COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3715 ____________________
Of the printed Bill

Page ________ Section ________ Lines ____________
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Avery Frix

Adopted: ______________________________

____
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

PROPOSED SUBCOMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3715 By: Davis

PROPOSED SUBCOMMITTEE SUBSTITUTE

An Act relating to motor vehicles; amending 47 O.S. 2011, Sections 1135.4 and 1135.7, as amended by Sections 3 and 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2019, Sections 1135.4 and 1135.7), which relate to license plates; providing that no other license plate be required when vehicle has personalized plate; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1135.4, as amended by Section 3, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2019, Section 1135.4), is amended to read as follows:

Section 1135.4 A. The Oklahoma Tax Commission is hereby authorized to design and issue personalized license plates. The personalized license plates shall be issued on a staggered system except for vintage decals.

Personalized special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The personalized special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year.

Personalized special license plates shall be renewed each year by the Tax Commission or a motor license agent, unless authorized by the Tax Commission to be renewed for a period greater than one (1) year. The Tax Commission shall notify by mail all persons issued special license plates. Vehicles that have a valid personalized license plate shall not be required to have any other license plate. The notice shall contain all necessary information and shall contain instructions for the renewal procedure upon presentation to a motor license agent or the Tax Commission. The motor license agent fees for renewals shall be paid out of the Oklahoma Tax Commission Reimbursement Fund.

B. Such plates shall be designed and issued for the following:

1. Any person in any combination of numbers or letters from one to a maximum of seven;

2. Persons eligible for two or more of the military decoration special license plates provided for in this title. Such plates may be issued in any combination of emblems. However, such plates shall only display up to three emblems and shall also display any combination of letters or numbers from one to a maximum of three;

3. Motorcycles in any combination of numbers or letters from one to a maximum of six;

4. Persons eligible for Korean War Veteran license plates provided for in this title. Such plates may display any combination of letters or numbers up to three on each side of the insignia or emblem;

5. Persons eligible for World War II Veteran license plates provided for in this title. Such plates may display any combination of letters or numbers up to three on each side of the insignia or emblem; and

6. Persons owning vehicles which are twenty-one (21) years and older are qualified to submit for approval by the Tax Commission or a motor license agent a vintage but expired official Oklahoma license plate which is twenty-one (21) years and older. Upon approval of such personalized plate, the owner shall be issued the annual registration decal which the Tax Commission or agent shall direct to be affixed.

C. The fee for such plates shall be Twenty Dollars ($20.00) per year of renewal and shall be in addition to all other registration fees provided by the Oklahoma Vehicle License and Registration Act. Eight Dollars ($8.00) per year of renewal of the personalized tag fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund to be used for the administration of the Oklahoma Vehicle License and Registration Act. Twelve Dollars ($12.00) per year of renewal of the personalized tag fee shall be apportioned as provided in Section 1104 of this title.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 1135.7, as amended by Section 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2019, Section 1135.7), is amended to read as follows:

Section 1135.7 A. The Oklahoma Tax Commission or private vendor with whom the Commission has contracted is authorized to design and issue special license plates to any person that applies to the Tax Commission or private vendor for the creation of a special license plate and meets the minimum standards and qualifications specified in this section.

B. If the following standards and guidelines are satisfied, the Tax Commission shall authorize the issuance of a special license plate to the person making application for the special license plate:

1. The license plate is to:

   a. show membership in or affiliation with an organization, or

   b. demonstrate support for an organization, group or cause;

2. The license plate does not advertise or endorse a product, brand, or service that is provided for sale;

3. The license plate does not promote any philosophy based on prejudice or that is contrary to state civil rights laws; and

4. Two hundred prepaid applications for the special license plate are received by the Tax Commission or private vendor.

C. The fee for special license plates shall be determined in accordance with Section ~~1~~ 1135.9 of this ~~act~~ title. If the special license plate does not provide financial assistance the fee shall be no less than Fifteen Dollars ($15.00) per year of renewal and shall be in addition to all other registration fees provided by the Oklahoma Vehicle License and Registration Act. Unless otherwise provided in this section, Fifteen Dollars ($15.00) of the fee shall be apportioned as follows: Eight Dollars ($8.00) of the special license plate fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund to be used for the administration of the Oklahoma Vehicle License and Registration Act and the remaining amounts of the special license plate fee shall be apportioned as provided in Section 1104 of this title.

D. The fee for special license plates that provide financial assistance shall be determined in accordance with Section 1 of this act. Provided, the fee shall be no less than Thirty-five Dollars ($35.00) and shall be in addition to all other registration fees provided by the Oklahoma Vehicle License and Registration Act. Thirty-five Dollars ($35.00) per year of renewal of the fee shall be apportioned as follows:

1. Twenty Dollars ($20.00) of the fee shall be apportioned to the License Plate Special Program Assistance Revolving Fund created in Section 1135.8 of this title to be used in the manner detailed in the application for the special license plate;

2. Eight Dollars ($8.00) of the fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund to be used for the administration of the Oklahoma Vehicle License and Registration Act; and

3. Any remaining amounts of the fee shall be apportioned as provided in Section 1104 of this title.

E. If a person applies for a special license plate that provides financial assistance, the application shall designate a state agency to be responsible for expending the funds generated by the special license plate and the application shall designate a specific public purpose for which the funds are to be used. The application shall include an acknowledgment from the designated state agency of their agreement with acceptance of the designated funds.

F. Special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year.

Special license plates shall be renewed each year by the Tax Commission or a motor license agent, unless authorized by the Tax Commission to be renewed for a period greater than one (1) year. The Tax Commission shall notify all persons issued special license plates of the renewal procedures prior to the expiration of the special license plate. Vehicles that have a valid special license plate shall not be required to have any other license plate. The notice shall contain all necessary information and shall contain instructions for the renewal procedure upon presentation to a motor license agent or the Tax Commission. The license plates shall be issued on a staggered system.

The Tax Commission is hereby directed to develop and implement a system whereby motor license agents are permitted to accept applications for special license plates authorized under this section. The motor license agent shall confirm the applicant's eligibility, if applicable, collect and deposit any amount specifically authorized by law, accept and process the necessary information directly into such system and generate a receipt accordingly. For performance of these duties, motor license agents shall retain the fee provided in Section 1141.1 of this title for registration of a motor vehicle. The motor license agent fees for acceptance of applications and renewals shall be paid out of the Oklahoma Tax Commission Reimbursement Fund.

G. All special plates issued by the Tax Commission prior to the effective date of this act shall not be subject to the requirements and qualifications outlined in this section.

H. As used in this section, "person" includes an individual, group, organization or not-for-profit corporation that is recognized as such by the Internal Revenue Service.

SECTION 3. This act shall become effective November 1, 2020.

57-2-10918 JW 02/07/20