

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   HOUSE BILL 2202

By: Wolfley

7                               AS INTRODUCED

8           An Act relating to motor vehicles; amending 47 O.S.  
9           2011, Section 1151, as last amended by Section 3,  
10          Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2020, Section  
11          1151), which relates to offense and penalties;  
            allowing for the operation of a vehicle for certain  
            time frame following expiration of license plate; and  
            providing an effective date.

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

15           SECTION 1.        AMENDATORY        47 O.S. 2011, Section 1151, as  
16   last amended by Section 3, Chapter 337, O.S.L. 2012 (47 O.S. Supp.  
17   2020, Section 1151), is amended to read as follows:

18           Section 1151.   A.   It shall be unlawful for any person to commit  
19   any of the following acts:

20           1.   To lend or to sell to, or knowingly permit the use of by,  
21   one not entitled thereto any certificate of title, license plate or  
22   decal issued to or in the custody of the person so lending or  
23   permitting the use thereof;

1       2. To alter or in any manner change a certificate of title,  
2 registration certificate, license plate or decal issued under the  
3 laws of this or any other state;

4       3. To procure from another state or country, or display upon  
5 any vehicle owned by such person within this state, except as  
6 otherwise provided in the Oklahoma Vehicle License and Registration  
7 Act, any license plate issued by any state or country other than  
8 this state, unless there shall be displayed upon such vehicle at all  
9 times the current license plate and decal assigned to it by the  
10 Oklahoma Tax Commission or the Corporation Commission or the vehicle  
11 shall display evidence that the vehicle is registered as a  
12 nonresident vehicle pursuant to rules promulgated by the Tax  
13 Commission, with the concurrence of the Department of Public Safety.  
14 A violation of the provisions of this paragraph shall be presumed to  
15 have occurred if a person who is the holder of an Oklahoma driver  
16 license operates a vehicle owned by such person on the public roads  
17 or highways of this state and there is not displayed on the vehicle  
18 a current Oklahoma license plate and decal, unless the vehicle is  
19 owned by a member of the Armed Forces of the United States assigned  
20 to duty in this state in compliance with official military or naval  
21 orders or the spouse of such a member of the Armed Forces;

22       4. To drive, operate or move, or for the owner to cause or  
23 permit to be driven or moved, upon the roads, streets or highways of  
24 this state, any vehicle loaded in excess of its registered laden

1 weight, or which is licensed for a capacity less than the  
2 manufacturer's rated capacity as provided for in the Oklahoma  
3 Vehicle License and Registration Act;

4 5. To operate a vehicle without proper license plate or decal  
5 or on which all taxes due the state have not been paid. However,  
6 there shall be a grace period of one (1) month following the date of  
7 which taxes are due the state. During the grace period, the vehicle  
8 may be operated without risk of penalty for late taxes or for  
9 operating said vehicle during that time;

10 6. To buy, sell or dispose of, or possess for sale, use or  
11 storage, any secondhand or used vehicle on which the registration or  
12 license fee has not been paid, as required by law, and on which  
13 vehicle the person neglects, fails or refuses to display at all  
14 times the license plate or decal assigned to it;

15 7. To give a fictitious name or fictitious address or make any  
16 misstatement of facts in application for certificate of title and  
17 registration of a vehicle;

18 8. To purchase a license plate on an assigned certificate of  
19 title. This particular paragraph shall be applicable to all persons  
20 except a bona fide registered dealer in used cars who are holders of  
21 a current and valid used car dealer license;

22 9. To operate a vehicle upon the highways of this state after  
23 the registration deadline for that vehicle without a proper license  
24

1 plate, as prescribed by the Oklahoma Vehicle License and  
2 Registration Act, for the current year;

3 10. For any owner of a vehicle registered on the basis of laden  
4 weight to fail or refuse to weigh or reweigh it when requested to do  
5 so by any enforcement officer charged with the duty of enforcing  
6 this law;

7 11. To operate or possess any vehicle which bears a motor  
8 number or serial number other than the original number placed  
9 thereon by the factory except a number duly assigned and authorized  
10 by the state;

11 12. For any motor license agent to release a license plate, a  
12 manufactured home registration receipt, decal or excise tax receipt  
13 to any unauthorized person or source, including any dealer in new or  
14 used motor vehicles. Violation of this paragraph shall constitute  
15 sufficient grounds for discharge of a motor license agent by the Tax  
16 Commission;

17 13. To operate any vehicle registered as a commercial vehicle  
18 without the lettering requirements of Section 1102 of this title; or

19 14. To operate any vehicle in violation of the provisions of  
20 Sections 7-600 through 7-606 of this title while displaying a yearly  
21 decal issued to the owner who has filed an affidavit with the  
22 appropriate motor license agent in accordance with Section 7-607 of  
23 this title.  
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1 Any person convicted of violating any provision of this  
2 subsection, other than paragraph 3 of this subsection, shall be  
3 deemed guilty of a misdemeanor and upon conviction shall be punished  
4 by a fine not to exceed Five Hundred Dollars (\$500.00). Any person  
5 convicted of violating the provisions of paragraph 3 of this  
6 subsection shall be deemed guilty of a misdemeanor and, upon  
7 conviction, shall be punished by a fine of not less than One Hundred  
8 Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00)  
9 and shall be required to obtain an Oklahoma license plate.  
10 Employees of the Corporation Commission may be authorized by the  
11 Corporation Commission to issue citations to motor carriers or  
12 operators of commercial motor vehicles, pursuant to the jurisdiction  
13 of the Corporation Commission, for a violation of this subsection.  
14 If a person convicted of violating the provisions of this subsection  
15 was issued a citation by a duly authorized employee of the  
16 Corporation Commission, the fine herein levied shall be apportioned  
17 as provided in Section 1167 of this title.

18 B. Except as otherwise authorized by law, it shall be unlawful  
19 to:

20 1. Lend or sell to, or knowingly permit the use of by, one not  
21 entitled thereto any certificate of title issued for a manufactured  
22 home, manufactured home registration receipt, manufactured home  
23 registration decal or excise tax receipt;  
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1       2. Alter or in any manner change a certificate of title issued  
2 for a manufactured home under the laws of this state or any other  
3 state;

4       3. Remove or alter a manufactured home registration receipt,  
5 manufactured home registration decal or excise tax receipt attached  
6 to a certificate of title or attach such receipts to a certificate  
7 of title with the intent to misrepresent the payment of the required  
8 excise tax and registration fees;

9       4. Buy, sell, or dispose of, or possess for sale, use or  
10 storage any used manufactured home on which the registration fees or  
11 excise taxes have not been paid as required by law; or

12       5. Purchase identification, manufactured home registration  
13 receipt, manufactured home registration decal or excise tax receipt  
14 on an assigned certificate of title.

15       Anyone violating the provisions of this subsection, upon  
16 conviction, shall be guilty of a felony.

17       C. In the event a new vehicle is not registered within thirty  
18 (30) days from date of purchase, the penalty for the failure of the  
19 owner of the vehicle to register the vehicle within thirty (30) days  
20 shall be One Dollar (\$1.00) per day; provided, that in no event  
21 shall the penalty exceed One Hundred Dollars (\$100.00). No penalty  
22 shall be waived by the Oklahoma Tax Commission or any motor license  
23 agent except as provided in subsection C of Section 1127 of this  
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1 title. Of each dollar penalty collected pursuant to this  
2 subsection:

3 1. Twenty-one cents (\$0.21) shall be apportioned as provided in  
4 Section 1104 of this title;

5 2. Twenty-one cents (\$0.21) shall be retained by the motor  
6 license agent; and

7 3. Fifty-eight cents (\$0.58) shall be deposited in the General  
8 Revenue Fund. The penalty for new commercial vehicles shall be  
9 equal to the license fee for such vehicles.

10 If a used vehicle is brought into Oklahoma by a resident of this  
11 state and is not registered within thirty (30) days, a penalty of  
12 One Dollar (\$1.00) per day shall be charged from the date of entry  
13 to the date of registration; provided, that in no event shall the  
14 penalty exceed One Hundred Dollars (\$100.00). No penalty shall be  
15 waived by the Oklahoma Tax Commission or any motor license agent  
16 except as provided in subsection C of Section 1127 of this title.  
17 Of each dollar penalty collected pursuant to this subsection:

18 1. Twenty-one cents (\$0.21) shall be apportioned as provided in  
19 Section 1104 of this title;

20 2. Twenty-one cents (\$0.21) shall be retained by the motor  
21 license agent; and

22 3. Fifty-eight cents (\$0.58) shall be deposited in the General  
23 Revenue Fund. The penalty for used commercial vehicles shall be  
24 equal to the license fee for such vehicles.

1 D. Any owner who knowingly makes or causes to be made any false  
2 statement of a fact required in this section to be shown in an  
3 application for the registration of one or more vehicles shall be  
4 deemed guilty of a misdemeanor and, upon conviction, shall be fined  
5 not more than One Thousand Dollars (\$1,000.00), or shall be  
6 imprisoned in the county jail for not more than one (1) year, or by  
7 both such fine and imprisonment.

8 E. The following self-propelled or motor-driven and operated  
9 vehicles shall not be registered under the provisions of the  
10 Oklahoma Vehicle License and Registration Act or, except as provided  
11 for in Section 11-1116 of this title, be permitted to be operated on  
12 the streets or highways of this state:

13 1. Vehicles known and commonly referred to as "minibikes" and  
14 other similar trade names; provided, minibikes may be registered and  
15 operated in this state by food vendor services upon streets having a  
16 speed limit of thirty (30) miles per hour or less;

17 2. Golf carts;

18 3. Go-carts; and

19 4. Other motor vehicles, except motorcycles, which are  
20 manufactured principally for use off the streets and highways.

21 Transfers and sales of such vehicles shall be subject to sales  
22 tax and not motor vehicle excise taxes.

23 F. Any person violating paragraph 3 or 6 of subsection A of  
24 this section, in addition to the penal provisions provided in this



1 section, shall pay as additional penalty a sum equal to the amount  
2 of license fees due on such vehicle or registration fees due on a  
3 manufactured home known to be in violation and such amount is hereby  
4 declared to be a lien upon the vehicle as provided in the Oklahoma  
5 Vehicle License and Registration Act. In addition to the penalty  
6 provisions provided in this section, any person violating paragraph  
7 3 of subsection A of this section shall be deemed guilty of a  
8 misdemeanor and shall, upon conviction, be punished by a fine of One  
9 Hundred Dollars (\$100.00).

10 G. Each violation of any provision of the Oklahoma Vehicle  
11 License and Registration Act for each and every day such violation  
12 has occurred shall constitute a separate offense.

13 H. Anyone violating any of the provisions heretofore enumerated  
14 in this section shall be guilty of a misdemeanor and upon conviction  
15 shall be fined not less than Ten Dollars (\$10.00) and not to exceed  
16 Three Hundred Dollars (\$300.00).

17 I. Any violation of any portion of the Oklahoma Vehicle License  
18 and Registration Act where a specific penalty has not been imposed  
19 shall constitute a misdemeanor and upon conviction thereof the  
20 person having violated it shall be fined not less than Ten Dollars  
21 (\$10.00) and not to exceed Three Hundred Dollars (\$300.00).

22 J. Any provision of the Oklahoma Vehicle License and  
23 Registration Act providing for proportional registration under  
24 reciprocal agreements and the International Registration Plan that

1 relates to the promulgation of rules and regulations shall not be  
2 subject to the provisions of this section.

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

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5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/09/2021 -  
6 DO PASS.

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