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**AS AMENDED**

By: Cockcroft, Sanders, Condit  
and Roberts (Dustin) of the  
House

and

Bice and Kidd of the Senate

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[ motor vehicles - biennial registration - effective
date ]
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~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1115, as amended by Section 1, Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2016, Section 1115), is amended to read as follows:

Section 1115. A. Unless provided otherwise by statute, the following vehicles shall be registered annually: manufactured homes, vehicles registered with a permanent nonexpiring license plate pursuant to Section 1113 of this title, and commercial vehicles registered pursuant to the installment plan provided in subsection H of Section 1133 of this title. The following schedule shall apply for such vehicle purchased in this state or brought into this state by residents of this state:

1        1. Between January 1 and March 31, the payment of the full  
2 annual fee shall be required;

3        2. Between April 1 and June 30, the payment of three-fourths  
4 (3/4) the annual fee shall be required;

5        3. Between July 1 and September 30, the payment of one-half  
6 (1/2) the annual fee shall be required; and

7        4. Between October 1 and November 30, one-fourth (1/4) the  
8 annual fee shall be required.

9        License plates or decals for each year shall be made available  
10 on December 1 of each preceding year for such vehicles. Any person  
11 who purchases such vehicle or manufactured home between December 1  
12 and December 31 of any year shall register it within thirty (30)  
13 days from date of purchase and obtain a license plate or  
14 Manufactured Home License Registration Decal, as appropriate, for  
15 the following calendar year upon payment of the full annual fee.  
16 Unless provided otherwise by statute, all annual license,  
17 registration and other fees for such vehicles shall be due and  
18 payable on January 1 of each year and if not paid by February 1  
19 shall be deemed delinquent.

20        B. 1. All vehicles, other than those required to be registered  
21 pursuant to the provisions of subsection A of this section, shall be  
22 registered on a staggered system of registration and licensing on a  
23 monthly series basis to distribute the work of registering such  
24 vehicles as uniformly and expeditiously as practicable throughout

1 the calendar year. After the end of the month following the  
2 expiration date, the license and registration fees for the new  
3 registration period shall become delinquent.

4 2. All fleet vehicles registered pursuant to new applications  
5 approved pursuant to the provisions of Section 1120 of this title  
6 shall be registered on a staggered system monthly basis.

7 3. Applicants seeking to establish Oklahoma as the base  
8 jurisdiction for registering apportioned fleet vehicles shall have a  
9 one-time option of registering for a period of not less than six (6)  
10 months nor greater than eighteen (18) months. Subsequent renewals  
11 for these registrants will be for twelve (12) months, expiring on  
12 the last day of the month chosen by the registrant under the one-  
13 time option as provided herein. In addition, registrants with  
14 multiple fleets may designate a different registration month of  
15 expiration for each fleet.

16 As used in this section, "fleet" shall have the same meaning as  
17 set forth in the International Registration Plan.

18 4. Effective January 1, 2004, all motorcycles and mopeds shall  
19 be registered on a staggered system of registration. The Oklahoma  
20 Tax Commission shall notify in writing, prior to December 1, 2003,  
21 all owners of motorcycles or mopeds registered as of such date, who  
22 shall have a one-time option of registering for a period of not less  
23 than three (3) months nor greater than fifteen (15) months.  
24 Subsequent renewals for these registrants ~~will~~ shall be for twelve

1 (12) months or twenty-four (24) months, expiring on the last day of  
2 the month chosen by the registrant under the one-time option as  
3 provided herein. All motorcycles and mopeds registered pursuant to  
4 new applications received on or after December 1, 2003, shall also  
5 be registered pursuant to the provisions of this paragraph.

6 C. The following penalties shall apply for delinquent  
7 registration fees:

8 1. For fleet vehicles required to be registered pursuant to the  
9 provisions of Section 1120 of this title for which a properly  
10 completed application for registration has not been received by the  
11 Corporation Commission by the last day of the month following the  
12 registration expiration date, a penalty of thirty percent (30%) of  
13 the Oklahoma portion of the annual registration fee, or Two Hundred  
14 Dollars (\$200.00), whichever is greater, shall be assessed. The  
15 license and registration cards issued by the Corporation Commission  
16 for each fleet vehicle shall be valid until two (2) months after the  
17 registration expiration date;

18 2. For commercial vehicles registered under the provisions of  
19 subsection B of this section, except those vehicles registered  
20 pursuant to Section 1133.1 of this title, a penalty shall be  
21 assessed after the last day of the month following the registration  
22 expiration date. A penalty of twenty-five cents (\$0.25) per day  
23 shall be added to the license fee of such vehicle and shall accrue  
24 for one (1) month. Thereafter, the penalty shall be thirty percent

1 (30%) of the annual registration fee, or Two Hundred Dollars  
2 (\$200.00), whichever is greater;

3 3. For new or used manufactured homes, not registered within  
4 thirty (30) days from date of purchase or date such manufactured  
5 home was brought into this state, a penalty equal to the  
6 registration fee shall be assessed; or

7 4. For all vehicles a penalty shall be assessed after the last  
8 day of the month following the expiration date and no penalty shall  
9 be waived by the Oklahoma Tax Commission or any motor license agent  
10 except as provided for in subsection H of Section 1133 and  
11 subsection C of Section 1127 of this title. A penalty of One Dollar  
12 (\$1.00) per day shall be added to the license fee of such vehicle,  
13 provided that the penalty shall not exceed One Hundred Dollars  
14 (\$100.00). Of each dollar penalty collected pursuant to this  
15 subsection:

16 a. twenty-one cents (\$0.21) shall be apportioned as  
17 provided in Section 1104 of this title,

18 b. twenty-one cents (\$0.21) shall be retained by the  
19 motor license agent, and

20 c. fifty-eight cents (\$0.58) shall be deposited in the  
21 General Revenue Fund.

22 D. In addition to all other penalties provided in the Oklahoma  
23 Vehicle License and Registration Act, the following penalties shall  
24 be imposed and collected by any Enforcement Officer of the

1 Corporation Commission upon finding any commercial vehicle being  
2 operated in violation of the provisions of the Oklahoma Vehicle  
3 License and Registration Act.

4 The penalties shall apply to any commercial vehicle found to be  
5 operating in violation of the following provisions:

6 1. A penalty of not less than Fifty Dollars (\$50.00) shall be  
7 imposed upon any person found to be operating a commercial vehicle  
8 sixty (60) days after the end of the month in which the license  
9 plate or registration credentials expire without the current year  
10 license plate or registration credential displayed. Such penalty  
11 shall not exceed the amount established by the Corporation  
12 Commission pursuant to the provisions of subsection A of Section  
13 1167 of this title. Revenue from such penalties shall be  
14 apportioned as provided in Section 1167 of this title;

15 2. A penalty of not less than Fifty Dollars (\$50.00) shall be  
16 imposed for any person operating a commercial vehicle subject to the  
17 provisions of Section 1120 or Section 1133 of this title without the  
18 proper display of, or, carrying in such commercial vehicle, the  
19 identification credentials issued by the Corporation Commission as  
20 evidence of payment of the fee or tax as provided in Section 1120 or  
21 Section 1133 of this title. Such penalty shall not exceed the  
22 amount established by the Corporation Commission pursuant to the  
23 provisions of subsection A of Section 1167 of this title. Revenue  
24

1 from such penalties shall be apportioned as provided in Section 1167  
2 of this title; and

3 3. A penalty of not less than One Hundred Dollars (\$100.00)  
4 shall be imposed for any person that fails to register any  
5 commercial vehicle subject to the Oklahoma Vehicle License and  
6 Registration Act. Such penalty shall not exceed the amount  
7 established by the Corporation Commission pursuant to the provisions  
8 of subsection A of Section 1167 of this title. Revenue from such  
9 penalties shall be apportioned as provided in Section 1167 of this  
10 title.

11 E. The Tax Commission, or Corporation Commission with respect  
12 to vehicles registered under Section 1120 or Section 1133 of this  
13 title, shall assess the registration fees and penalties for the year  
14 or years a vehicle was not registered. For vehicles not registered  
15 for two (2) or more years, the registration fees and penalties shall  
16 be due only for the current year and one (1) previous year.

17 F. In addition to any other penalty prescribed by law, there  
18 shall be a penalty of not less than Twenty Dollars (\$20.00) upon a  
19 finding by an enforcement officer that:

20 1. The registration of a vehicle registered pursuant to Section  
21 1132 of this title is expired and it is sixty (60) or more days  
22 after the end of the month of expiration; or  
23  
24

1        2. The registration fees for a vehicle that is subject to the  
2 registration fees pursuant to Section 1132 of this title have not  
3 been paid.

4        Such penalty shall not exceed the amount established by the  
5 Corporation Commission pursuant to the provisions of subsection A of  
6 Section 1167 of this title. Revenue from such penalties shall be  
7 apportioned as provided in Section 1167 of this title.

8        G. If a vehicle is donated to a nonprofit charitable  
9 organization, the nonprofit charitable organization shall be exempt  
10 from paying any current or past due registration fees, excise tax,  
11 transfer fees, and penalties and interest. However, after the  
12 donation, if the person donating the vehicle, or someone on behalf  
13 of such person, purchases the same vehicle back from the nonprofit  
14 charitable organization to which the vehicle was donated, such  
15 person shall be liable for all current and past-due registration  
16 fees, excise tax, title or transfer fees, and penalties and interest  
17 on such vehicle.

18        SECTION 2.        AMENDATORY        47 O.S. 2011, Section 1131, is  
19 amended to read as follows:

20        Section 1131. The Oklahoma Tax Commission shall ~~annually~~ notify  
21 all persons within the state who have a previous registration on  
22 record of the period for registration renewal. The Tax Commission  
23 shall send the notifications to the electronic mail address provided  
24 by the person. If a person does not provide an electronic mail

1 address then the Tax Commission shall notify the person through the  
2 mail. The notifications shall contain all necessary information for  
3 such registration and licensing including a breakdown of all charges  
4 to be paid by the owner and shall contain instructions as to the  
5 procedure for renewal upon presentation to a motor license agent or  
6 by return mail to the Commission's state office. The content and  
7 form of the notice shall be determined by the Commission. Use of a  
8 postcard or electronic mail type renewal notice is specifically  
9 permitted. The Commission shall provide information on its public  
10 website instructing persons on the procedure for obtaining ~~an annual~~  
11 a notification via electronic mail, outlining all charges and fees  
12 associated with the registration of a vehicle, as well as an  
13 explanation of the apportionment of vehicle fees and penalties. The  
14 cost of mailing shall be One Dollar (\$1.00) for license plates and  
15 fifty cents (\$0.50) for decals, titles or other forms or devices  
16 provided in this act. Provided, that the Commission may adjust any  
17 mailing costs as deemed appropriate to allow for increased or  
18 additional fees charged by the United States Postal Service.

19 Failure by any applicant to receive notification of renewal as  
20 provided by this act shall not excuse the applicant from properly  
21 obtaining any registration or license at the proper time by  
22 presenting proof of ownership to the Commission's state office or to  
23 a motor license agent.

SECTION 3. AMENDATORY 47 O.S. 2011, Section 1132, as amended by Section 2, Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2016, Section 1132), is amended to read as follows:

Section 1132. A. For all vehicles, unless otherwise specifically provided by the Oklahoma Vehicle License and Registration Act, a registration fee shall be assessed at the time of initial registration by the owner and annually thereafter or biennially as provided in subsection G of this section, for the use of the avenues of public access within this state in the following amounts:

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

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

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

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

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

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

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

14       C. For utility vehicles used exclusively for use off roads or  
15 highways purchased on or after July 1, 2008, and for utility  
16 vehicles used exclusively for use off roads or highways purchased  
17 prior to July 1, 2008, which the owner chooses to register pursuant  
18 to the provisions of Section 1115.3 of this title, an initial and  
19 nonrecurring registration fee of Eleven Dollars (\$11.00) shall be  
20 assessed at the time of initial registration by the owner. Nine  
21 Dollars (\$9.00) of the registration fee shall be deposited in the  
22 Oklahoma Tax Commission Reimbursement Fund. Two Dollars (\$2.00) of  
23 the registration fee shall be retained by the motor license agent.  
24 The fees required by subsection A of this section shall not be

1 required for utility vehicles used exclusively off roads and  
2 highways.

3 D. There shall be a credit allowed with respect to the fee for  
4 registration of a new vehicle which is a replacement for:

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

9 2. A defective new original vehicle returned by the  
10 purchaser/registrant to the seller within six (6) months of the date  
11 of purchase of the defective new original vehicle as certified by  
12 the manufacturer.

13 The credit shall be in the amount of the fee for registration  
14 which was paid for the new original vehicle and shall be applied to  
15 the registration fee for the replacement vehicle. In no event will  
16 the credit be refunded.

17 E. Upon every transfer or change of ownership of a vehicle, the  
18 new owner shall obtain title for and, except in the case of salvage  
19 vehicles and manufactured homes, register the vehicle within thirty  
20 (30) days of change of ownership and pay a transfer fee of Fifteen  
21 Dollars (\$15.00) in addition to any other fees provided for in this  
22 act. No new decal shall be issued to the registrant. Thereafter,  
23 the owner shall register the vehicle annually on the anniversary  
24 date of its initial registration in this state and shall pay the

1 fees provided in subsection A of this section and receive a decal  
2 evidencing such payment. Provided, used motor vehicle dealers shall  
3 be exempt from the provisions of this section.

4 F. In the event a new or used vehicle is not registered, titled  
5 and tagged within thirty (30) days from the date of transfer of  
6 ownership, the penalty for the failure of the owner of the vehicle  
7 to register the vehicle within thirty (30) days shall be One Dollar  
8 (\$1.00) per day, provided that in no event shall the penalty exceed  
9 One Hundred Dollars (\$100.00). No penalty shall be waived by the  
10 Oklahoma Tax Commission or any motor license agent except as  
11 provided in subsection C of Section 1127 of this title. Of each  
12 dollar penalty collected pursuant to this subsection:

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

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

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

19 G. 1. The owner of a vehicle which is required to be  
20 registered under the provisions of paragraph 1 or 4 of subsection B  
21 of Section 1115 of this title may register such vehicle on a  
22 biennial basis. The registration fee and any related administrative  
23 fees for such a biennial registration shall be equal to the sum of  
24 all annual registration fees and related administrative fees

1 provided for in this title that would have otherwise been applicable  
2 if such vehicle were registered on an annual basis for the two-year  
3 period covered by the biennial registration.

4 2. Each application for a biennial registration authorized by  
5 this subsection shall be subject to a convenience fee of Twenty-five  
6 Dollars (\$25.00).

7 3. Each convenience fee collected pursuant to the provisions of  
8 paragraph 2 of this subsection shall be distributed as follows:

9 a. Eight Dollars and fifty cents (\$8.50) shall be  
10 deposited in the State Treasury to the credit of the  
11 State Transportation Fund created by Section 1501.1 of  
12 Title 69 of the Oklahoma Statutes,

13 b. Eight Dollars and fifty cents (\$8.50) shall be  
14 deposited in the State Treasury to the credit of the  
15 Emergency and Transportation Revolving Fund created by  
16 Section 687.3 of Title 69 of the Oklahoma Statutes,

17 c. Five Dollars (\$5.00) shall be deposited in the State  
18 Treasury to the credit of the General Revenue Fund,  
19 d. Two Dollars (\$2.00) shall be retained by the  
20 collecting motor license agent, pursuant to Section  
21 1141.1 of this title, and

22 e. One Dollar (\$1.00) shall be deposited in the State  
23 Treasury to the credit of the Oklahoma Tax Commission  
24

1                   Fund created by Section 221 of Title 62 of the Oklahoma  
2                   Statutes.

3           SECTION 4.   This act shall become effective January 1, 2018.

4   COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
5   April 12, 2017 - DO PASS AS AMENDED  
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