

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 169

By: Coleman

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7 COMMITTEE SUBSTITUTE

8 An Act relating to special license plates; amending  
9 47 O.S. 2011, Section 1135.7, as amended by Section  
10 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2020,  
11 Section 1135.7), which relates to the design and  
12 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.

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

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1135.7, as  
17 amended by Section 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2020,  
18 Section 1135.7), is amended to read as follows:

19 Section 1135.7. A. The Oklahoma Tax Commission or private  
20 vendor with whom the Commission has contracted is authorized to  
21 design and issue special license plates to any person that applies  
22 to the Tax Commission or private vendor for the creation of a  
23 special license plate and meets the minimum standards and  
24 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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