

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1339

By: David

4  
5  
6 AS INTRODUCED

7 An Act relating to Oklahoma Vehicle License and  
8 Registration Act; amending 47 O.S. 2011, Sections  
9 1111, as amended by Section 3, Chapter 158, O.S.L.  
10 2012, 1113, as last amended by Section 1, Chapter  
11 331, O.S.L. 2017 and 1113A (47 O.S. Supp. 2017,  
12 Sections 1111 and 1113), which relate to procedures  
13 and requirements for obtaining certificate of title  
14 and registration for a vehicle; modifying procedures  
15 for treatment of license plate for certain vehicles  
16 under specified circumstances; providing exception to  
17 requirement that license plate be issued for certain  
18 vehicles; modifying definitions; making license plate  
19 retention mandatory under specified circumstances;  
20 conforming language; providing exception to  
21 requirement; modifying circumstance applicable to  
22 certain transfer procedure; authorizing Oklahoma Tax  
23 Commission to promulgate rules for specified system  
24 of registration of license plates after certain date;  
updating statutory references; and providing an  
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        1. "Loss" means the cost, in dollars, to repair or replace a  
2 vehicle which has been damaged by collision or other occurrence.  
3 The amount paid by an insurer to a holder of the certificate of  
4 title for repair of a damaged vehicle shall be prima facie evidence  
5 of the amount of the loss. The amount paid by an insurer to a  
6 holder of the certificate of title for replacement of a damaged  
7 vehicle less the resale value of the damaged vehicle shall be prima  
8 facie evidence of the amount of the loss;

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

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

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

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

21        B. Any insurance company that pays a total loss on a claim for  
22 any vehicle including, but not limited to, a flood-damaged vehicle  
23 or recovered-theft vehicle, any junk dealer who receives a motor  
24 vehicle which is to be used for junk or for parts, or any other

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

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1 to this subsection and which are surrendered to the Tax Commission  
2 shall be destroyed.

3 C. 1. If an insurance company pays a claim for a loss which is  
4 less than a total loss but the cost of repairing the vehicle for  
5 safe operation on the highway exceeds sixty percent (60%) of the  
6 fair market value of the vehicle, or if any vehicle not insured is  
7 damaged to the extent that the cost of repair for safe operation on  
8 the highway exceeds sixty percent (60%) of the fair market value of  
9 the vehicle, any holder of the certificate of title for the vehicle  
10 shall return the certificate of title to the Tax Commission or a  
11 motor license agent within thirty (30) days from receipt of payment  
12 for the loss.

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

23 3. If the actual documented cost of repairing the vehicle for  
24 safe operation on the highway does not exceed sixty percent (60%) of

1 the fair market value of the vehicle as defined in this section, the  
2 certificate of title shall be reissued to the holder and the vehicle  
3 shall not be subject to inspection as required under this section.  
4 The actual documented cost of repairing the vehicle pursuant to this  
5 paragraph shall be certified by the insurance company paying the  
6 loss.

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

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

23 a. comparison of the vehicle identification numbers with  
24 the number recorded on the ownership records,

1           b.   inspection of the vehicle identification numbers and  
2                   the VIN plate to detect possible alteration or other  
3                   fraud,

4           c.   interpretation of the vehicle identification number  
5                   recorded on the ownership documents to assure that it  
6                   accurately describes the motor vehicle in question,  
7                   and

8           d.   inspection of the odometer of the vehicle to detect  
9                   rollback or alteration.

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

17          F.   The visual inspection and vehicle identification numbers  
18   examination shall be performed by a motor license agent at the  
19   location designated by the motor license agent.   If the location of  
20   the inspection is not the place of business of the rebuilder, the  
21   motor license agent shall issue a permit authorizing the applicant  
22   to operate the vehicle upon the public streets, roads, and highways  
23   in route to and from the designated location for the inspection.  
24   The inspection and examination shall be performed within ten (10)

1 working days after the owner of the vehicle requests the inspection  
2 and examination. Requests shall be made by completing the request  
3 form prescribed and provided by the Tax Commission.

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

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

22 I. The rebuilt title and any subsequent transfers of such title  
23 shall also reflect that the vehicle was a salvage vehicle, flood-

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1 damaged vehicle or recovered-theft vehicle, if applicable, and also  
2 shall include the salvage date.

3 J. Any title for a motor vehicle issued pursuant to the laws of  
4 any other state which reflects that such vehicle is a salvage  
5 vehicle, a rebuilt vehicle or a junked vehicle or has any other  
6 brand or classification notation by that state shall be retained on  
7 the new title issued by the Tax Commission unless the actual  
8 documented cost of repairing the vehicle for safe operation on the  
9 highway does not exceed sixty percent (60%) of the fair market value  
10 of the vehicle as provided by this section.

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

20 L. Any insurance company that pays a claim for a loss where the  
21 cost of repairing the vehicle for safe operation on the highway  
22 exceeds sixty percent (60%) of the market value of the vehicle or  
23 pays a claim for a flood-damaged vehicle as defined in Section 1105  
24 of this title shall notify, in writing, the holder of the

1 certificate of title of the requirements of this section and shall  
2 notify the Tax Commission of the payment of such claim. The notice  
3 shall include the estimated total damage percentage determination of  
4 the actual cash value made by the insurance company to repair the  
5 vehicle for safe operation on the highway. The insurance company  
6 shall also send a copy of the notification to the holder of the  
7 title. The Tax Commission shall provide notice to the owner of the  
8 vehicle in writing requiring the owner to surrender the title along  
9 with the fee to the Tax Commission or one of its motor license  
10 agents within thirty (30) days from the receipt of notice for the  
11 issuance of the appropriate title based on the amount of loss. The  
12 Tax Commission shall reissue the appropriate title with the words  
13 "Flood Damaged" on the face of the title in the case of a flood-  
14 damaged vehicle; provided, no insurance company shall pay a claim  
15 for less than the amount to which the holder of the certificate of  
16 title is rightfully entitled in order to avoid compliance with this  
17 section.

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

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1 N. Any owner of a titled vehicle who has knowledge that the  
2 title is not the proper type for the vehicle and, with intent to  
3 misrepresent the vehicle, fails to make the appropriate title  
4 changes, shall be guilty of a misdemeanor. Any person who has  
5 knowledge that the title is not the proper type for the vehicle, and  
6 with intent to misrepresent the vehicle, buys or receives any  
7 vehicle for which the appropriate title changes have not been made  
8 as required by ~~this act~~ the Oklahoma Vehicle License and  
9 Registration Act shall be guilty of a misdemeanor. Any person found  
10 guilty in accordance with the provisions of this subsection shall be  
11 punished by a fine of not more than One Thousand Dollars (\$1,000.00)  
12 for the first offense or Five Thousand Dollars (\$5,000.00) for the  
13 second or subsequent offense, or by imprisonment in the county jail  
14 for a term not exceeding six (6) months, or by both such fine and  
15 imprisonment.

16 O. Any owner of a salvage or junked vehicle shall submit the  
17 certificate of title to the Tax Commission or motor license agent  
18 for issuance of an appropriate title. Any holder of a certificate  
19 of title issued by this state, to a vehicle which no longer exists,  
20 shall surrender the certificate of title to the Tax Commission for  
21 cancellation. The vehicle identification number on the canceled  
22 certificate of title shall be preserved in the computer of the Tax  
23 Commission for at least five (5) years.

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1 Nothing in this section shall be construed to prevent the  
2 transfer of ownership of a vehicle by assignment of the title to a  
3 used car dealer, wholesale used car dealer, or a licensed automotive  
4 dismantler or parts recycler.

5 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1113, as  
6 last amended by Section 1, Chapter 331, O.S.L. 2017 (47 O.S. Supp.  
7 2017, Section 1113), is amended to read as follows:

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

1 terrain vehicle, utility vehicle or motorcycle shall be attached to  
2 the front of the vehicle and shall be in clear view. The decal  
3 shall be on the front or on the front fork of the motorcycle used  
4 exclusively off roads and highways and the decal shall be in clear  
5 view. The yearly decal shall have an identification number and the  
6 last two numbers of the registration year for which it shall expire.  
7 Except as provided by Section 1113A of this title, the license plate  
8 shall be affixed to the exterior of the vehicle until a replacement  
9 license plate is applied for. If the owner applies for a  
10 replacement license plate, the Tax Commission shall charge the fee  
11 provided for in Section 1114 of this title. The yearly decal will  
12 validate the license plate for each registration period other than  
13 the year the license plate is issued. The license plate and decal  
14 shall be of such size, color, design and numbering as the Tax  
15 Commission may direct. However, yearly decals issued to the owner  
16 of a vehicle who has filed an affidavit with the appropriate motor  
17 license agent in accordance with Section 7-607 of this title shall  
18 be a separate and distinct color from all other decals issued under  
19 this section. Before ~~the effective date of this act~~ August 25,  
20 2017, the Tax Commission shall also issue a monthly decal which  
21 shall include a two-letter abbreviation corresponding to the county  
22 in which the vehicle is registered. The Tax Commission shall issue  
23 all decals in the possession of the Tax Commission on ~~the effective~~

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1 ~~date of this act~~ August 25, 2017, before issuing any decals which do  
2 not contain the county abbreviation.

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

15 3. Upon payment of the annual registration fee provided in  
16 Section 1133 of this title, the Tax Commission or Corporation  
17 Commission, as applicable, or a motor license agent may issue a  
18 permanent nonexpiring license plate to an owner of one hundred or  
19 more commercial motor vehicles and for vehicles registered under the  
20 provisions of Section 1120 of this title. Upon payment of the  
21 annual registration fee, the Tax Commission or Corporation  
22 Commission shall issue a certificate of registration that shall be  
23 carried at all times in the vehicle for which it is issued.  
24 Provided, if the registrant submits its application through

1 electronic means, such qualified owners of one hundred or more  
2 commercial motor vehicles, properly registered pursuant to the  
3 provisions of Section 1133 of this title, may elect to receive a  
4 permanent certificate of registration that shall be carried at all  
5 times in the vehicle for which it is issued.

6 4. Every vehicle owned by an agency of this state shall be  
7 exempt from the payment of registration fees required by this title.  
8 Provided, such vehicle shall be registered and shall otherwise  
9 comply with the provisions of the Oklahoma Vehicle License and  
10 Registration Act.

11 B. The license plates required under the provisions of this  
12 title shall conform to the requirements and specifications listed  
13 hereinafter:

14 1. Each license plate shall have a space for the placement of  
15 the yearly decals for each succeeding year of registration after the  
16 initial issue;

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

23 3. All license plates and decals shall be made with  
24 reflectorized material as a background to the letters, numbers and

1 characters displayed thereon. The reflectorized material shall be  
2 of such a nature as to provide effective and dependable brightness  
3 during the service period for which the license plate or decal is  
4 issued;

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

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

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

1           7. Within the limits prescribed in this section, the Tax  
2 Commission shall design appropriate official license plates for  
3 vehicles of the Oklahoma Department of Corrections. Such license  
4 plates shall contain the letters "DOC" followed by the Department of  
5 Corrections badge and three numbers or letters or combination of  
6 both as designated by the Director of the agency. The words  
7 "Department of Corrections" shall also be included on such license  
8 plates; and

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

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

1 certificate of title and it shall be unlawful for the applicant to  
2 sell the vehicle until the certificate has been obtained in the  
3 applicant's name.

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

21 E. The purchaser of a new or used manufactured home shall,  
22 within thirty (30) days of the date of purchase, register the home  
23 with the Tax Commission or a motor license agent pursuant to the  
24 provisions of Section 1117 of this title. For a new manufactured

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

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

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

- 21 1. The name of the owner of the manufactured home;
- 22 2. The serial number or identification number of the  
23 manufactured home;
- 24 3. A legal description or address of the location for the home;

1 4. The actual retail selling price of the manufactured home  
2 excluding Oklahoma taxes;

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

4 6. Any other information which the Tax Commission deems to be  
5 necessary.

6 The application for registration shall also include the school  
7 district in which the manufactured home is located or is to be  
8 located. The information shall be entered into a computer data  
9 system which shall be used by the Tax Commission to provide  
10 information to county assessors upon request by the assessor. The  
11 assessor may request any information from the system in order to  
12 properly assess a manufactured home for ad valorem taxation.

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

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

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

18 2. "~~Second~~ subsequent vehicle" means the vehicle to which a  
19 license plate is transferred after removal from a first vehicle; and

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

22 B. A person ~~may~~ shall retain the license plate of any vehicle  
23 registered to such person if such vehicle is sold, if ownership of  
24 the vehicle otherwise changes, or for purposes of transferring such

1 license plate to a ~~second~~ subsequent vehicle registered to such  
2 person. The license plate removed from the first vehicle ~~may~~ shall  
3 be transferred to a new or used ~~second~~ subsequent vehicle, or if the  
4 license plate is not needed for use on a subsequent vehicle it shall  
5 be surrendered to the Oklahoma Tax Commission. The procedure for  
6 transfer between two vehicles registered to the same person  
7 simultaneously shall be as follows:

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

23 2. If the license plate removed from the first vehicle is  
24 transferred to a second vehicle already displaying a license plate,

1 the owner shall obtain the replacement license plate required by  
2 paragraph 1 of this subsection. The replacement plate shall be  
3 affixed to the first vehicle and shall bear the expiration date of  
4 the license plate removed from the first vehicle. The license plate  
5 from the second vehicle shall be removed and returned to the  
6 Commission or one of its motor license agents. The license plate  
7 removed from the first vehicle shall then be affixed to the second  
8 vehicle. The removed plate from the first vehicle shall bear an  
9 expiration date identical to the plate removed from the second  
10 vehicle.

11 C. The Oklahoma Tax Commission shall be authorized to  
12 promulgate such rules or regulations as may be required to implement  
13 the license plate transfers authorized by this section; including,  
14 but not limited to, such rules and regulations as may be required  
15 for a system under which the license plate is registered to an  
16 individual and not a vehicle for all license plates issued on or  
17 after January 1, 2019.

18 D. In the event a person fails to obtain a replacement license  
19 plate as provided for in subsection B of this section within the  
20 time prescribed for the registration of the new or used second  
21 vehicle, a penalty of twenty-five cents (\$0.25) per day shall be  
22 assessed from the day following the period prescribed for  
23 registration to the date of acquisition of the replacement license  
24 plate, such penalty to accrue for no more than thirty (30) days, at

1 the end of which time the penalty shall be twice the registration  
2 cost of such vehicle.

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

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