

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 3179

By: Phillips and **Frix**

7 AS INTRODUCED

8 An Act relating to motor vehicles; defining terms;
9 requiring registration for certain vehicles;
10 disallowing for-hire transportation in certain
11 vehicles; amending 47 O.S. 2021, Section 1113, which
12 relates to the issuance of certificates of
13 registration, license plates and decals; providing
14 for the distinctive design and issuance of license
15 plates, decals and registration for certain vehicles;
16 providing for plate placement on vehicle; providing
17 for fee for replacement plate; authorizing for the
18 design, color and size of plate and decals; requiring
19 certain decals to be of a different color; requiring
20 issuance of a certain identification number;
21 requiring the tagging of certain other vehicle;
22 requiring certain one-time processing fee; providing
23 for codification; and providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-133.1a of Title 47, unless
21 there is created a duplication in numbering, reads as follows:

22 A. A "military surplus vehicle" is any motor vehicle having:

1 1. Three axles or fewer that meet the legal size and weight
2 limits set forth in Section 14-103 of Title 47 of the Oklahoma
3 Statutes;

4 2. An age less than thirty-five (35) years old and was
5 manufactured for use in either the United States Armed Forces or any
6 country that was a member of the North Atlantic Treaty Organization
7 at the time the vehicle was manufactured. Such vehicle shall have
8 been subsequently authorized for sale to civilians, except that
9 military surplus vehicle does not include a tracked vehicle;

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

13 4. Equipment required by the provisions of Sections 12-201
14 through 12-232 of Title 47 of the Oklahoma Statutes, with respect to
15 equipment on vehicles.

16 B. A military surplus vehicle operated on the streets and
17 highways of this state shall be registered as a motor vehicle.

18 C. Military surplus vehicles may be used as other vehicles of
19 the same type, except military surplus vehicles may not transport
20 people for hire.

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1-133.1b of Title 47, unless
23 there is created a duplication in numbering, reads as follows:

1 "Military surplus vehicle collector" means the owner of one or
2 more military surplus vehicles who acquires, collects, purchases,
3 trades, or disposes of such vehicles or parts thereof for such
4 person's own use in order to restore, preserve, and maintain such
5 vehicle or vehicles for historic interest.

6 SECTION 3. AMENDATORY 47 O.S. 2021, Section 1113, is
7 amended to read as follows:

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

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

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

1 Section 1114 of this title. The yearly decal will
2 validate the license plate for each registration
3 period other than the year the license plate is
4 issued. The license plate and decal shall be of such
5 size, color, design and numbering as the Tax
6 Commission may direct. However, yearly decals issued
7 to the owner of a vehicle who has filed an affidavit
8 with the appropriate motor license agent in accordance
9 with Section 7-607 of this title shall be a separate
10 and distinct color from all other decals issued under
11 this section.

- 12 b. The Oklahoma Tax Commission shall design and issue a
13 temporary tag to out-of-state owners of street-legal
14 utility vehicles. The temporary tag shall be
15 recognized in lieu of registration in this state. The
16 temporary tag shall clearly indicate the date of
17 issuance and the date of expiration, which shall be
18 five (5) days, including the day of issuance. Upon
19 application for a temporary tag, the out-of-state
20 owner shall show proof of insurance coverage that
21 satisfies the requirements of the Compulsory Insurance
22 Law pursuant Section 7-600 et seq. of this title. The
23 Oklahoma Tax Commission is authorized to promulgate

1 rules and procedures to implement the provisions of
2 this paragraph.

- 3 3. a. The operation of a military surplus vehicle, as
4 defined by Section 1 of this act, on the streets and
5 highways of this state requires that the vehicle be
6 issued a certificate of registration and license plate
7 to be renewed annually. Upon the filing of a
8 registration application and the payment of the fees
9 provided for in the Oklahoma Vehicle License and
10 Registration Act, the Oklahoma Tax Commission or
11 Corporation Commission, as applicable, shall design
12 and assign license plates of a distinctive design in
13 lieu of the usual license plates that shall show, in
14 addition to the identification number, that the
15 vehicle meets the qualifications of a military surplus
16 vehicle, as the case may be, owned by an Oklahoma
17 military surplus vehicle collector. The registration
18 shall be valid for one (1) year and may be renewed by
19 payment of such annual fee. The yearly decal shall
20 have an identification number and the last two numbers
21 of the registration year for which it shall expire.
22 Except as provided by Section 1113A of this title, the
23 license plate shall be affixed to the exterior of the
24 vehicle until a replacement license plate is issued.

1 If the owner applies for a replacement license plate,
2 the Tax Commission shall charge the fee provided for
3 in Section 1114 of this title. The yearly decal will
4 validate the license plate for each registration
5 period other than the year the license plate is
6 issued. The license plate and decal shall be of such
7 size, color, design, and numbering as the Tax
8 Commission may direct. However, yearly decals issued
9 to the owner of a vehicle who has filed an affidavit
10 with the appropriate motor license agent in accordance
11 with Section 7-607 of this title shall be a separate
12 and distinct color from all other decals issued under
13 this section.

14 b. Each military surplus vehicle collector, as defined by
15 Section 2 of this act, who applies for military
16 surplus vehicle license plates will be issued a
17 military surplus collector's identification number
18 that will appear on each license plate. Second and
19 all subsequent registrations under this section by the
20 same collector will bear the same collector's
21 identification number followed by a suffix letter for
22 vehicle identification.

23 c. A military surplus vehicle collector must own and have
24 registered one or more vehicles with regular Oklahoma

1 license plates that are used for regular
2 transportation.

3 d. There shall be a one-time processing fee of Twenty
4 Dollars (\$20.00) to defray the cost of issuing the
5 original military surplus vehicle collector's military
6 surplus vehicle designation license plates to ensure
7 that each collector will be issued only one
8 collector's identification number.

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

21 ~~4.~~ 5. Upon payment of the annual registration fee provided in
22 Section 1133 of this title, the Tax Commission or Corporation
23 Commission, as applicable, or a motor license agent may issue a
24 permanent nonexpiring license plate to an owner of one hundred or

1 more commercial motor vehicles and for vehicles registered under the
2 provisions of Section 1120 of this title. Upon payment of the
3 annual registration fee, the Tax Commission or Corporation
4 Commission shall issue a certificate of registration that shall be
5 carried at all times in the vehicle for which it is issued.
6 Provided, if the registrant submits its application through
7 electronic means, such qualified owners of one hundred or more
8 commercial motor vehicles, properly registered pursuant to the
9 provisions of Section 1133 of this title, may elect to receive a
10 permanent certificate of registration that shall be carried at all
11 times in the vehicle for which it is issued.

12 ~~5.~~ 6. Every vehicle owned by an agency of this state shall be
13 exempt from the payment of registration fees required by this title.
14 Provided, such vehicle shall be registered and shall otherwise
15 comply with the provisions of the Oklahoma Vehicle License and
16 Registration Act.

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

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

23 2. The provisions of the Oklahoma Vehicle License and
24 Registration Act regarding the issuance of yearly decals shall not

1 apply to the issuance of apportioned license plates, including
2 license plates for state vehicles, and exempt plates for
3 governmental entities and fire departments organized pursuant to
4 Section 592 of Title 18 of the Oklahoma Statutes;

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

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

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

24

1 6. Within the limits prescribed in this section, the Tax
2 Commission shall design appropriate official license plates for
3 vehicles of the Oklahoma Military Department. Such license plates
4 shall have the legend "Oklahoma OK" and shall contain the letters
5 "OMD" followed by the state seal and three numbers or letters as
6 designated by the Adjutant General. The words "Oklahoma Military
7 Department" shall also be included on such license plates;

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

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

1 C. Where the applicant has satisfactorily shown that the
2 applicant owns the vehicle sought to be registered but is unable to
3 produce documentary evidence of the ownership, a license plate may
4 be issued upon approval by the Tax Commission or Corporation
5 Commission, as applicable. In such instances the reason for not
6 issuing a certificate of title shall be indicated on the receipt
7 given to the applicant. It shall still be the duty of the applicant
8 to immediately take all necessary steps to obtain the Oklahoma
9 certificate of title and it shall be unlawful for the applicant to
10 sell the vehicle until the certificate has been obtained in the
11 applicant's name.

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

1 appearing on such certificate has been changed, altered, obliterated
2 or concealed in any way, until the proper registration or
3 identification of such vehicle has been made or produced by the
4 owner thereof.

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

1 be required to be affixed and the owner thereof shall be given a
2 receipt upon payment of ad valorem taxes due on the home. The Tax
3 Commission shall make sufficient plates and decals available to the
4 various motor license agents of the state in order for an owner of a
5 manufactured home to acquire the plate or decal. A one-dollar fee
6 shall be charged for issuance of any plate or decal. The fee shall
7 be apportioned each month to the General Revenue Fund of the State
8 Treasury.

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

24

1 G. Upon the registration of a manufactured home in this state
2 for the first time or upon discovery of a manufactured home
3 previously registered within this state for which the information
4 required by this subsection is not known, the Tax Commission shall
5 obtain:

6 1. The name of the owner of the manufactured home;

7 2. The serial number or identification number of the
8 manufactured home;

9 3. A legal description or address of the location for the home;

10 4. The actual retail selling price of the manufactured home
11 excluding Oklahoma taxes;

12 5. The certificate of title number for the home; and

13 6. Any other information which the Tax Commission deems to be
14 necessary.

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

22 SECTION 4. This act shall become effective November 1, 2022.

23
24 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/01/2022 -
DO PASS, As Coauthored.