

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1765

By: Coleman

COMMITTEE SUBSTITUTE

An Act relating to motor vehicles; defining terms;
requiring the Oklahoma Tax Commission to provide a
list of open recalls for certain vehicle; providing
for protection against certain liability; 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 1139.2 of Title 47, unless there
is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Commission" means the Oklahoma Tax Commission; and

2. "Open recall" means a safety recall for which the remedy is
free to the owner, and the first notification by a manufacturer has
been provided under 49 U.S.C., Section 30119 within the last ten
(10) years.

B. The Commission shall, prior to issuing a motor vehicle
registration or mailing a motor vehicle registration renewal notice,
check information made available by the National Highway Traffic

1 Safety Administration to determine whether the motor vehicle is
2 subject to an open recall. For a vehicle that is subject to one or
3 more open recalls, the Commission shall provide the owner of the
4 motor vehicle written notice of all open recalls applicable to the
5 motor vehicle. The recall notice shall be provided at the time the
6 vehicle is registered, except that for registration renewals, the
7 recall notice shall be included in the registration renewal notice.
8 The recall notice shall include the following:

- 9 1. A description of each open recall; and
- 10 2. A statement that each open recall may be repaired by a motor
11 vehicle dealer approved by the manufacturer of the motor vehicle at
12 no cost to the owner of the motor vehicle, except as provided in 49
13 U.S.C., Section 30120.

14 C. The employees of the Commission, for the purposes of
15 discharging their duties pursuant to this section, shall not be
16 liable to any person for any act or omission related to the open
17 recall notice provided pursuant to this section, except for cases of
18 gross negligence.

19 SECTION 2. This act shall become effective November 1, 2022.
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