five Dollars (\$75.00);

16 3. For the ninth through the twelfth year of registration in
17 this state or any other state, Fifty-five Dollars (\$55.00);

18 4. For the thirteenth through the sixteenth year of
19 registration in this state or any other state, Thirty-five Dollars
20 (\$35.00); and

21 5. For the seventeenth and any following year of registration
22 in this state or any other state, Fifteen Dollars (\$15.00).
23
24

1 The registration fee provided for in this subsection shall be in
2 lieu of all other taxes, general or local, unless otherwise
3 specifically provided.

4 B. For all-terrain vehicles and motorcycles used exclusively
5 for use off roads or highways purchased on or after July 1, 2005,
6 and for all-terrain vehicles and motorcycles used exclusively for
7 use off roads or highways purchased prior to July 1, 2005, which the
8 owner chooses to register pursuant to the provisions of Section
9 1115.3 of this title, an initial and nonrecurring registration fee
10 of Eleven Dollars (\$11.00) shall be assessed at the time of initial
11 registration by the owner. Nine Dollars (\$9.00) of the registration
12 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
13 Fund. Two Dollars (\$2.00) of the registration fee shall be retained
14 by the motor license agent. The fees required by subsection A of
15 this section shall not be required for all-terrain vehicles or
16 motorcycles used exclusively off roads and highways.

17 C. For utility vehicles used exclusively for use off roads or
18 highways purchased on or after July 1, 2008, and for utility
19 vehicles used exclusively for use off roads or highways purchased
20 prior to July 1, 2008, which the owner chooses to register pursuant
21 to the provisions of Section 1115.3 of this title, an initial and
22 nonrecurring registration fee of Eleven Dollars (\$11.00) shall be
23 assessed at the time of initial registration by the owner. Nine
24 Dollars (\$9.00) of the registration fee shall be deposited in the

1 Oklahoma Tax Commission Reimbursement Fund. Two Dollars (\$2.00) of
2 the registration fee shall be retained by the motor license agent.
3 The fees required by subsection A of this section shall not be
4 required for utility vehicles used exclusively off roads and
5 highways.

6 D. 1. Except as provided in paragraph 2 of this subsection,
7 for noncommercial trailers an initial and recurring registration fee
8 of Thirty Dollars (\$30.00) shall be assessed at the time of
9 registration by the owner and every third year thereafter.

10 2. Notwithstanding the provisions of paragraph 1 of this
11 subsection, the initial and recurring registration fee for a
12 noncommercial trailer that is associated with a noncommercial
13 trailer representing the second such noncommercial trailer
14 registered or renewed by an individual or legal entity within the
15 calendar year shall be Fifteen Dollars (\$15.00).

16 3. Fifty percent (50%) of each registration fee collected under
17 the provisions of this subsection shall be deposited in the General
18 Revenue Fund of the State Treasury. Twenty-two and five-tenths
19 percent (22.5%) of the registration fee collected under the
20 provisions of this subsection shall be retained by the motor license
21 agent. Seven and five-tenths percent (7.5%) of the registration fee
22 collected under the provisions of this subsection shall be deposited
23 in the Firearms Instructors Revolving Fund created in Section
24 1290.14 of Title 21 of the Oklahoma Statutes. Twenty percent (20%)

1 of the registration fee collected under the provisions of this
2 subsection shall be deposited in the Oklahoma State University-
3 Agricultural Extension Division-Educational and General Operations
4 Revolving Fund established by Section 3901 of Title 70 of the
5 Oklahoma Statutes. The fees required by subsection A of this
6 section shall not be required for such noncommercial trailers.

7 E. There shall be a credit allowed with respect to the fee for
8 registration of a new vehicle which is a replacement for:

9 1. A new original vehicle which is stolen from the
10 purchaser/registrant within ninety (90) days of the date of purchase
11 of the original vehicle as certified by a police report or other
12 documentation as required by the Oklahoma Tax Commission; or

13 2. A defective new original vehicle returned by the
14 purchaser/registrant to the seller within six (6) months of the date
15 of purchase of the defective new original vehicle as certified by
16 the manufacturer.

17 The credit shall be in the amount of the fee for registration
18 which was paid for the new original vehicle and shall be applied to
19 the registration fee for the replacement vehicle. In no event will
20 the credit be refunded.

21 ~~E.~~ F. Upon every transfer or change of ownership of a vehicle
22 or noncommercial trailer, the new owner shall obtain title for and,
23 except in the case of salvage vehicles and manufactured homes,
24 register the vehicle within thirty (30) days of change of ownership

1 and pay a transfer fee of Fifteen Dollars (\$15.00) in addition to
2 any other fees provided for in this act. No new decal shall be
3 issued to the registrant. Thereafter, the owner shall register the
4 vehicle annually, or for noncommercial trailers triannually, on the
5 anniversary date of its initial registration in this state and shall
6 pay the fees provided in subsection A of this section or subsection
7 D of this section when applicable and receive a decal evidencing
8 such payment. Provided, used motor vehicle dealers shall be exempt
9 from the provisions of this section.

10 ~~F.~~ G. In the event a new or used vehicle or noncommercial
11 trailer is not registered, titled and tagged within thirty (30) days
12 from the date of transfer of ownership, and for noncommercial
13 trailers within thirty (30) days of the effective date of this act,
14 the penalty for the failure of the owner of the vehicle or
15 noncommercial trailer to register the vehicle within thirty (30)
16 days shall be One Dollar (\$1.00) per day, provided that in no event
17 shall the penalty exceed One Hundred Dollars (\$100.00). No penalty
18 shall be waived by the Oklahoma Tax Commission or any motor license
19 agent except as provided in subsection C of Section 1127 of this
20 title. Of each dollar penalty collected pursuant to this
21 subsection:

22 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
23 Section 1104 of this title;

1 2. Twenty-one cents (\$0.21) shall be retained by the motor
2 license agent; and

3 3. Fifty-eight cents (\$0.58) shall be deposited in the General
4 Revenue Fund.

5 SECTION 5. AMENDATORY 47 O.S. 2011, Section 1134, is
6 amended to read as follows:

7 Section 1134. A. Upon each pickup, truck or truck-tractor
8 owned and operated by one or more farmers and used primarily for
9 farm use, and not for commercial or industrial purposes, the license
10 fee shall be Thirty Dollars (\$30.00). As used in this section, the
11 term "pickup" shall mean a small, light truck with an open back or
12 box used for hauling and designed primarily for the carrying of
13 property rather than people. The term "truck" shall mean a motor
14 vehicle designed or converted primarily for carrying or hauling farm
15 commodities, property, livestock, or equipment, rather than people.

16 B. The fees assessed pursuant to this section shall not apply
17 to trailers or semitrailers or combinations thereof used primarily
18 for farm use and for the transportation of products of the farm by
19 the producer thereof. Such fee shall not apply to any trailer or
20 semitrailer or combinations thereof when used primarily for the
21 transportation of any article or articles owned by the operator of
22 the trailer or semitrailer or combinations thereof and not used in
23 the furtherance of or incident to any commercial or industrial
24 enterprise. The provisions of Section 1134.2 of this title shall

1 apply to any trailers or semitrailers when used primarily for the
2 transportation of logs, ties, stave bolts and posts, direct from
3 forest to sawmill.

4 C. For the purpose of this section, a trailer or semitrailer or
5 combination thereof owned by a farmer and used primarily for the
6 purpose of transporting farm products to market or for the purpose
7 of transporting to the farm material or things to be used thereon,
8 and not for commercial or industrial purposes, ~~may~~ shall be
9 registered ~~for One Dollar (\$1.00)~~ as a noncommercial trailer under
10 the provisions of the Oklahoma Vehicle License and Registration Act;
11 provided, any such trailer used by the holder of a certificate of
12 convenience and necessity issued by the Oklahoma Corporation
13 Commission or the Interstate Commerce Commission shall be
14 conclusively presumed to be used in and for a commercial use, and
15 must be licensed as such, paying the license fees provided in
16 Section 1133 of this title.

17 D. Before a party shall be allowed to purchase a license plate
18 or claim an exception or exemption under this section, the party
19 shall:

- 20 1. Show an income tax Schedule F for the preceding year; or
21 2. Present a valid exemption card issued pursuant to the
22 provisions of Section 1358.1 of Title 68 of the Oklahoma Statutes.

23 A violation shall be grounds for revocation of ~~driver's~~ driver
24 license. Any person who signs the affidavit as required by this

1 section when the person does not believe that the information in the
2 affidavit is true or knows it is not true, upon conviction, shall be
3 guilty of perjury and shall be punished as provided for by law.

4 E. Any person owning a truck upon which the farm truck license
5 fee has been paid in Oklahoma for the current year and whose truck
6 may be needed during grain harvests or other seasonal farming
7 activities for hauling farm products other than his or her own, or
8 for hauling gravel, shale or other road materials for rural roads,
9 may make application with the Oklahoma Tax Commission for a short
10 term commercial license for such truck for a period of time not to
11 exceed ninety (90) days as provided for in subsection F of this
12 section, or may make application in accordance with the Motor
13 Carrier Harvest Permit Act of 2006 if applicable.

14 F. Upon such application, the Tax Commission shall issue a
15 temporary commercial truck license and register the truck upon
16 payment of the following fees:

17 1. For thirty (30) days a fee equal to one-eighth (1/8) of the
18 annual commercial license fee required for such truck.

19 2. For sixty (60) days a fee equal to one-fourth (1/4) of the
20 annual commercial license fee required for such truck.

21 3. For ninety (90) days a fee equal to three-eighths (3/8) of
22 the annual commercial license fee required for such truck.

23 G. Provided, however, the provisions of this section shall not
24 apply to the transportation of persons or property for hire.

1 SECTION 6. AMENDATORY 47 O.S. 2011, Section 1141.1, as
2 amended by Section 4, Chapter 158, O.S.L. 2012 (47 O.S. Supp. 2017,
3 Section 1141.1), is amended to read as follows:

4 Section 1141.1 A. Each motor license agent shall be entitled
5 to retain the following amounts from the taxes and fees collected by
6 such agent to be used to fund the operation of the office of such
7 motor license agent subject to the provisions of Sections 1140
8 through 1147 of this title:

9 1. Beginning July 1, 2005, Two Dollars and eighty-one cents
10 (\$2.81) for each vehicle registered and for each special license
11 plate issued pursuant to the Oklahoma Vehicle License and
12 Registration Act. Beginning July 1, 2006, and thereafter, Three
13 Dollars and fifty-six cents (\$3.56) for each vehicle registered and
14 for each special license plate issued pursuant to the Oklahoma
15 Vehicle License and Registration Act;

16 2. One Dollar and twenty-five cents (\$1.25) for each
17 certificate of title issued for boats and motors pursuant to the
18 Oklahoma Statutes;

19 3. For each certificate of registration issued for boats and
20 motors pursuant to the Oklahoma Statutes, an amount determined
21 pursuant to the provisions of subsection B of this section;

22 4. Two Dollars and twenty-five cents (\$2.25) for each
23 certificate of title issued pursuant to the Oklahoma Vehicle License
24 and Registration Act. Provided, the fee retention amount for

1 certificates of title issued pursuant to the provisions of
2 subsection H of Section 1105 of this title, in which an insurer pays
3 the optional twenty-two-dollar-fee amount, is Four Dollars and fifty
4 cents (\$4.50);

5 5. Beginning October 1, 2000, three percent (3%) of the vehicle
6 excise tax collected pursuant to Section 2103 of Title 68 of the
7 Oklahoma Statutes. Beginning July 1, 2001, each motor license agent
8 shall be entitled to retain three and one hundred twenty-five one-
9 thousandths percent (3.125%) of the vehicle excise tax collected
10 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.
11 Beginning July 1, 2002, and for all subsequent years, each motor
12 license agent shall be entitled to retain three and twenty-five one-
13 hundredths percent (3.25%) of the vehicle excise tax collected
14 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.
15 However, beginning July 1, 2003, the Legislature shall annually
16 review the percentage to be retained by the motor license agents
17 pursuant to this paragraph to determine whether such percentage
18 should be adjusted;

19 6. Four percent (4%) of the excise tax collected on the
20 transfer of boats and motors pursuant to the Oklahoma Statutes;

21 7. Two Dollars (\$2.00) for each driver license, endorsement,
22 identification license, or renewal or duplicate issued pursuant to
23 Section 6-101 et seq. of this title;

24

- 1 8. Two Dollars (\$2.00) for the recording of security interests
2 as provided in Section 1110 of this title;
- 3 9. Two Dollars (\$2.00) for each inspection conducted pursuant
4 to subsection L of Section 1105 of this title;
- 5 10. Three Dollars (\$3.00) for each inspection conducted
6 pursuant to subsection M of Section 1105 of this title;
- 7 11. One Dollar (\$1.00) for each certificate of ownership filed
8 pursuant to subsection R of Section 1105 of this title;
- 9 12. One Dollar (\$1.00) for each temporary permit issued
10 pursuant to Section 1124 of this title;
- 11 13. One Dollar and fifty cents (\$1.50) for processing each
12 proof of financial responsibility, driver license information,
13 insurance verification information, and other additional information
14 as provided in Section 7-602 of this title;
- 15 14. The mailing fees and registration fees provided in Sections
16 1131 and 1140 of this title;
- 17 15. The notary fee provided in Section 1143 of this title;
- 18 16. Three Dollars (\$3.00) for each lien entry form completed
19 and recorded on a certificate of title pursuant to subsection G of
20 Section 1105 of this title;
- 21 17. Seven Dollars (\$7.00) for each notice of transfer as
22 provided by subsection B of Section 1107.4 of this title;
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1 18. Seven Dollars (\$7.00) for each certificate of title or each
2 certificate of registration issued for repossessed vehicles pursuant
3 to Section 1126 of this title;

4 19. Any amount specifically authorized by law to be retained by
5 the motor license agent for the furnishing of a summary of a traffic
6 record; ~~and~~

7 20. Beginning July 1, 2009, each motor license agent shall also
8 be entitled to a portion of the penalties for delinquent
9 registration or payment of excise tax as provided for in subsection
10 C of Section 1115, subsection F of Section 1132 and subsection C of
11 Section 1151 of this title and of subsection A of Section 2103 of
12 Title 68 of the Oklahoma Statutes; and

13 21. Twenty-two and five-tenths percent (22.5%) of each
14 noncommercial trailer registration fee.

15 The balance of the funds collected shall be remitted to the
16 Oklahoma Tax Commission as provided in Section 1142 of this title to
17 be apportioned pursuant to Section 1104 of this title.

18 B. For each certificate of registration issued for boats and
19 motors, each motor license agent shall be entitled to retain the
20 greater of One Dollar and twenty-five cents (\$1.25) or an amount to
21 be determined by the Tax Commission according to the provisions of
22 this subsection. At the end of fiscal year 1997 and each fiscal
23 year thereafter, the Tax Commission shall compute the average amount
24 of registration fees for all boats and motors registered in this

1 state during the fiscal year and shall multiply the result by six
2 and twenty-two one-hundredths percent (6.22%). The resulting
3 product shall be the amount which may be retained by each motor
4 license agent for each certificate of registration for boats and
5 motors issued during the following calendar year.

6 SECTION 7. REPEALER 47 O.S. 2011, Section 1133.3, is
7 hereby repealed.

8 SECTION 8. This act shall become effective November 1, 2018.

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10 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/27/2018 -
11 DO PASS, As Amended.
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