

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. 2754

By: Osborn (Leslie), West
(Josh), McEntire and Bush
of the House

7 and

8 Griffin of the Senate

9
10
11 COMMITTEE SUBSTITUTE

12 An Act relating to motor vehicles; amending 47 O.S.
13 2011, Sections 1102, as last amended by Section 1,
14 Chapter 57, O.S.L. 2016, 1113, as last amended by
15 Section 1, Chapter 331, O.S.L. 2017, and 1115.3 (47
16 O.S. Supp. 2017, Sections 1102 and 1113), which
17 relate to motor vehicle registration; modifying
18 definitions; modifying provisions related to
19 registration of utility vehicles; requiring annual
20 registration of utility vehicles; creating
21 Developmental Disability Waiver Program Revolving
22 Fund; providing for apportionment of revenues;
23 stating purpose of expenditures; authorizing counties
24 to restrict operation of utility vehicles on county
 roads or highways; authorizing municipalities to
 restrict operation of utility vehicles on municipal
 roads; providing for codification; providing an
 effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1102, as
2 last amended by Section 1, Chapter 57, O.S.L. 2016 (47 O.S. Supp.
3 2017, Section 1102), is amended to read as follows:

4 Section 1102. As used in the Oklahoma Vehicle License and
5 Registration Act:

6 1. "All-terrain vehicle" means a vehicle manufactured and used
7 exclusively for off-highway use traveling on four or more non-
8 highway tires, and being fifty (50) inches or less in width;

9 2. "Carrying capacity" means the carrying capacity of a vehicle
10 as determined or declared in tons of cargo or payload by the owner;
11 provided, that such declared capacity shall not be less than the
12 minimum tonnage capacity fixed, listed or advertised by the
13 manufacturer of any vehicle;

14 3. "Certificate of title" means a document which is proof of
15 legal ownership of a motor vehicle as described and provided for in
16 Section 1105 of this title;

17 4. "Chips and oil" or the term "road oil and crushed rock"
18 means, with respect to materials authorized for use in the surfacing
19 of roads or highways in this title or in any equivalent statute
20 pertaining to road or highway surfacing in the State of Oklahoma,
21 any asphaltic materials. Wherever chips and oil or road oil and
22 crushed rock are authorized for use in the surfacing of roads or
23 highways in this state, whether by the Department of Transportation,
24 or by the county commissioners, or other road building authority

1 subject to the Oklahoma Vehicle License and Registration Act,
2 asphaltic materials are also authorized for use in such surfacing
3 and construction;

4 5. "Combined laden weight" means the weight of a truck or
5 station wagon and its cargo or payload transported thereon, or the
6 weight of a truck or truck-tractor plus the weight of any trailers
7 or semitrailers together with the cargo or payload transported
8 thereon;

9 6. "Commercial trailer" means any trailer, as defined in
10 Section 1-180 of this title, or semitrailer, as defined in Section
11 1-162 of this title, when such trailer or semitrailer is used
12 primarily for business or commercial purposes;

13 7. "Commercial trailer dealer" means any person, firm or
14 corporation engaged in the business of selling any new and unused,
15 or used, or both new and used commercial trailers;

16 8. "Commercial vehicle" means any vehicle over eight thousand
17 (8,000) pounds combined laden weight used primarily for business or
18 commercial purposes. Each motor vehicle being registered pursuant
19 to the provisions of this section shall have the name of the
20 commercial establishment or the words "Commercial Vehicle"
21 permanently and prominently displayed upon the outside of the
22 vehicle in letters not less than two (2) inches high. Such letters
23 shall be in sharp contrast to the background and shall be of
24 sufficient shape and color as to be readily legible during daylight

1 hours, from a distance of fifty (50) feet while the vehicle is not
2 in motion;

3 9. "Commission" or "Tax Commission" means the Oklahoma Tax
4 Commission;

5 10. "Construction machinery" means machines or devices drawn as
6 trailers which are designed and used for construction, tree trimming
7 and waste maintenance projects, which derive no revenue from the
8 transportation of persons or property, whose use of the highway is
9 only incidental and which are not mounted or affixed to another
10 vehicle; provided, construction machinery shall not include
11 implements of husbandry as defined in Section 1-125 of this title;

12 11. "Dealer" means any person, firm, association, corporation
13 or trust who sells, solicits or advertises the sale of new and
14 unused motor vehicles and holds a bona fide contract or franchise in
15 effect with a manufacturer or distributor of a particular make of
16 new or unused motor vehicle or vehicles for the sale of same;

17 12. "Mini-truck" means a foreign-manufactured import or
18 domestic-manufactured vehicle powered by an internal combustion
19 engine with a piston or rotor displacement of one thousand cubic
20 centimeters (1,000 cu cm) or less, which is sixty-seven (67) inches
21 or less in width, with an unladen dry weight of three thousand four
22 hundred (3,400) pounds or less, traveling on four or more tires,
23 having a top speed of approximately fifty-five (55) miles per hour,

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1 equipped with a bed or compartment for hauling, and having an
2 enclosed passenger cab;

3 13. "Interstate commerce" means any commerce moving between any
4 place in a state and any place in another state or between places in
5 the same state through another state;

6 14. "Laden weight" means the combined weight of a vehicle when
7 fully equipped for use and the cargo or payload transported thereon;
8 provided, that in no event shall the laden weight be less than the
9 unladen weight of the vehicle fully equipped for use, plus the
10 manufacturer's rated carrying capacity;

11 15. "Local authorities" means every county, municipality or
12 local board or body having authority to adopt police regulations
13 under the Constitution and laws of this state;

14 16. "Low-speed electrical vehicle" means any four-wheeled
15 electrical vehicle that is powered by an electric motor that draws
16 current from rechargeable storage batteries or other sources of
17 electrical current and whose top speed is greater than twenty (20)
18 miles per hour but not greater than twenty-five (25) miles per hour
19 and is manufactured in compliance with the National Highway Traffic
20 Safety Administration standards for low-speed vehicles in 49 C.F.R.
21 571.500;

22 17. "Manufactured home" means a residential dwelling built in
23 accordance with the National Manufactured Housing Construction and
24 Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq., and

1 rules promulgated pursuant thereto and the rules promulgated by the
2 Oklahoma Used Motor Vehicle and Parts Commission pursuant to Section
3 582 of this title. Manufactured home shall not mean a park model
4 recreational vehicle as defined in this section;

5 18. "Manufactured home dealer" means any person, firm or
6 corporation engaged in the business of selling any new and unused,
7 or used, or both new and used manufactured homes. Such information
8 and a valid franchise letter as proof of authorization to sell any
9 such new manufactured home product line or lines shall be attached
10 to the application for a dealer license to sell manufactured homes.
11 "Manufactured home dealer" shall not include any person, firm or
12 corporation who sells or contracts for the sale of the dealer's own
13 personally titled manufactured home or homes. No person, firm or
14 corporation shall be considered a manufactured home dealer as to any
15 manufactured home purchased or acquired by such person, firm or
16 corporation for purposes other than resale; provided, that the
17 restriction set forth in this sentence shall not prevent an
18 otherwise qualified person, firm or corporation from utilizing a
19 single manufactured home as a sales office;

20 19. "Medium-speed electrical vehicle" means any self-propelled,
21 electrically powered four-wheeled motor vehicle, equipped with a
22 roll cage or crush-proof body design, whose speed attainable in one
23 (1) mile is more than thirty (30) miles per hour but not greater
24 than thirty-five (35) miles per hour;

1 20. "Motor license agent" means any person appointed,
2 designated or authorized by the Oklahoma Tax Commission to collect
3 the fees and to enforce the provisions provided for in the Oklahoma
4 Vehicle License and Registration Act;

5 21. "New vehicle" or "unused vehicle" means a vehicle which has
6 been in the possession of the manufacturer, distributor or
7 wholesaler or has been sold only by the manufacturer, distributor or
8 wholesaler to a dealer;

9 22. "Nonresident" means any person who is not a resident of
10 this state;

11 23. "Off-road motorcycle" means any motorcycle, as defined in
12 Section 1-135 of this title, when such motorcycle has been
13 manufactured for and used exclusively off roads, highways and any
14 other paved surfaces;

15 24. "Owner" means any person owning, operating or possessing
16 any vehicle herein defined;

17 25. "Park model recreational vehicle" means a vehicle that is:

- 18 a. designed and marketed as temporary living quarters for
19 camping, recreational, seasonal or travel use,
- 20 b. not permanently affixed to real property for use as a
21 permanent dwelling,
- 22 c. built on a single chassis mounted on wheels with a
23 gross trailer area not exceeding four hundred (400)
24 square feet in the setup mode, and

1 d. certified by the manufacturer as complying with
2 standard A119.5 of the American National Standards
3 Institute, Inc.;

4 26. "Person" means any individual, copartner, joint venture,
5 association, corporation, limited liability company, estate, trust,
6 business trust, syndicate, the State of Oklahoma, or any county,
7 city, municipality, school district or other political subdivision
8 thereof, or any group or combination acting as a unit, or any
9 receiver appointed by the state or federal court;

10 27. "Rebodied vehicle" means a vehicle:

- 11 a. which has been assembled using a new body or new major
12 component which is of the identical type as the
13 original vehicle and is licensed by the manufacturer
14 of the original vehicle and other original, new or
15 reconditioned parts. For purposes of this paragraph,
16 "new body or new major component" means a new body,
17 cab, frame, front end clip or rear end clip,
18 b. which is not a salvage, rebuilt, or junked vehicle as
19 defined by paragraph 1, 2, or 6 of subsection A of
20 Section 1105 of this title, and
21 c. for which the Tax Commission has assigned or will
22 assign a new identifying number;

23 28. "Recreational off-highway vehicle" means a vehicle
24 manufactured and used exclusively for off-highway use, traveling on

1 four or more non-highway tires, and being sixty-five (65) inches or
2 less in width;

3 29. "Recreational vehicle" means every vehicle which is built
4 on or permanently attached to a self-propelled motor chassis or
5 chassis cab which becomes an integral part of the completed vehicle
6 and is capable of being operated on the highways. In order to
7 qualify as a recreational vehicle pursuant to this paragraph such
8 vehicle shall be permanently constructed and equipped for human
9 habitation, having its own sleeping and kitchen facilities,
10 including permanently affixed cooking facilities, water tanks and
11 holding tank with permanent toilet facilities. Recreational vehicle
12 shall not include manufactured homes or any vehicle with portable
13 sleeping, toilet and kitchen facilities which are designed to be
14 removed from such vehicle. Recreational vehicle shall include park
15 model recreational vehicles as defined in this section;

16 30. "Remanufactured vehicle" means a vehicle which has been
17 assembled by a vehicle remanufacturer using a new body and which may
18 include original, reconditioned, or remanufactured parts, and which
19 is not a salvage, rebuilt, or junked vehicle as defined by
20 paragraphs 1, 2, and 6, respectively, of subsection A of Section
21 1105 of this title;

22 31. "Rental trailer" means all small or utility trailers or
23 semitrailers constructed and suitable for towing by a passenger
24 automobile and designed only for carrying property, when the

1 trailers or semitrailers are owned by, or are in the possession of,
2 any person engaged in renting or leasing such trailers or
3 semitrailers for intrastate or interstate use or combined intrastate
4 and interstate use;

5 32. "Special mobilized machinery" means special purpose
6 machines or devices, either self-propelled or drawn as trailers or
7 semitrailers, which derive no revenue from the transportation of
8 persons or property, whose use of the highway is only incidental,
9 and whose useful revenue producing service is performed at
10 destinations in an area away from the traveled surface of an
11 established open highway;

12 33. "State" means the State of Oklahoma;

13 34. "Station wagon" means any passenger vehicle which does not
14 have a separate luggage compartment or trunk and which does not have
15 open beds, and has one or more rear seats readily lifted out or
16 folded, whether same is called a station wagon or ranch wagon;

17 35. "Travel trailer" means any vehicular portable structure
18 built on a chassis, used as a temporary dwelling for travel,
19 recreational or vacation use, and, when factory-equipped for the
20 road, it shall have a body width not exceeding eight (8) feet and an
21 overall length not exceeding forty (40) feet, including the hitch or
22 coupling;

23 36. "Travel trailer dealer" means any person, firm or
24 corporation engaged in the business of selling any new and unused,

1 or used, or both new and used travel trailers. Such information and
2 a valid franchise letter as proof of authorization to sell any such
3 new travel trailer product line or lines shall be attached to the
4 application for a dealer license to sell travel trailers. "Travel
5 trailer dealer" shall not include any person, firm or corporation
6 who sells or contracts for the sale of his or her own personally
7 titled travel trailer or trailers. No person, firm or corporation
8 shall be considered as a travel trailer dealer as to any travel
9 trailer purchased or acquired by such person, firm or corporation
10 for purposes other than resale;

11 37. "Used motor vehicle dealer" means "used motor vehicle
12 dealer" as defined in Section 581 of this title;

13 38. "Used vehicle" means any vehicle which has been sold,
14 bargained, exchanged or given away, or used to the extent that it
15 has become what is commonly known, and generally recognized, as a
16 "secondhand" vehicle. This shall also include any vehicle other
17 than a remanufactured vehicle, regardless of age, owned by any
18 person who is not a dealer;

19 39. "Utility vehicle" means a vehicle powered by an internal
20 combustion engine, having a maximum speed of thirty-five miles per
21 hour (35 mph), manufactured and used exclusively for off-highway
22 use, equipped with seating for two or more people and a steering
23 wheel, traveling on four or more wheels;

24

1 40. "Vehicle" means any type of conveyance or device in, upon
2 or by which a person or property is or may be transported from one
3 location to another upon the avenues of public access within the
4 state. "Vehicle" does not include bicycles, trailers except travel
5 trailers and rental trailers, or implements of husbandry as defined
6 in Section 1-125 of this title. All implements of husbandry used as
7 conveyances shall be required to display the owner's driver license
8 number or license plate number of any vehicle owned by the owner of
9 the implement of husbandry on the rear of the implement in numbers
10 not less than two (2) inches in height. The use of the owner's
11 Social Security number on the rear of the implement of husbandry
12 shall not be required; and

13 41. "Vehicle remanufacturer" means a commercial entity which
14 assembles remanufactured vehicles.

15 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1113, as
16 last amended by Section 1, Chapter 331, O.S.L. 2017 (47 O.S. Supp.
17 2017, Section 1113), is amended to read as follows:

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

1 certificate of registration, one license plate and a yearly decal.
2 The Oklahoma Tax Commission shall assign an all-terrain vehicle,
3 ~~utility vehicle~~ or motorcycle used exclusively off roads and
4 highways a distinctive number and issue to the owner a certificate
5 of registration and a decal but not a license plate. For each
6 subsequent registration year, the Tax Commission shall issue a
7 yearly decal to be affixed to the license plate, except for an all-
8 terrain vehicle,~~utility vehicle~~ or motorcycle used exclusively off
9 roads and highways. The initial decal for an all-terrain vehicle,
10 ~~utility vehicle~~ or motorcycle shall be attached to the front of the
11 vehicle and shall be in clear view. The decal shall be on the front
12 or on the front fork of the motorcycle used exclusively off roads
13 and highways and the decal shall be in clear view. The yearly decal
14 shall have an identification number and the last two numbers of the
15 registration year for which it shall expire. Except as provided by
16 Section 1113A of this title, the license plate shall be affixed to
17 the exterior of the vehicle until a replacement license plate is
18 applied for. If the owner applies for a replacement license plate,
19 the Tax Commission shall charge the fee provided for in Section 1114
20 of this title. The yearly decal will validate the license plate for
21 each registration period other than the year the license plate is
22 issued. The license plate and decal shall be of such size, color,
23 design and numbering as the Tax Commission may direct. However,
24 yearly decals issued to the owner of a vehicle who has filed an

1 affidavit with the appropriate motor license agent in accordance
2 with Section 7-607 of this title shall be a separate and distinct
3 color from all other decals issued under this section. Before the
4 effective date of this act, the Tax Commission shall also issue a
5 monthly decal which shall include a two-letter abbreviation
6 corresponding to the county in which the vehicle is registered. The
7 Tax Commission shall issue all decals in the possession of the Tax
8 Commission on the effective date of this act before issuing any
9 decals which do not contain the county abbreviation.

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

22 3. Upon payment of the annual registration fee provided in
23 Section 1133 of this title, the Tax Commission or Corporation
24 Commission, as applicable, or a motor license agent may issue a

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

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

18 B. The license plates required under the provisions of this
19 title shall conform to the requirements and specifications listed
20 hereinafter:

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

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

7 3. All license plates and decals shall be made with
8 reflectorized material as a background to the letters, numbers and
9 characters displayed thereon. The reflectorized material shall be
10 of such a nature as to provide effective and dependable brightness
11 during the service period for which the license plate or decal is
12 issued;

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

19 5. Within the limits prescribed in this section, the Tax
20 Commission shall design appropriate official license plates for
21 vehicles of the Oklahoma Highway Patrol. The license plates shall
22 have the legend "Oklahoma OK" and shall contain the letters "OHP"
23 followed by the state seal and the badge number of the Highway
24

1 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
2 Highway Patrol" shall also be included on such license plates;

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

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

18 8. Within the limits prescribed in this section, the Oklahoma
19 Tourism and Recreation Department shall design any license plates
20 required by the initiation of a license plate reissuance by the
21 Oklahoma Tax Commission at the request of the Department of Public
22 Safety pursuant to the provisions of Section 1113.2 of this title.
23 Any such new designs shall be submitted by the Oklahoma Tourism and
24

1 Recreation Department to the Department of Public Safety for its
2 approval prior to being issued by the Oklahoma Tax Commission.

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

14 D. The certificate of registration provided for in this section
15 shall be in convenient form, and the certificate of registration, or
16 a certified copy or photostatic copy thereof, duly authenticated by
17 the Tax Commission or Corporation Commission, as applicable, shall
18 be carried at all times in or upon commercial vehicles so
19 registered, in such manner as to permit a ready examination thereof
20 upon demand by any peace officer of the state or duly authorized
21 employee of the Department of Public Safety. Any such officer or
22 agent may seize and hold such commercial vehicle when the operator
23 of the same does not have the registration certificate in the
24 operator's possession or when any such officer or agent determines

1 that the registration certificate has been obtained by
2 misrepresentation of any essential or material fact or when any
3 number or identifying information appearing on such certificate has
4 been changed, altered, obliterated or concealed in any way, until
5 the proper registration or identification of such vehicle has been
6 made or produced by the owner thereof.

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

1 paid for such manufactured home; provided, for a manufactured home
2 permanently affixed to real estate, no decal or license plate shall
3 be required to be affixed and the owner thereof shall be given a
4 receipt upon payment of ad valorem taxes due on the home. The Tax
5 Commission shall make sufficient plates and decals available to the
6 various motor license agents of the state in order for an owner of a
7 manufactured home to acquire the plate or decal. A one-dollar fee
8 shall be charged for issuance of any plate or decal. The fee shall
9 be apportioned each month to the General Revenue Fund of the State
10 Treasury.

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

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

8 1. The name of the owner of the manufactured home;

9 2. The serial number or identification number of the
10 manufactured home;

11 3. A legal description or address of the location for the home;

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

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

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

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

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

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

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

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

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

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1115.3-1 of Title 47, unless
3 there is created a duplication in numbering, reads as follows:

4 All revenues derived from the annual registration fees for
5 utility vehicles, as defined by paragraph 39 of Section 1102 of
6 Title 47 of the Oklahoma Statutes, shall be apportioned to the
7 Developmental Disability Waiver Program Revolving Fund created
8 pursuant to Section 5 of this act.

9 SECTION 5. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 1011.100 of Title 56, unless
11 there is created a duplication in numbering, reads as follows:

12 There is hereby created in the State Treasury a revolving fund
13 for the Department of Human Services to be designated the
14 "Developmental Disability Waiver Program Revolving Fund". The fund
15 shall be a continuing fund, not subject to fiscal year limitations,
16 and shall consist of all monies received by the Department of Human
17 Services from registration fees for utility vehicles as defined by
18 paragraph 39 of Section 1102 of Title 47 of the Oklahoma Statutes.
19 All monies accruing to the credit of said fund are hereby
20 appropriated and may be budgeted and expended by the Department of
21 Human Services for the purpose of implementing the developmental
22 disability waiver program. Expenditures from said fund shall be
23 made upon warrants issued by the State Treasurer against claims
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1 filed as prescribed by law with the Director of the Office of
2 Management and Enterprise Services for approval and payment.

3 SECTION 6. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 7501 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 A. A county may restrict the operation of a utility vehicle, as
7 defined by paragraph 39 of Section 1102 of Title 47 of the Oklahoma
8 Statutes, on county roads and county highways pursuant to resolution
9 or ordinance adopted by the board of county commissioners.

10 B. A city or town may restrict the operation of a utility
11 vehicle, as defined by paragraph 39 of Section 1102 of Title 47 of
12 the Oklahoma Statutes, on municipal roads pursuant to ordinances
13 adopted by the governing board of the municipality.

14 SECTION 7. This act shall become effective July 1, 2018.

15 SECTION 8. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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20 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/05/2018 - DO PASS,
21 As Amended and Coauthored.
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