

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3933

By: Wallace

AS INTRODUCED

An Act relating to motor vehicles; defining term; amending 47 O.S. 2011, Section 11-1116, as last amended by Section 2, Chapter 315, O.S.L. 2019 (47 O.S. Supp. 2019, Section 11-1116), which relates to self-propelled or motor-driven vehicles; making certain exception for street-legal utility vehicles; making certain exception for street-legal, all-terrain vehicles; amending 47 O.S. 2011, Section 1102, as last amended by Section 1, Chapter 57, O.S.L. 2016 (47 O.S. Supp. 2019, Section 1102), which relates to definitions; defining term; 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 issuance of certificate of registration, license plates and decals; providing for the issuance of license plates, decals and registration for certain vehicles; amending 47 O.S. 2011, Section 1115.3, which relates to registration of all-terrain and utility vehicles; requiring certain vehicles receive certificate of registration, license plate and yearly issued decal before certain operation; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-171.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

1 A. A "street-legal utility vehicle (UTV) or all-terrain vehicle
2 (ATV)" is any motor vehicle having:

3 1. A bench seat or side by side seat for the use of each rider;

4 2. Four wheels in contact with the ground, but excluding a
5 tractor;

6 3. A combustion engine with a piston or rotor displacement of
7 one hundred fifty cubic centimeters (150 cu cm) or greater and
8 capable of maintaining speeds of forty five (45) miles per hour or
9 greater;

10 4. For each occupant, safety belts or safety shoulder harnesses
11 which shall be of a type and shall be installed pursuant to 49
12 C.F.R., Section 571.208 et seq.; and

13 5. All equipment required by the provisions of Article II et
14 seq. of Chapter 12 of this title, with respect to equipment on
15 vehicles.

16 B. A street-legal UTV or ATV operated on the streets and
17 highways of this state shall be registered as a motor vehicle.

18 C. The operator of a street-legal UTV or ATV shall not be
19 required to have an "M" endorsement on the Class D license pursuant
20 to Section 6-110.1 of this title.

21 SECTION 2. AMENDATORY 47 O.S. 2011, Section 11-1116, as
22 last amended by Section 2, Chapter 315, O.S.L. 2019 (47 O.S. Supp.
23 2019, Section 11-1116), is amended to read as follows:

1 Section 11-1116. A. The self-propelled or motor-driven and
2 operated vehicles described in this section shall be prohibited from
3 operating or shall be limited in operation on the streets and
4 highways of this state.

5 B. Self-propelled or motor-driven cycles, known and commonly
6 referred to as "minibikes" and other similar trade names, shall be
7 prohibited from operating on the streets and highways of this state,
8 except:

9 1. When used in a parade; or

10 2. When registered, as required by subsection E of Section 1151
11 of this title, and operated in this state by food vendor services
12 upon streets having a speed limit of thirty (30) miles per hour or
13 less.

14 All minibikes offered for sale in this state shall bear the
15 following notice to the customer: "This machine is not manufactured
16 or sold for operation on the public streets or highways. Since it
17 is not provided with equipment required by law for street or highway
18 use, all persons are cautioned that any operation of this vehicle
19 upon a public street or highway will be in violation of the motor
20 vehicle laws of this state and will subject the violator to arrest."

21 C. Golf carts and utility vehicles, as defined by Section 1102
22 of this title, shall not be operated on the streets and highways of
23 this state except:

1 1. Golf carts or utility vehicles owned by the Oklahoma Tourism
2 and Recreation Department, and operated by employees or agents of
3 the Department or employees of independent management companies
4 working on behalf of the Department, may be operated on the streets
5 and highways of this state during daylight hours or under rules
6 developed by the Oklahoma Tourism and Recreation Commission, when
7 the streets and highways are located within the boundaries of a
8 state park. The Department shall have warning signs placed at the
9 entrance and other locations at those state parks allowing golf
10 carts or utility vehicles to be operated on the streets and highways
11 of this state located within the boundaries of those state parks.
12 The warning signs shall state that golf carts and utility vehicles
13 may be operating on streets and highways and that motor vehicle
14 operators shall take special precautions to be alert for the
15 presence of golf carts or utility vehicles on the streets and
16 highways;

17 2. The municipal governing body has adopted an ordinance
18 governing the operation of golf carts and/or utility vehicles on
19 city streets; provided, such ordinances shall include necessary
20 vehicle lighting and safety requirements;

21 3. Golf carts or utility vehicles may operate on state highways
22 only if making a perpendicular crossing of a state highway located
23 within the boundaries of a municipality which has adopted an
24

1 ordinance governing the operation of golf carts and/or utility
2 vehicles; ~~or~~

3 4. The board of county commissioners of a county has approved
4 the operation of golf cart and/or utility vehicle traffic on
5 roadways within the county, and:

6 a. the roadway has a posted speed limit of twenty-five
7 (25) miles per hour or less,

8 b. the roadway is located in an unincorporated area, and

9 c. appropriate signage, cautioning motorists of the
10 possibility of golf cart or utility vehicle traffic,
11 is erected by the board of county commissioners; or

12 5. Street-legal utility vehicles registered as a motor vehicle
13 pursuant to subsection B of Section 1 of this act.

14 D. All-terrain vehicles, with the exception of street-legal,
15 all-terrain vehicles registered as a motor vehicle pursuant to
16 subsection B of Section 1 of this act, shall not be operated on the
17 streets and highways of this state, except:

18 1. On unpaved roads which are located within the boundaries of
19 any property of the Forest Service of the United States Department
20 of Agriculture;

21 2. On highways if:

22 a. the vehicle needs to make a direct crossing of the
23 highway while the vehicle is traveling upon a
24 regularly traveled trail and needs to continue travel

1 from one area of the trail to another and, if the
2 vehicle comes to a complete stop, yields the right-of-
3 way to all oncoming traffic that constitutes an
4 immediate hazard, and crosses the highway at an angle
5 of approximately ninety (90) degrees to the direction
6 of the street or highway. This exception shall not
7 apply to divided highways or highways with a posted
8 speed limit of more than thirty-five (35) miles per
9 hour in the area of the crossing,

10 b. the vehicle needs to travel on a highway in order to
11 cross a railroad track. In that event, the all-
12 terrain vehicle may travel for not more than three
13 hundred (300) feet on a highway to cross a railroad
14 track,

15 c. the operator of the all-terrain vehicle making the
16 crossing at a highway has a valid driver license, and

17 d. the operator of the vehicle makes a crossing on a
18 highway during daylight hours only;

19 3. On streets and highways within a municipality if the
20 municipal governing body has adopted an ordinance governing the
21 operation of golf carts, utility vehicles or all-terrain vehicles on
22 streets and highways within the municipality; or

23 4. On roadways within unincorporated areas of a county if those
24 roadways are not part of the state highway system or the National

1 System of Interstate and Defense Highways; provided, however, that
2 the driver is a licensed driver.

3 E. Mopeds, as defined by Section 1-133.2 of this title, may be
4 operated on the streets and highways of this state if:

5 1. The municipal governing body has adopted an ordinance
6 governing the operation of mopeds on city streets; provided, such
7 ordinances shall include necessary vehicle lighting and safety
8 requirements; or

9 2. The board of county commissioners of a county has approved
10 the operation of mopeds on roadways within the county, not including
11 roadways within a municipality.

12 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1102, as
13 last amended by Section 1, Chapter 57, O.S.L. 2016 (47 O.S. Supp.
14 2019, Section 1102), is amended to read as follows:

15 Section 1102. As used in the Oklahoma Vehicle License and
16 Registration Act:

17 1. "All-terrain vehicle" means a vehicle manufactured and used
18 exclusively for off-highway use traveling on four or more non-
19 highway tires, and being fifty (50) inches or less in width;

20 2. "Carrying capacity" means the carrying capacity of a vehicle
21 as determined or declared in tons of cargo or payload by the owner;
22 provided, that such declared capacity shall not be less than the
23 minimum tonnage capacity fixed, listed or advertised by the
24 manufacturer of any vehicle;

1 3. "Certificate of title" means a document which is proof of
2 legal ownership of a motor vehicle as described and provided for in
3 Section 1105 of this title;

4 4. "Chips and oil" or the term "road oil and crushed rock"
5 means, with respect to materials authorized for use in the surfacing
6 of roads or highways in this title or in any equivalent statute
7 pertaining to road or highway surfacing in the State of Oklahoma,
8 any asphaltic materials. Wherever chips and oil or road oil and
9 crushed rock are authorized for use in the surfacing of roads or
10 highways in this state, whether by the Department of Transportation,
11 or by the county commissioners, or other road building authority
12 subject to the Oklahoma Vehicle License and Registration Act,
13 asphaltic materials are also authorized for use in such surfacing
14 and construction;

15 5. "Combined laden weight" means the weight of a truck or
16 station wagon and its cargo or payload transported thereon, or the
17 weight of a truck or truck-tractor plus the weight of any trailers
18 or semitrailers together with the cargo or payload transported
19 thereon;

20 6. "Commercial trailer" means any trailer, as defined in
21 Section 1-180 of this title, or semitrailer, as defined in Section
22 1-162 of this title, when such trailer or semitrailer is used
23 primarily for business or commercial purposes;
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1 7. "Commercial trailer dealer" means any person, firm or
2 corporation engaged in the business of selling any new and unused,
3 or used, or both new and used commercial trailers;

4 8. "Commercial vehicle" means any vehicle over eight thousand
5 (8,000) pounds combined laden weight used primarily for business or
6 commercial purposes. Each motor vehicle being registered pursuant
7 to the provisions of this section shall have the name of the
8 commercial establishment or the words "Commercial Vehicle"
9 permanently and prominently displayed upon the outside of the
10 vehicle in letters not less than two (2) inches high. Such letters
11 shall be in sharp contrast to the background and shall be of
12 sufficient shape and color as to be readily legible during daylight
13 hours, from a distance of fifty (50) feet while the vehicle is not
14 in motion;

15 9. "Commission" or "Tax Commission" means the Oklahoma Tax
16 Commission;

17 10. "Construction machinery" means machines or devices drawn as
18 trailers which are designed and used for construction, tree trimming
19 and waste maintenance projects, which derive no revenue from the
20 transportation of persons or property, whose use of the highway is
21 only incidental and which are not mounted or affixed to another
22 vehicle; provided, construction machinery shall not include
23 implements of husbandry as defined in Section 1-125 of this title;
24

1 11. "Dealer" means any person, firm, association, corporation
2 or trust who sells, solicits or advertises the sale of new and
3 unused motor vehicles and holds a bona fide contract or franchise in
4 effect with a manufacturer or distributor of a particular make of
5 new or unused motor vehicle or vehicles for the sale of same;

6 12. "Mini-truck" means a foreign-manufactured import or
7 domestic-manufactured vehicle powered by an internal combustion
8 engine with a piston or rotor displacement of one thousand cubic
9 centimeters (1,000 cu cm) or less, which is sixty-seven (67) inches
10 or less in width, with an unladen dry weight of three thousand four
11 hundred (3,400) pounds or less, traveling on four or more tires,
12 having a top speed of approximately fifty-five (55) miles per hour,
13 equipped with a bed or compartment for hauling, and having an
14 enclosed passenger cab;

15 13. "Interstate commerce" means any commerce moving between any
16 place in a state and any place in another state or between places in
17 the same state through another state;

18 14. "Laden weight" means the combined weight of a vehicle when
19 fully equipped for use and the cargo or payload transported thereon;
20 provided, that in no event shall the laden weight be less than the
21 unladen weight of the vehicle fully equipped for use, plus the
22 manufacturer's rated carrying capacity;

1 15. "Local authorities" means every county, municipality or
2 local board or body having authority to adopt police regulations
3 under the Constitution and laws of this state;

4 16. "Low-speed electrical vehicle" means any four-wheeled
5 electrical vehicle that is powered by an electric motor that draws
6 current from rechargeable storage batteries or other sources of
7 electrical current and whose top speed is greater than twenty (20)
8 miles per hour but not greater than twenty-five (25) miles per hour
9 and is manufactured in compliance with the National Highway Traffic
10 Safety Administration standards for low-speed vehicles in 49 C.F.R.
11 571.500;

12 17. "Manufactured home" means a residential dwelling built in
13 accordance with the National Manufactured Housing Construction and
14 Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq., and
15 rules promulgated pursuant thereto and the rules promulgated by the
16 Oklahoma Used Motor Vehicle and Parts Commission pursuant to Section
17 582 of this title. Manufactured home shall not mean a park model
18 recreational vehicle as defined in this section;

19 18. "Manufactured home dealer" means any person, firm or
20 corporation engaged in the business of selling any new and unused,
21 or used, or both new and used manufactured homes. Such information
22 and a valid franchise letter as proof of authorization to sell any
23 such new manufactured home product line or lines shall be attached
24 to the application for a dealer license to sell manufactured homes.

1 "Manufactured home dealer" shall not include any person, firm or
2 corporation who sells or contracts for the sale of the dealer's own
3 personally titled manufactured home or homes. No person, firm or
4 corporation shall be considered a manufactured home dealer as to any
5 manufactured home purchased or acquired by such person, firm or
6 corporation for purposes other than resale; provided, that the
7 restriction set forth in this sentence shall not prevent an
8 otherwise qualified person, firm or corporation from utilizing a
9 single manufactured home as a sales office;

10 19. "Medium-speed electrical vehicle" means any self-propelled,
11 electrically powered four-wheeled motor vehicle, equipped with a
12 roll cage or crush-proof body design, whose speed attainable in one
13 (1) mile is more than thirty (30) miles per hour but not greater
14 than thirty-five (35) miles per hour;

15 20. "Motor license agent" means any person appointed,
16 designated or authorized by the Oklahoma Tax Commission to collect
17 the fees and to enforce the provisions provided for in the Oklahoma
18 Vehicle License and Registration Act;

19 21. "New vehicle" or "unused vehicle" means a vehicle which has
20 been in the possession of the manufacturer, distributor or
21 wholesaler or has been sold only by the manufacturer, distributor or
22 wholesaler to a dealer;

23 22. "Nonresident" means any person who is not a resident of
24 this state;

1 23. "Off-road motorcycle" means any motorcycle, as defined in
2 Section 1-135 of this title, when such motorcycle has been
3 manufactured for and used exclusively off roads, highways and any
4 other paved surfaces;

5 24. "Owner" means any person owning, operating or possessing
6 any vehicle herein defined;

7 25. "Park model recreational vehicle" means a vehicle that is:

- 8 a. designed and marketed as temporary living quarters for
9 camping, recreational, seasonal or travel use,
- 10 b. not permanently affixed to real property for use as a
11 permanent dwelling,
- 12 c. built on a single chassis mounted on wheels with a
13 gross trailer area not exceeding four hundred (400)
14 square feet in the setup mode, and
- 15 d. certified by the manufacturer as complying with
16 standard A119.5 of the American National Standards
17 Institute, Inc.;

18 26. "Person" means any individual, copartner, joint venture,
19 association, corporation, limited liability company, estate, trust,
20 business trust, syndicate, the State of Oklahoma, or any county,
21 city, municipality, school district or other political subdivision
22 thereof, or any group or combination acting as a unit, or any
23 receiver appointed by the state or federal court;

24 27. "Rebodied vehicle" means a vehicle:

- 1 a. which has been assembled using a new body or new major
2 component which is of the identical type as the
3 original vehicle and is licensed by the manufacturer
4 of the original vehicle and other original, new or
5 reconditioned parts. For purposes of this paragraph,
6 "new body or new major component" means a new body,
7 cab, frame, front end clip or rear end clip,
- 8 b. which is not a salvage, rebuilt, or junked vehicle as
9 defined by paragraph 1, 2, or 6 of subsection A of
10 Section 1105 of this title, and
- 11 c. for which the Tax Commission has assigned or will
12 assign a new identifying number;

13 28. "Recreational off-highway vehicle" means a vehicle
14 manufactured and used exclusively for off-highway use, traveling on
15 four or more non-highway tires, and being sixty-five (65) inches or
16 less in width;

17 29. "Recreational vehicle" means every vehicle which is built
18 on or permanently attached to a self-propelled motor chassis or
19 chassis cab which becomes an integral part of the completed vehicle
20 and is capable of being operated on the highways. In order to
21 qualify as a recreational vehicle pursuant to this paragraph such
22 vehicle shall be permanently constructed and equipped for human
23 habitation, having its own sleeping and kitchen facilities,
24 including permanently affixed cooking facilities, water tanks and

1 holding tank with permanent toilet facilities. Recreational vehicle
2 shall not include manufactured homes or any vehicle with portable
3 sleeping, toilet and kitchen facilities which are designed to be
4 removed from such vehicle. Recreational vehicle shall include park
5 model recreational vehicles as defined in this section;

6 30. "Remanufactured vehicle" means a vehicle which has been
7 assembled by a vehicle remanufacturer using a new body and which may
8 include original, reconditioned, or remanufactured parts, and which
9 is not a salvage, rebuilt, or junked vehicle as defined by
10 paragraphs 1, 2, and 6, respectively, of subsection A of Section
11 1105 of this title;

12 31. "Rental trailer" means all small or utility trailers or
13 semitrailers constructed and suitable for towing by a passenger
14 automobile and designed only for carrying property, when the
15 trailers or semitrailers are owned by, or are in the possession of,
16 any person engaged in renting or leasing such trailers or
17 semitrailers for intrastate or interstate use or combined intrastate
18 and interstate use;

19 32. "Special mobilized machinery" means special purpose
20 machines or devices, either self-propelled or drawn as trailers or
21 semitrailers, which derive no revenue from the transportation of
22 persons or property, whose use of the highway is only incidental,
23 and whose useful revenue producing service is performed at
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1 destinations in an area away from the traveled surface of an
2 established open highway;

3 33. "State" means the State of Oklahoma;

4 34. "Station wagon" means any passenger vehicle which does not
5 have a separate luggage compartment or trunk and which does not have
6 open beds, and has one or more rear seats readily lifted out or
7 folded, whether same is called a station wagon or ranch wagon;

8 35. "Street-legal utility vehicle (UTV) or all-terrain vehicle
9 (ATV)" means a vehicle meeting the description and specifications of
10 Section 1 of this act;

11 36. "Travel trailer" means any vehicular portable structure
12 built on a chassis, used as a temporary dwelling for travel,
13 recreational or vacational use, and, when factory-equipped for the
14 road, it shall have a body width not exceeding eight (8) feet and an
15 overall length not exceeding forty (40) feet, including the hitch or
16 coupling;

17 ~~36.~~ 37. "Travel trailer dealer" means any person, firm or
18 corporation engaged in the business of selling any new and unused,
19 or used, or both new and used travel trailers. Such information and
20 a valid franchise letter as proof of authorization to sell any such
21 new travel trailer product line or lines shall be attached to the
22 application for a dealer license to sell travel trailers. "Travel
23 trailer dealer" shall not include any person, firm or corporation
24 who sells or contracts for the sale of his or her own personally

1 titled travel trailer or trailers. No person, firm or corporation
2 shall be considered as a travel trailer dealer as to any travel
3 trailer purchased or acquired by such person, firm or corporation
4 for purposes other than resale;

5 ~~37.~~ 38. "Used motor vehicle dealer" means "used motor vehicle
6 dealer" as defined in Section 581 of this title;

7 ~~38.~~ 39. "Used vehicle" means any vehicle which has been sold,
8 bargained, exchanged or given away, or used to the extent that it
9 has become what is commonly known, and generally recognized, as a
10 "secondhand" vehicle. This shall also include any vehicle other
11 than a remanufactured vehicle, regardless of age, owned by any
12 person who is not a dealer;

13 ~~39.~~ 40. "Utility vehicle" means a vehicle powered by an
14 internal combustion engine, manufactured and used exclusively for
15 off-highway use, equipped with seating for two or more people and a
16 steering wheel, traveling on four or more wheels;

17 ~~40.~~ 41. "Vehicle" means any type of conveyance or device in,
18 upon or by which a person or property is or may be transported from
19 one location to another upon the avenues of public access within the
20 state. "Vehicle" does not include bicycles, trailers except travel
21 trailers and rental trailers, or implements of husbandry as defined
22 in Section 1-125 of this title. All implements of husbandry used as
23 conveyances shall be required to display the owner's driver license
24 number or license plate number of any vehicle owned by the owner of

1 the implement of husbandry on the rear of the implement in numbers
2 not less than two (2) inches in height. The use of the owner's
3 Social Security number on the rear of the implement of husbandry
4 shall not be required; and

5 ~~41.~~ 42. "Vehicle remanufacturer" means a commercial entity
6 which assembles remanufactured vehicles.

7 SECTION 4. AMENDATORY 47 O.S. 2011, Section 1113, as
8 last amended by Section 4, Chapter 208, O.S.L. 2018 (47 O.S. Supp.
9 2019, Section 1113), is amended to read as follows:

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

1 roads and highways. The initial decal for an all-terrain vehicle,
2 utility vehicle or motorcycle shall be attached to the front of the
3 vehicle and shall be in clear view. The decal shall be on the front
4 or on the front fork of the motorcycle used exclusively off roads
5 and highways and the decal shall be in clear view. The yearly decal
6 shall have an identification number and the last two numbers of the
7 registration year for which it shall expire. Except as provided by
8 Section 1113A of this title, the license plate shall be affixed to
9 the exterior of the vehicle until a replacement license plate is
10 applied for. If the owner applies for a replacement license plate,
11 the Tax Commission shall charge the fee provided for in Section 1114
12 of this title. The yearly decal will validate the license plate for
13 each registration period other than the year the license plate is
14 issued. The license plate and decal shall be of such size, color,
15 design and numbering as the Tax Commission may direct. However,
16 yearly decals issued to the owner of a vehicle who has filed an
17 affidavit with the appropriate motor license agent in accordance
18 with Section 7-607 of this title shall be a separate and distinct
19 color from all other decals issued under this section. Before the
20 effective date of this act, the Tax Commission shall also issue a
21 monthly decal which shall include a two-letter abbreviation
22 corresponding to the county in which the vehicle is registered. The
23 Tax Commission shall issue all decals in the possession of the Tax
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1 Commission on the effective date of this act before issuing any
2 decals which do not contain the county abbreviation.

3 2. The operation of a street-legal utility vehicle or all-
4 terrain vehicle on the streets and highways of this state requires
5 the vehicle be issued a certificate of registration and license
6 plate to be renewed annually. Upon the filing of a registration
7 application and the payment of the fees provided for in the Oklahoma
8 Vehicle License and Registration Act, the Oklahoma Tax Commission or
9 Corporation Commission, as applicable, shall assign to the vehicle
10 described in the application a distinctive number, and issue to the
11 owner of the vehicle a certificate of registration, one license
12 plate and a yearly decal. For each subsequent registration year,
13 the Tax Commission shall issue a yearly decal to be affixed to the
14 license plate. The initial decal for a street-legal, all-terrain
15 vehicle or street-legal utility vehicle shall be attached to the
16 front of the vehicle and shall be in clear view. The yearly decal
17 shall have an identification number and the last two numbers of the
18 registration year for which it shall expire. Except as provided by
19 Section 1113A of this title, the license plate shall be affixed to
20 the exterior of the vehicle until a replacement license plate is
21 issued. If the owner applies for a replacement license plate, the
22 Tax Commission shall charge the fee provided for in Section 1114 of
23 this title. The yearly decal will validate the license plate for
24 each registration period other than the year the license plate is

1 issued. The license plate and decal shall be of such size, color,
2 design and numbering as the Tax Commission may direct. However,
3 yearly decals issued to the owner of a vehicle who has filed an
4 affidavit with the appropriate motor license agent in accordance
5 with Section 7-607 of this title shall be a separate and distinct
6 color from all other decals issued under this section.

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

19 ~~3.~~ 4. Upon payment of the annual registration fee provided in
20 Section 1133 of this title, the Tax Commission or Corporation
21 Commission, as applicable, or a motor license agent may issue a
22 permanent nonexpiring license plate to an owner of one hundred or
23 more commercial motor vehicles and for vehicles registered under the
24 provisions of Section 1120 of this title. Upon payment of the

1 annual registration fee, the Tax Commission or Corporation
2 Commission shall issue a certificate of registration that shall be
3 carried at all times in the vehicle for which it is issued.
4 Provided, if the registrant submits its application through
5 electronic means, such qualified owners of one hundred or more
6 commercial motor vehicles, properly registered pursuant to the
7 provisions of Section 1133 of this title, may elect to receive a
8 permanent certificate of registration that shall be carried at all
9 times in the vehicle for which it is issued.

10 ~~4.~~ 5. Every vehicle owned by an agency of this state shall be
11 exempt from the payment of registration fees required by this title.
12 Provided, such vehicle shall be registered and shall otherwise
13 comply with the provisions of the Oklahoma Vehicle License and
14 Registration Act.

15 B. The license plates required under the provisions of this
16 title shall conform to the requirements and specifications listed
17 hereinafter:

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

21 2. The provisions of the Oklahoma Vehicle License and
22 Registration Act regarding the issuance of yearly decals shall not
23 apply to the issuance of apportioned license plates, including
24 license plates for state vehicles, and exempt plates for

1 governmental entities and fire departments organized pursuant to
2 Section 592 of Title 18 of the Oklahoma Statutes;

3 3. All license plates and decals shall be made with
4 reflectorized material as a background to the letters, numbers and
5 characters displayed thereon. The reflectorized material shall be
6 of such a nature as to provide effective and dependable brightness
7 during the service period for which the license plate or decal is
8 issued;

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

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

22 6. Within the limits prescribed in this section, the Tax
23 Commission shall design appropriate official license plates for
24 vehicles of the Oklahoma Military Department. Such license plates

1 shall have the legend "Oklahoma OK" and shall contain the letters
2 "OMD" followed by the state seal and three numbers or letters as
3 designated by the Adjutant General. The words "Oklahoma Military
4 Department" shall also be included on such license plates;

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

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

21 C. Where the applicant has satisfactorily shown that the
22 applicant owns the vehicle sought to be registered but is unable to
23 produce documentary evidence of the ownership, a license plate may
24 be issued upon approval by the Tax Commission or Corporation

1 Commission, as applicable. In such instances the reason for not
2 issuing a certificate of title shall be indicated on the receipt
3 given to the applicant. It shall still be the duty of the applicant
4 to immediately take all necessary steps to obtain the Oklahoma
5 certificate of title and it shall be unlawful for the applicant to
6 sell the vehicle until the certificate has been obtained in the
7 applicant's name.

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

1 E. The purchaser of a new or used manufactured home shall,
2 within thirty (30) days of the date of purchase, register the home
3 with the Tax Commission or a motor license agent pursuant to the
4 provisions of Section 1117 of this title. For a new manufactured
5 home, it shall be the responsibility of the dealer selling the home
6 to place a temporary license plate on the home in the same manner as
7 provided in Section 1128 of this title for other new motor vehicles.
8 For the first year that any manufactured home is registered in this
9 state, the Tax Commission shall issue a metal license plate which
10 shall be affixed to the manufactured home. The temporary dealer
11 license plate or the metal license plate shall be displayed on the
12 manufactured home at all times when upon a public roadway; provided,
13 a repossession affidavit issued pursuant to Sections 1110 and 1126
14 of this title shall be permissible in lieu of a current license
15 plate and decal for the purposes of removing a repossessed
16 manufactured home to a secure location. Manufactured homes
17 previously registered and subject to ad valorem taxation as provided
18 by law shall have a decal affixed at the time ad valorem taxes are
19 paid for such manufactured home; provided, for a manufactured home
20 permanently affixed to real estate, no decal or license plate shall
21 be required to be affixed and the owner thereof shall be given a
22 receipt upon payment of ad valorem taxes due on the home. The Tax
23 Commission shall make sufficient plates and decals available to the
24 various motor license agents of the state in order for an owner of a

1 manufactured home to acquire the plate or decal. A one-dollar fee
2 shall be charged for issuance of any plate or decal. The fee shall
3 be apportioned each month to the General Revenue Fund of the State
4 Treasury.

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

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

- 1 1. The name of the owner of the manufactured home;
- 2 2. The serial number or identification number of the
- 3 manufactured home;
- 4 3. A legal description or address of the location for the home;
- 5 4. The actual retail selling price of the manufactured home
- 6 excluding Oklahoma taxes;
- 7 5. The certificate of title number for the home; and
- 8 6. Any other information which the Tax Commission deems to be
- 9 necessary.

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

17 SECTION 5. AMENDATORY 47 O.S. 2011, Section 1115.3, is
18 amended to read as follows:

19 Section 1115.3 A. Except as otherwise provided by this
20 section, all-terrain vehicles, utility vehicles and motorcycles used
21 exclusively off roads or highways shall be registered once with the
22 Oklahoma Tax Commission within thirty (30) days after purchase.

23 B. For all-terrain vehicles or motorcycles used exclusively off
24 roads or highways purchased prior to July 1, 2005, registration, as

1 otherwise required by Section 1115 of this title, shall not be
2 required, but shall be allowed at the option of the owner of the
3 all-terrain vehicle or motorcycle used exclusively off roads or
4 highways.

5 C. For utility vehicles used exclusively off roads or highways
6 purchased prior to July 1, 2008, registration, as otherwise required
7 by Section 1115 of this title, shall not be required but shall be
8 allowed at the option of the owner of the utility vehicle used
9 exclusively off roads or highways.

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

15 E. Vehicles meeting the specifications and description of a
16 street-legal utility vehicle or all-terrain vehicle as described in
17 Section 1 of this act shall be required to receive a certificate of
18 registration, license plate and yearly decal before operation on the
19 streets and highways of this state.

20 SECTION 6. This act shall become effective November 1, 2020.

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