

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 60

By: Bice of the Senate

and

Martinez of the House

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

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1113, is
17 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
 certificate of registration, one license plate and a yearly decal.

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

1 with Section 7-607 of this title shall be a separate and distinct
2 color from all other decals issued under this section. ~~The~~ Before
3 the effective date of this act, the Tax Commission shall also issue
4 a monthly decal which shall include a two-letter abbreviation
5 corresponding to the county in which the vehicle is registered. ~~The~~
6 ~~Tax Commission is hereby directed to develop the decal design to~~
7 ~~incorporate these requirements in a manner that will permit county~~
8 ~~abbreviation to be readily identified. The Tax Commission shall~~
9 ~~develop a unique two-letter abbreviation for each county to be used~~
10 ~~on the decals.~~ The Tax Commission shall issue all decals in the
11 possession of the Tax Commission on ~~January 1, 2010, prior to~~
12 ~~issuing any of the county abbreviation decals created pursuant to~~
13 ~~this paragraph~~ the effective date of this act before issuing any
14 decals which do not contain the county abbreviation.

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

1 with any material, whether such material be clear, translucent,
2 tinted or opaque, shall be a violation of this paragraph.

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

18 4. Every vehicle owned by an agency of this state shall be
19 exempt from the payment of registration fees required by this title.
20 Provided, such vehicle shall be registered and shall otherwise
21 comply with the provisions of the Oklahoma Vehicle License and
22 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. ~~Within the limits herein prescribed the Tax Commission shall~~
14 ~~redesign the official vehicle license plates which currently bear~~
15 ~~the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute~~
16 ~~therefor the legend "Oklahoma Native America" as further described~~
17 ~~in this paragraph. Except for personalized license plates and~~
18 ~~license plates issued for motorcycles and mopeds, the emblem on the~~
19 ~~state flag of Oklahoma as provided for in Section 91 of Title 25 of~~
20 ~~the Oklahoma Statutes shall be a part of all license plates issued~~
21 ~~after December 31, 1988. The Tax Commission may continue to issue~~
22 ~~license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"~~
23 ~~until any inventory of such license plates is depleted but the Tax~~
24 ~~Commission shall not produce or cause to be produced any additional~~

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

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

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

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; and

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

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

1 given to the applicant. It shall still be the duty of the applicant
2 to immediately take all necessary steps to obtain the Oklahoma
3 certificate of title and it shall be unlawful for the applicant to
4 sell the vehicle until the certificate has been obtained in the
5 applicant's name.

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

23 E. The purchaser of a new or used manufactured home shall,
24 within thirty (30) days of the date of purchase, register the home

1 with the Tax Commission or a motor license agent pursuant to the
2 provisions of Section 1117 of this title. For a new manufactured
3 home, it shall be the responsibility of the dealer selling the home
4 to place a temporary license plate on the home in the same manner as
5 provided in Section 1128 of this title for other new motor vehicles.
6 For the first year that any manufactured home is registered in this
7 state, the Tax Commission shall issue a metal license plate which
8 shall be affixed to the manufactured home. The temporary dealer
9 license plate or the metal license plate shall be displayed on the
10 manufactured home at all times when upon a public roadway; provided,
11 a repossession affidavit issued pursuant to Sections 1110 and 1126
12 of this title shall be permissible in lieu of a current license
13 plate and decal for the purposes of removing a repossessed
14 manufactured home to a secure location. Manufactured homes
15 previously registered and subject to ad valorem taxation as provided
16 by law shall have a decal affixed at the time ad valorem taxes are
17 paid for such manufactured home; provided, for a manufactured home
18 permanently affixed to real estate, no decal or license plate shall
19 be required to be affixed and the owner thereof shall be given a
20 receipt upon payment of ad valorem taxes due on the home. The Tax
21 Commission shall make sufficient plates and decals available to the
22 various motor license agents of the state in order for an owner of a
23 manufactured home to acquire the plate or decal. A one-dollar fee
24 shall be charged for issuance of any plate or decal. The fee shall

1 be apportioned each month to the General Revenue Fund of the State
2 Treasury.

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

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

23 1. The name of the owner of the manufactured home;
24

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

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated 04/11/2017 - DO PASS.