

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1685

By: Wright

AS INTRODUCED

An Act relating to vehicle registration; amending 47 O.S. 2011, Section 1113, which relates to registrations, license plates and decals; expanding exemption from certain license plate requirement; providing for additional initial registration decal for trailers; providing for renewal registration decals for various vehicles; specifying acceptable decal attachments; amending 47 O.S. 2011, Section 1115.3, which relates to registration of all-terrain vehicles, utility vehicles and motorcycles; providing for recurring registration; requiring registration of trailers; amending 47 O.S. 2011, Section 1132, as amended by Section 2, Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2016, Section 1132), which relates to vehicle registration fees; establishing certain initial registration fee; establishing certain renewal registration fees; repealing 47 O.S. 2011, Section 1133.3, which relates to the optional registration of non-commercial trailers; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1113, is amended to read as follows:

Section 1113. A. 1. Except for all-terrain vehicles, utility vehicles and motorcycles used exclusively off roads and highways, and trailers, upon the filing of a registration application and the

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

1 of the registration year for which it shall expire. Except as  
2 provided by Section 1113A of this title, the license plate shall be  
3 affixed to the exterior of the vehicle until a replacement license  
4 plate is applied for. If the owner applies for a replacement  
5 license plate, the Tax Commission shall charge the fee provided for  
6 in Section 1114 of this title. The yearly decal will validate the  
7 license plate for each registration period other than the year the  
8 license plate is issued. The license plate and decal shall be of  
9 such size, color, design and numbering as the Tax Commission may  
10 direct. However, yearly decals issued to the owner of a vehicle who  
11 has filed an affidavit with the appropriate motor license agent in  
12 accordance with Section 7-607 of this title shall be a separate and  
13 distinct color from all other decals issued under this section. The  
14 Tax Commission shall also issue a monthly decal which shall include  
15 a two-letter abbreviation corresponding to the county in which the  
16 vehicle is registered. The Tax Commission is hereby directed to  
17 develop the decal design to incorporate these requirements in a  
18 manner that will permit county abbreviation to be readily  
19 identified. The Tax Commission shall develop a unique two-letter  
20 abbreviation for each county to be used on the decals. The Tax  
21 Commission shall issue all decals in the possession of the Tax  
22 Commission on January 1, 2010, prior to issuing any of the county  
23 abbreviation decals created pursuant to this paragraph.

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

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

1 provisions of Section 1133 of this title, may elect to receive a  
2 permanent certificate of registration that shall be carried at all  
3 times in the vehicle for which it is issued.

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

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

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

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

21 3. Within the limits herein prescribed the Tax Commission shall  
22 redesign the official vehicle license plates which currently bear  
23 the legend "Oklahoma OK" or "Oklahoma is OK!" and substitute  
24 therefor the legend "Oklahoma Native America" as further described

1 in this paragraph. Except for personalized license plates and  
2 license plates issued for motorcycles and mopeds, the emblem on the  
3 state flag of Oklahoma as provided for in Section 91 of Title 25 of  
4 the Oklahoma Statutes shall be a part of all license plates issued  
5 after December 31, 1988. The Tax Commission may continue to issue  
6 license plates with the legend "Oklahoma is OK!" or "Oklahoma OK"  
7 until any inventory of such license plates is depleted but the Tax  
8 Commission shall not produce or cause to be produced any additional  
9 license plates with these legends. Except for personalized license  
10 plates, license plates issued for commercial vehicles, and license  
11 plates issued for motorcycles and mopeds, the "Oklahoma Native  
12 America" emblem shall be a part of all license plates issued after  
13 December 31, 1993. The specifications for lettering style and  
14 appearance for the legend "Oklahoma Native America" shall be  
15 provided to the Tax Commission by the Oklahoma Tourism and  
16 Recreation Department. All license plates and decals shall be made  
17 with reflectorized material as a background to the letters, numbers  
18 and characters displayed thereon. The reflectorized material shall  
19 be of such a nature as to provide effective and dependable  
20 brightness during the service period for which the license plate or  
21 decal is issued;

22 4. Except as otherwise provided in this subsection, the Tax  
23 Commission shall design appropriate official license plates for all  
24 state vehicles. Such license plates shall be permanent in nature

1 and designed in such manner as to remain with the vehicle for the  
2 duration of the vehicle's life span or until the title is  
3 transferred to a nongovernmental owner;

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

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

18 7. Within the limits prescribed in this section, the Oklahoma  
19 Tourism and Recreation Department shall design any license plates  
20 required by the initiation of a license plate reissuance by the  
21 Oklahoma Tax Commission at the request of the Department of Public  
22 Safety pursuant to the provisions of Section 1 of this act. Any  
23 such new designs shall be submitted by the Oklahoma Tourism and  
24

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

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

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



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

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

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

11 F. The decal shall be easily visible for purposes of  
12 verification by a county assessor that the manufactured home is  
13 properly assessed for ad valorem taxation. In the first year of  
14 registration, a decal shall be issued for placement on the license  
15 plate indicating payment of applicable registration fees and excise  
16 taxes. A duplicate manufactured home registration decal shall be  
17 affixed inside the window nearest the front door of the manufactured  
18 home. In the second and all subsequent years for which the  
19 manufactured home is subject to ad valorem taxation, an annual decal  
20 shall be affixed inside the window nearest the front door as  
21 evidence of payment of ad valorem taxes. The Tax Commission shall  
22 issue decals to the various county treasurers of the state in order  
23 for a manufactured home owner to obtain such decal each year. Upon  
24

1 presentation of a valid ad valorem tax receipt, the manufactured  
2 home owner shall be issued the annual decal.

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

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

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

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

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

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

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

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

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

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

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

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

19       D. All-terrain vehicles, utility vehicles or motorcycles used  
20 exclusively off roads or highways owned or purchased by a person  
21 that possesses an agricultural exemption pursuant to Section 1358.1  
22 of Title 68 of the Oklahoma Statutes may be registered as provided  
23 by this section, but shall not require registration.  
24

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

4       Section 1132. A. For all vehicles, unless otherwise  
5 specifically provided by the Oklahoma Vehicle License and  
6 Registration Act, a registration fee shall be assessed at the time  
7 of initial registration by the owner and annually thereafter, for  
8 the use of the avenues of public access within this state in the  
9 following amounts:

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

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

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

16       4. For the thirteenth through the sixteenth year of  
17 registration in this state or any other state, Thirty-five Dollars  
18 (\$35.00); and

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

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

24       B. For:

~~all-terrain~~ 1. All-terrain vehicles and motorcycles used exclusively for use off roads or highways purchased on or after July 1, 2005, ~~and;~~

~~all-terrain~~ 2. All-terrain vehicles and motorcycles used exclusively for use off roads or highways purchased prior to July 1, 2005, which the owner chooses to register pursuant to the provisions of Section 1115.3 of this title, ~~;~~ and

3. Trailers;

an initial and ~~nonrecurring~~ and recurring registration fee of Eleven Dollars (\$11.00) shall be assessed at the time of ~~initial~~ registration and renewal by the owner. Nine Dollars (\$9.00) of the registration fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund. Two Dollars (\$2.00) of the registration fee shall be retained by the motor license agent. The fees required by subsection A of this section shall not be required for all-terrain vehicles or motorcycles used exclusively off roads and highways, or trailers.

C. For utility vehicles used exclusively for use off roads or highways purchased on or after July 1, 2008, and for utility vehicles used exclusively for use off roads or highways purchased prior to July 1, 2008, which the owner chooses to register pursuant to the provisions of Section 1115.3 of this title, an initial and ~~nonrecurring~~ recurring registration fee of Eleven Dollars (\$11.00) shall be assessed at the time of ~~initial~~ registration and renewal by

1 the owner. Nine Dollars (\$9.00) of the registration fee shall be  
2 deposited in the Oklahoma Tax Commission Reimbursement Fund. Two  
3 Dollars (\$2.00) of the registration fee shall be retained by the  
4 motor license agent. The fees required by subsection A of this  
5 section shall not be required for utility vehicles used exclusively  
6 off roads and highways.

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

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

13 2. A defective new original vehicle returned by the  
14 purchaser/registrant to the seller within six (6) months of the date  
15 of purchase of the defective new original vehicle as certified by  
16 the manufacturer.

17 The credit shall be in the amount of the fee for registration  
18 which was paid for the new original vehicle and shall be applied to  
19 the registration fee for the replacement vehicle. In no event will  
20 the credit be refunded.

21 E. Upon every transfer or change of ownership of a vehicle, the  
22 new owner shall obtain title for and, except in the case of salvage  
23 vehicles and manufactured homes, register the vehicle within thirty  
24 (30) days of change of ownership and pay a transfer fee of Fifteen

1 Dollars (\$15.00) in addition to any other fees provided for in this  
2 act. No new decal shall be issued to the registrant. Thereafter,  
3 the owner shall register the vehicle annually on the anniversary  
4 date of its initial registration in this state and shall pay the  
5 fees provided in subsection A of this section and receive a decal  
6 evidencing such payment. Provided, used motor vehicle dealers shall  
7 be exempt from the provisions of this section.

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

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

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

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

23 SECTION 4. REPEALER 47 O.S. 2011, Section 1133.3, is  
24 hereby repealed.



SECTION 5. This act shall become effective November 1, 2017.

56-1-6301 JM 01/09/17