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February 28, 2018

AS AMENDED

SENATE BILL NO. 1339

By: David of the Senate

and

Cockroft of the House

[Oklahoma Vehicle License and Registration Act -
procedures and requirements for obtaining certificate
of title and registration for a vehicle - treatment
of license plate - exception - definitions - license
plate retention - Oklahoma Tax Commission to
promulgate rules - effective date]

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1111, as amended by Section 3, Chapter 158, O.S.L. 2012 (47 O.S. Supp. 2017, Section 1111), is amended to read as follows:

Section 1111. A. As used in this section:

1. "Loss" means the cost, in dollars, to repair or replace a vehicle which has been damaged by collision or other occurrence. The amount paid by an insurer to a holder of the certificate of title for repair of a damaged vehicle shall be prima facie evidence of the amount of the loss. The amount paid by an insurer to a holder of the certificate of title for replacement of a damaged

1 vehicle less the resale value of the damaged vehicle shall be prima
2 facie evidence of the amount of the loss;

3 2. "Fair market value" means the value of a vehicle as listed
4 in the current National Auto Dealers Association guidebook or other
5 similar guidebook or the actual cash value, whichever is greater;

6 3. "Resale value" means the amount, in dollars, paid to the
7 holder of a certificate of title by a willing buyer for a vehicle
8 damaged by collision or other occurrence or recovered from theft;

9 4. "Total loss" means a loss which is equal to the fair market
10 value of the vehicle immediately prior to the damage to or theft of
11 the vehicle; and

12 5. "Vehicle" means a vehicle, as defined in paragraph 29 of
13 Section 1102 of this title, manufactured within the last seven (7)
14 model years.

15 B. Any insurance company that pays a total loss on a claim for
16 any vehicle including, but not limited to, a flood-damaged vehicle
17 or recovered-theft vehicle, any junk dealer who receives a motor
18 vehicle which is to be used for junk or for parts, or any other
19 person permanently dismantling or junking a vehicle shall receive
20 the certificate of title from the current holder of the certificate
21 of title, shall detach the license plate from the vehicle, and shall
22 return the license plate and the certificate of title to the
23 ~~Oklahoma Tax Commission or a motor license agent~~ current holder of
24 the certificate of title within thirty (30) days from receipt of the

1 certificate, or insurance companies may provide alternate
2 documentation within thirty (30) days pursuant to subsection P of
3 Section 1105 of this title. The Tax Commission shall cancel the
4 certificate of title to the vehicle used for junk or parts and shall
5 preserve the vehicle identification numbers on the certificate of
6 title in the computer files for at least five (5) years. No
7 certificate of title may be reissued on a junked vehicle as defined
8 in Section 1105 of this title, unless reissued pursuant to paragraph
9 3 of subsection C of this section. The Tax Commission shall
10 transfer ownership of a stolen vehicle, not recovered from theft at
11 the time of transfer, by salvage or unrecovered-theft title to the
12 insurer. The Tax Commission shall transfer ownership of a vehicle
13 damaged by flooding or other occurrence to the insurer by an
14 original title, salvage title, or junked title, as may be
15 appropriate, based upon an estimate of the amount of loss submitted
16 by the insurer. All license plates not returned to the party
17 considered the current holder of the certificate of title pursuant
18 to this subsection and which are surrendered to the Tax Commission
19 shall be destroyed.

20 C. 1. If an insurance company pays a claim for a loss which is
21 less than a total loss but the cost of repairing the vehicle for
22 safe operation on the highway exceeds sixty percent (60%) of the
23 fair market value of the vehicle, or if any vehicle not insured is
24 damaged to the extent that the cost of repair for safe operation on

1 the highway exceeds sixty percent (60%) of the fair market value of
2 the vehicle, any holder of the certificate of title for the vehicle
3 shall return the certificate of title to the Tax Commission or a
4 motor license agent within thirty (30) days from receipt of payment
5 for the loss.

6 2. Upon receipt of the certificate, the Tax Commission or motor
7 license agent shall issue a salvage title for the vehicle. The
8 title for any vehicle damaged by flooding shall be stamped with the
9 words "Flood Damaged", and for any such vehicle which was recovered
10 from a theft, the salvage title or rebuilt title shall be stamped
11 with the words "Recovered Theft". A licensed dealer subject to the
12 provisions of the Automotive Dismantlers and Parts Recycler Act,
13 Section 591.1 et seq. of this title, shall not be required to pay
14 registration fees, excise taxes, back taxes, or penalties on a
15 vehicle as a prerequisite to obtaining a salvage title.

16 3. If the actual documented cost of repairing the vehicle for
17 safe operation on the highway does not exceed sixty percent (60%) of
18 the fair market value of the vehicle as defined in this section, the
19 certificate of title shall be reissued to the holder and the vehicle
20 shall not be subject to inspection as required under this section.
21 The actual documented cost of repairing the vehicle pursuant to this
22 paragraph shall be certified by the insurance company paying the
23 loss.

1 D. If a motor vehicle with a salvage title is placed in
2 operative condition, application shall be made to the Tax Commission
3 or a motor license agent for a rebuilt title. A visual inspection
4 of the vehicle and examination of the vehicle identification numbers
5 shall be conducted prior to the issuance of a rebuilt title. At the
6 time of issuance, the salvage title shall be returned to the Tax
7 Commission by the owner, or by the motor license agent if the motor
8 license agent issues the rebuilt title. A visual inspection shall
9 also be made of any out-of-state vehicle to be registered and titled
10 in this state if the vehicle is within the class of vehicles for
11 which a rebuilt title is required and a similar inspection has not
12 been conducted by another state. The certificate of title for the
13 rebuilt vehicle shall be stamped with the words, "This Rebuilt
14 Vehicle Has Been Inspected By The Appropriate State Official".

15 E. 1. The visual inspections and examination of vehicle
16 identification numbers shall include, but not be limited to:

- 17 a. comparison of the vehicle identification numbers with
18 the number recorded on the ownership records,
- 19 b. inspection of the vehicle identification numbers and
20 the VIN plate to detect possible alteration or other
21 fraud,
- 22 c. interpretation of the vehicle identification number
23 recorded on the ownership documents to assure that it
24

1 accurately describes the motor vehicle in question,
2 and

3 d. inspection of the odometer of the vehicle to detect
4 rollback or alteration.

5 2. All vehicle damage shall be repaired before the examination
6 is conducted. The following paperwork shall be presented to the
7 motor license agent: the salvage title and original receipts for
8 all parts placed on the vehicle. Components such as doors, motor,
9 and transmission shall indicate the serial number or the vehicle
10 identification number (VIN) of the auto the part was purchased from
11 or removed from.

12 F. The visual inspection and vehicle identification numbers
13 examination shall be performed by a motor license agent at the
14 location designated by the motor license agent. If the location of
15 the inspection is not the place of business of the rebuilder, the
16 motor license agent shall issue a permit authorizing the applicant
17 to operate the vehicle upon the public streets, roads, and highways
18 in route to and from the designated location for the inspection.
19 The inspection and examination shall be performed within ten (10)
20 working days after the owner of the vehicle requests the inspection
21 and examination. Requests shall be made by completing the request
22 form prescribed and provided by the Tax Commission.

23 G. Inspection and examination of a rebuilt vehicle shall be
24 performed by a person employed by a motor license agent.

1 H. The fee for the examination by the motor license agent shall
2 be Twenty-five Dollars (\$25.00), which shall be paid at the time of
3 issuance of the certificate of title for the rebuilt vehicle. The
4 motor license agent shall retain Five Dollars (\$5.00) and shall
5 remit Twenty Dollars (\$20.00) to the Tax Commission which shall
6 retain Ten Dollars (\$10.00) and transmit Ten Dollars (\$10.00) to the
7 State Treasurer for deposit in the Department of Public Safety
8 Revolving Fund. The motor license agent and its employees and
9 agents may not be sued for and shall not be liable for any damages
10 allegedly arising out of the inspection of a vehicle or any acts or
11 omissions in the performance of the inspection. The motor license
12 agent may be held liable for any damages to the vehicle caused by
13 the negligent acts or omissions in the performance of the
14 inspection. Any person may be liable for any damages to a vehicle
15 caused by the intentional acts or omissions in the performance of
16 the inspection.

17 I. The rebuilt title and any subsequent transfers of such title
18 shall also reflect that the vehicle was a salvage vehicle, flood-
19 damaged vehicle or recovered-theft vehicle, if applicable, and also
20 shall include the salvage date.

21 J. Any title for a motor vehicle issued pursuant to the laws of
22 any other state which reflects that such vehicle is a salvage
23 vehicle, a rebuilt vehicle or a junked vehicle or has any other
24 brand or classification notation by that state shall be retained on

1 the new title issued by the Tax Commission unless the actual
2 documented cost of repairing the vehicle for safe operation on the
3 highway does not exceed sixty percent (60%) of the fair market value
4 of the vehicle as provided by this section.

5 K. When the insurance company pays a loss on a vehicle which is
6 registered at the time of mishap, accident, burning, or flooding,
7 the appropriate certificate of title shall be issued without the
8 payment of additional registration fees or excise taxes, upon the
9 submission of a police report or insurance adjuster's report and a
10 declaration by the insurer that the vehicle is held for sale to a
11 dealer. If the owner of the vehicle or other insured retains
12 ownership of the damaged vehicle, the Tax Commission shall notify
13 the owner or insured of the requirements of this section.

14 L. Any insurance company that pays a claim for a loss where the
15 cost of repairing the vehicle for safe operation on the highway
16 exceeds sixty percent (60%) of the market value of the vehicle or
17 pays a claim for a flood-damaged vehicle as defined in Section 1105
18 of this title shall notify, in writing, the holder of the
19 certificate of title of the requirements of this section and shall
20 notify the Tax Commission of the payment of such claim. The notice
21 shall include the estimated total damage percentage determination of
22 the actual cash value made by the insurance company to repair the
23 vehicle for safe operation on the highway. The insurance company
24 shall also send a copy of the notification to the holder of the

1 title. The Tax Commission shall provide notice to the owner of the
2 vehicle in writing requiring the owner to surrender the title along
3 with the fee to the Tax Commission or one of its motor license
4 agents within thirty (30) days from the receipt of notice for the
5 issuance of the appropriate title based on the amount of loss. The
6 Tax Commission shall reissue the appropriate title with the words
7 "Flood Damaged" on the face of the title in the case of a flood-
8 damaged vehicle; provided, no insurance company shall pay a claim
9 for less than the amount to which the holder of the certificate of
10 title is rightfully entitled in order to avoid compliance with this
11 section.

12 M. Except as provided for in subsection N of this section, any
13 person, firm, corporation, or other legal entity convicted of
14 violating any provision of this section shall be guilty of a
15 misdemeanor and shall be punished by a fine of not less than Three
16 Hundred Dollars (\$300.00) or by incarceration in the county jail for
17 not more than six (6) months, or by both the fine and incarceration.

18 N. Any owner of a titled vehicle who has knowledge that the
19 title is not the proper type for the vehicle and, with intent to
20 misrepresent the vehicle, fails to make the appropriate title
21 changes, shall be guilty of a misdemeanor. Any person who has
22 knowledge that the title is not the proper type for the vehicle, and
23 with intent to misrepresent the vehicle, buys or receives any
24 vehicle for which the appropriate title changes have not been made

1 as required by ~~this act~~ the Oklahoma Vehicle License and
2 Registration Act shall be guilty of a misdemeanor. Any person found
3 guilty in accordance with the provisions of this subsection shall be
4 punished by a fine of not more than One Thousand Dollars (\$1,000.00)
5 for the first offense or Five Thousand Dollars (\$5,000.00) for the
6 second or subsequent offense, or by imprisonment in the county jail
7 for a term not exceeding six (6) months, or by both such fine and
8 imprisonment.

9 O. Any owner of a salvage or junked vehicle shall submit the
10 certificate of title to the Tax Commission or motor license agent
11 for issuance of an appropriate title. Any holder of a certificate
12 of title issued by this state, to a vehicle which no longer exists,
13 shall surrender the certificate of title to the Tax Commission for
14 cancellation. The vehicle identification number on the canceled
15 certificate of title shall be preserved in the computer of the Tax
16 Commission for at least five (5) years.

17 Nothing in this section shall be construed to prevent the
18 transfer of ownership of a vehicle by assignment of the title to a
19 used car dealer, wholesale used car dealer, or a licensed automotive
20 dismantler or parts recycler.

21 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1113, as
22 last amended by Section 1, Chapter 331, O.S.L. 2017 (47 O.S. Supp.
23 2017, Section 1113), is amended to read as follows:

24

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

1 shall be affixed to the exterior of the vehicle until a replacement
2 license plate is applied for. If the owner applies for a
3 replacement license plate, the Tax Commission shall charge the fee
4 provided for in Section 1114 of this title. The yearly decal will
5 validate the license plate for each registration period other than
6 the year the license plate is issued. The license plate and decal
7 shall be of such size, color, design and numbering as the Tax
8 Commission may direct. However, yearly decals issued to the owner
9 of a vehicle who has filed an affidavit with the appropriate motor
10 license agent in accordance with Section 7-607 of this title shall
11 be a separate and distinct color from all other decals issued under
12 this section. Before ~~the effective date of this act~~ August 25,
13 2017, the Tax Commission shall also issue a monthly decal which
14 shall include a two-letter abbreviation corresponding to the county
15 in which the vehicle is registered. The Tax Commission shall issue
16 all decals in the possession of the Tax Commission on ~~the effective~~
17 ~~date of this act~~ August 25, 2017, before issuing any decals which do
18 not contain the county abbreviation.

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

1 interest. The license plate, decal and all letters and numbers
2 shall be clearly visible at all times. The operation of a vehicle
3 in this state, regardless of where such vehicle is registered, upon
4 which the license plate is covered, overlaid or otherwise screened
5 with any material, whether such material be clear, translucent,
6 tinted or opaque, shall be a violation of this paragraph.

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

22 4. Every vehicle owned by an agency of this state shall be
23 exempt from the payment of registration fees required by this title.
24 Provided, such vehicle shall be registered and shall otherwise

1 comply with the provisions of the Oklahoma Vehicle License and
2 Registration Act.

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

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

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

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

21 4. Except as otherwise provided in this subsection, the Tax
22 Commission shall design appropriate official license plates for all
23 state vehicles. Such license plates shall be permanent in nature
24 and designed in such manner as to remain with the vehicle for the

1 duration of the vehicle's life span or until the title is
2 transferred to a nongovernmental owner;

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

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

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

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

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

20 D. The certificate of registration provided for in this section
21 shall be in convenient form, and the certificate of registration, or
22 a certified copy or photostatic copy thereof, duly authenticated by
23 the Tax Commission or Corporation Commission, as applicable, shall
24 be carried at all times in or upon commercial vehicles so

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

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

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

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

1 manufactured home is subject to ad valorem taxation, an annual decal
2 shall be affixed inside the window nearest the front door as
3 evidence of payment of ad valorem taxes. The Tax Commission shall
4 issue decals to the various county treasurers of the state in order
5 for a manufactured home owner to obtain such decal each year. Upon
6 presentation of a valid ad valorem tax receipt, the manufactured
7 home owner shall be issued the annual decal.

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

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

22 The application for registration shall also include the school
23 district in which the manufactured home is located or is to be
24 located. The information shall be entered into a computer data

1 system which shall be used by the Tax Commission to provide
2 information to county assessors upon request by the assessor. The
3 assessor may request any information from the system in order to
4 properly assess a manufactured home for ad valorem taxation.

5 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1113A, is
6 amended to read as follows:

7 Section 1113A. A. As used in this section:

8 1. "First vehicle" means the vehicle from which a license plate
9 is removed and transferred to a ~~second~~ subsequent vehicle;

10 2. "~~Second~~ Subsequent vehicle" means the vehicle to which a
11 license plate is transferred after removal from a first vehicle; and

12 3. "Vehicle" means a passenger vehicle and does not include
13 farm or commercial vehicles.

14 B. A person ~~may~~ shall retain the license plate of any vehicle
15 registered to such person if such vehicle is sold, if ownership of
16 the vehicle otherwise changes, or for purposes of transferring such
17 license plate to a ~~second~~ subsequent vehicle registered to such
18 person. The license plate removed from the first vehicle ~~may~~ shall
19 be transferred to a new or used ~~second~~ subsequent vehicle, or if the
20 license plate is not needed for use on a subsequent vehicle it shall
21 be surrendered to the Oklahoma Tax Commission. The procedure for
22 transfer between two vehicles registered to the same person
23 simultaneously shall be as follows:
24

1 1. If the license plate removed from the first vehicle is
2 transferred to a new motor vehicle, the owner shall obtain a
3 replacement license plate from the Commission or one of its motor
4 license agents upon payment of the fee required for a replacement
5 plate and an additional Ten Dollars (\$10.00). The replacement plate
6 shall bear an expiration date that corresponds to the expiration
7 date on the license plate removed from the first vehicle. The
8 replacement plate shall be affixed to the first vehicle immediately
9 upon removal of the existing license plate. The license plate
10 removed from the first vehicle shall be affixed to the second
11 vehicle upon payment by the owner of all applicable registration and
12 license fees. Transfer of a license plate to a new motor vehicle as
13 authorized by this paragraph shall not relieve the owner of payment
14 for registration or license fees applicable to such new motor
15 vehicle as required by this title.

16 2. If the license plate removed from the first vehicle is
17 transferred to a second vehicle already displaying a license plate,
18 the owner shall obtain the replacement license plate required by
19 paragraph 1 of this subsection. The replacement plate shall be
20 affixed to the first vehicle and shall bear the expiration date of
21 the license plate removed from the first vehicle. The license plate
22 from the second vehicle shall be removed and returned to the
23 Commission or one of its motor license agents. The license plate
24 removed from the first vehicle shall then be affixed to the second

1 vehicle. The removed plate from the first vehicle shall bear an
2 expiration date identical to the plate removed from the second
3 vehicle.

4 C. The Oklahoma Tax Commission shall be authorized to
5 promulgate such rules or regulations as may be required to implement
6 the license plate transfers authorized by this section; including,
7 but not limited to, such rules and regulations as may be required
8 for a system under which the license plate is registered to an
9 individual and not a vehicle for all license plates issued on or
10 after January 1, 2019.

11 D. In the event a person fails to obtain a replacement license
12 plate as provided for in subsection B of this section within the
13 time prescribed for the registration of the new or used second
14 vehicle, a penalty of twenty-five cents (\$0.25) per day shall be
15 assessed from the day following the period prescribed for
16 registration to the date of acquisition of the replacement license
17 plate, such penalty to accrue for no more than thirty (30) days, at
18 the end of which time the penalty shall be twice the registration
19 cost of such vehicle.

20 SECTION 4. This act shall become effective January 1, 2019.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
22 February 28, 2018 - DO PASS AS AMENDED
23
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