

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3292

 By: Newton

7 AS INTRODUCED

8 An Act relating to motor vehicles; amending 47 O.S.
9 2011, Section 1115, as last amended by Section 1,
10 Chapter 14, O.S.L. 2019 (47 O.S. Supp. 2019, Section
11 1115), which relates to registration; modifying
12 registration schedule for certain vehicles; and
13 providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1115, as
15 last amended by Section 1, Chapter 14, O.S.L. 2019 (47 O.S. Supp.
16 2019, Section 1115), is amended to read as follows:

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

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

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

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

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

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

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

1 the calendar year unless otherwise provided in this section. After
2 the end of the month following the expiration date, the license and
3 registration fees for the new registration period shall become
4 delinquent.

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

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

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

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

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

7 5. Any three or more commercial or farm vehicles owned by the
8 same person and previously registered in this state may be
9 registered at the same time regardless of the month or months in
10 which they were previously registered. The month in which the
11 commercial or farm vehicles are newly registered shall be the month
12 in which their registration is renewed annually. If a commercial or
13 farm vehicle is registered pursuant to this paragraph in the same
14 calendar year in which it was previously registered, license and
15 registration fees shall be prorated to account for the difference
16 between the previous renewal month and the new renewal month and
17 those fees shall be due at the time of registration pursuant to this
18 paragraph.

19 C. The following penalties shall apply for delinquent
20 registration fees:

21 1. For fleet vehicles required to be registered pursuant to the
22 provisions of Section 1120 of this title for which a properly
23 completed application for registration has not been received by the
24 Corporation Commission by the last day of the month following the

1 registration expiration date, a penalty of thirty percent (30%) of
2 the Oklahoma portion of the annual registration fee, or Two Hundred
3 Dollars (\$200.00), whichever is greater, shall be assessed. The
4 license and registration cards issued by the Corporation Commission
5 for each fleet vehicle shall be valid until two (2) months after the
6 registration expiration date;

7 2. For commercial vehicles registered under the provisions of
8 subsection B of this section, except those vehicles registered
9 pursuant to Section 1133.1 of this title, a penalty shall be
10 assessed after the last day of the month following the registration
11 expiration date. A penalty of twenty-five cents (\$0.25) per day
12 shall be added to the license fee of such vehicle and shall accrue
13 for one (1) month. Thereafter, the penalty shall be thirty percent
14 (30%) of the annual registration fee, or Two Hundred Dollars
15 (\$200.00), whichever is greater;

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

20 4. For all vehicles a penalty shall be assessed after the last
21 day of the month following the expiration date and no penalty shall
22 be waived by the Oklahoma Tax Commission or any motor license agent
23 except as provided for in subsection H of Section 1133 and
24 subsection C of Section 1127 of this title. A penalty of One Dollar

1 (\$1.00) per day shall be added to the license fee of such vehicle,
2 provided that the penalty shall not exceed One Hundred Dollars
3 (\$100.00). Of each dollar penalty collected pursuant to this
4 subsection:

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

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

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

11 D. In addition to all other penalties provided in the Oklahoma
12 Vehicle License and Registration Act, the following penalties shall
13 be imposed and collected by any Enforcement Officer of the
14 Corporation Commission upon finding any commercial vehicle being
15 operated in violation of the provisions of the Oklahoma Vehicle
16 License and Registration Act.

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

19 1. A penalty of not less than Fifty Dollars (\$50.00) shall be
20 imposed upon any person found to be operating a commercial vehicle
21 sixty (60) days after the end of the month in which the license
22 plate or registration credentials expire without the current year
23 license plate or registration credential displayed. Such penalty
24 shall not exceed the amount established by the Corporation

1 Commission pursuant to the provisions of subsection A of Section
2 1167 of this title. Revenue from such penalties shall be
3 apportioned as provided in Section 1167 of this title;

4 2. A penalty of not less than Fifty Dollars (\$50.00) shall be
5 imposed for any person operating a commercial vehicle subject to the
6 provisions of Section 1120 or Section 1133 of this title without the
7 proper display of, or, carrying in such commercial vehicle, the
8 identification credentials issued by the Corporation Commission as
9 evidence of payment of the fee or tax as provided in Section 1120 or
10 Section 1133 of this title. Such penalty shall not exceed the
11 amount established by the Corporation Commission pursuant to the
12 provisions of subsection A of Section 1167 of this title. Revenue
13 from such penalties shall be apportioned as provided in Section 1167
14 of this title; and

15 3. A penalty of not less than One Hundred Dollars (\$100.00)
16 shall be imposed for any person that fails to register any
17 commercial vehicle subject to the Oklahoma Vehicle License and
18 Registration Act. Such penalty shall not exceed the amount
19 established by the Corporation Commission pursuant to the provisions
20 of subsection A of Section 1167 of this title. Revenue from such
21 penalties shall be apportioned as provided in Section 1167 of this
22 title.

23 E. The Tax Commission, or Corporation Commission with respect
24 to vehicles registered under Section 1120 or Section 1133 of this

1 title, shall assess the registration fees and penalties for the year
2 or years a vehicle was not registered. For vehicles not registered
3 for two (2) or more years, the registration fees and penalties shall
4 be due only for the current year and one (1) previous year.

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

8 1. The registration of a vehicle registered pursuant to Section
9 1132 of this title is expired and it is sixty (60) or more days
10 after the end of the month of expiration; or

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

14 Such penalty shall not exceed the amount established by the
15 Corporation Commission pursuant to the provisions of subsection A of
16 Section 1167 of this title. Revenue from such penalties shall be
17 apportioned as provided in Section 1167 of this title.

18 G. If a vehicle is donated to a nonprofit charitable
19 organization, the nonprofit charitable organization shall be exempt
20 from paying any current or past due registration fees, excise tax,
21 transfer fees, and penalties and interest. However, after the
22 donation, if the person donating the vehicle, or someone on behalf
23 of such person, purchases the same vehicle back from the nonprofit
24 charitable organization to which the vehicle was donated, such

1 person shall be liable for all current and past-due registration
2 fees, excise tax, title or transfer fees, and penalties and interest
3 on such vehicle.

4 SECTION 2. This act shall become effective November 1, 2020.
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6 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/27/2020 -
7 DO PASS.
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