

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3899

By: Caldwell (Chad)

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1113, as last amended by Section 4, Chapter 208, O.S.L. 2018 (47 O.S. Supp. 2019, Section 1113), which relates to license plates; modifying license plate requirements; requiring license plate be displayed on front of vehicle; 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, as last amended by Section 4, Chapter 208, O.S.L. 2018 (47 O.S. Supp. 2019, 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, upon the filing of a registration application and the payment of the fees provided for in the Oklahoma Vehicle License and Registration Act, the Oklahoma Tax Commission or Corporation Commission, as applicable, shall assign to the vehicle described in the application a distinctive number, and issue to the owner of the vehicle a certificate of registration, ~~one~~ two license ~~plate~~ plates with

1 identical letters and numbers and a two yearly ~~decal~~ decals. The
2 Oklahoma Tax Commission shall assign an all-terrain vehicle, utility
3 vehicle or motorcycle used exclusively off roads and highways a
4 distinctive number and issue to the owner a certificate of
5 registration and a decal but not a license plate. For each
6 subsequent registration year, the Tax Commission shall issue a two
7 yearly ~~decal~~ decals to be affixed to the license ~~plate~~ plates,
8 except for an all-terrain vehicle, utility vehicle or motorcycle
9 used exclusively off roads and highways. The initial decal for an
10 all-terrain vehicle, utility vehicle or motorcycle shall be attached
11 to the front of the vehicle and shall be in clear view. The decal
12 shall be on the front or on the front fork of the motorcycle used
13 exclusively off roads and highways and the decal shall be in clear
14 view. The yearly decal shall have an identification number and the
15 last two numbers of the registration year for which it shall expire.
16 Except as provided by Section 1113A of this title, ~~the license plate~~
17 plates shall be affixed to the exterior of the vehicle until a
18 replacement license plate is applied for. If the owner applies for
19 a replacement license plate, the Tax Commission shall charge the fee
20 provided for in Section 1114 of this title. The yearly ~~decal~~ decals
21 will validate the license ~~plate~~ plates for each registration period
22 other than the year the license plate is issued. The license ~~plate~~
23 plates and ~~decal~~ decals shall be of such size, color, design and
24 numbering as the Tax Commission may direct. However, yearly decals

1 issued to the owner of a vehicle who has filed an affidavit with the
2 appropriate motor license agent in accordance with Section 7-607 of
3 this title shall be a separate and distinct color from all other
4 decals issued under this section. Before the effective date of this
5 act, the Tax Commission shall also issue a monthly decal which shall
6 include a two-letter abbreviation corresponding to the county in
7 which the vehicle is registered. The Tax Commission shall issue all
8 decals in the possession of the Tax Commission on the effective date
9 of this act before issuing any decals which do not contain the
10 county abbreviation.

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

24

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

16 4. Every vehicle owned by an agency of this state shall be
17 exempt from the payment of registration fees required by this title.
18 Provided, such vehicle shall be registered and shall otherwise
19 comply with the provisions of the Oklahoma Vehicle License and
20 Registration Act.

21 B. The license plates required under the provisions of this
22 title shall conform to the requirements and specifications listed
23 hereinafter:
24

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

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

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

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

22 5. Within the limits prescribed in this section, the Tax
23 Commission shall design appropriate official license plates for
24 vehicles of the Oklahoma Highway Patrol. The license plates shall

1 have the legend "Oklahoma OK" and shall contain the letters "OHP"
2 followed by the state seal and the badge number of the Highway
3 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
4 Highway Patrol" shall also be included on such license plates;

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

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

20 8. Within the limits prescribed in this section, the Oklahoma
21 Tourism and Recreation Department shall design any license plates
22 required by the initiation of a license plate reissuance by the
23 Oklahoma Tax Commission at the request of the Department of Public
24 Safety pursuant to the provisions of Section 1113.2 of this title.

1 Any such new designs shall be submitted by the Oklahoma Tourism and
2 Recreation Department to the Department of Public Safety for its
3 approval prior to being issued by the Oklahoma Tax Commission.

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

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

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

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

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

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

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.
24

SECTION 2. This act shall become effective January 1, 2023.

57-2-10379 JW 01/15/20