

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 169

By: Coleman

COMMITTEE SUBSTITUTE

An Act relating to special license plates; amending 47 O.S. 2011, Section 1135.7, as amended by Section 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2020, Section 1135.7), which relates to the design and issuance of special license plates; authorizing Tax Commission to enter into certain licensing agreements; providing for transfer of funds for certain licensing fees; providing certain exception; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1135.7, as amended by Section 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2020, 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.

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

5 1. The license plate is to:

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

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

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

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

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

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

1 Reimbursement Fund to be used for the administration of the Oklahoma
2 Vehicle License and Registration Act and the remaining amounts of
3 the special license plate fee shall be apportioned as provided in
4 Section 1104 of this title.

5 D. For special license plates that provide financial assistance
6 created pursuant to the provisions of this section, the Tax
7 Commission shall be authorized to enter into a licensing agreement
8 with an organization for any licensing fees that may be required to
9 use the organization's logo or design.

10 E. The fee for special license plates that provide financial
11 assistance shall be determined in accordance with Section ~~1 of this~~
12 ~~act~~ 1135.9 of this title. Provided, the fee shall be no less than
13 Thirty-five Dollars (\$35.00) and shall be in addition to all other
14 registration fees provided by the Oklahoma Vehicle License and
15 Registration Act. Thirty-five Dollars (\$35.00) per year of renewal
16 of the fee shall be apportioned as follows:

- 17 1. a. Twenty Dollars (\$20.00) of the fee shall be
18 apportioned to the License Plate Special Program
19 Assistance Revolving Fund created in Section 1135.8 of
20 this title to be used in the manner detailed in the
21 application for the special license plate~~+~~, except as
22 provided in subparagraph b of this paragraph.
- 23 b. If the Tax Commission has entered into a licensing
24 agreement with an organization for the use of its

1 design or logo pursuant to Chapter 74 of Title 47 of
2 the Oklahoma Statutes, an amount to be determined in
3 the licensing agreement, but not to exceed twenty
4 (\$20) dollars per license plate issued, shall be
5 transferred monthly to that organization as payment of
6 licensing fees and no fee shall be apportioned to the
7 License Plate Special Program Assistance Revolving
8 Fund.

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

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

15 ~~E.~~ If F. Except as otherwise provided in subsection D and
16 subparagraph b of paragraph 1 of subsection E of this section, if a
17 person applies for a special license plate that provides financial
18 assistance, the application shall designate a state agency to be
19 responsible for expending the funds generated by the special license
20 plate and the application shall designate a specific public purpose
21 for which the funds are to be used. The application shall include
22 an acknowledgment from the designated state agency of their
23 agreement with acceptance of the designated funds.

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

6 Special license plates shall be renewed each year by the Tax
7 Commission or a motor license agent, unless authorized by the Tax
8 Commission to be renewed for a period greater than one (1) year.
9 The Tax Commission shall notify all persons issued special license
10 plates of the renewal procedures prior to the expiration of the
11 special license plate. The notice shall contain all necessary
12 information and shall contain instructions for the renewal procedure
13 upon presentation to a motor license agent or the Tax Commission.
14 The license plates shall be issued on a staggered system.

15 The Tax Commission is hereby directed to develop and implement a
16 system whereby motor license agents are permitted to accept
17 applications for special license plates authorized under this
18 section. The motor license agent shall confirm the applicant's
19 eligibility, if applicable, collect and deposit any amount
20 specifically authorized by law, accept and process the necessary
21 information directly into such system and generate a receipt
22 accordingly. For performance of these duties, motor license agents
23 shall retain the fee provided in Section 1141.1 of this title for
24 registration of a motor vehicle. The motor license agent fees for

1 acceptance of applications and renewals shall be paid out of the
2 Oklahoma Tax Commission Reimbursement Fund.

3 ~~G.~~ H. All special plates issued by the Tax Commission prior to
4 ~~the effective date of this act~~ November 1, 2005, shall not be
5 subject to the requirements and qualifications outlined in this
6 section.

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

10 SECTION 2. This act shall become effective November 1, 2021.

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