

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 2986

By: Bashore and Frix

AS INTRODUCED

An Act relating to vehicle excise tax; amending 68 O.S. 2021, Section 2104, which relates to tax definition; modifying value definition; and providing an effective date.

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

SECTION 1. AMENDATORY 68 O.S. 2021, Section 2104, is amended to read as follows:

Section 2104. A. The value of any motor vehicle, except a manufactured home, for the purposes of the excise tax levied by Section 2103 of this title, shall be determined as of the time the person applying for a certificate of title thereto obtained either ownership or possession of the vehicle, which shall be presumed to be the actual date of the sale or other transfer of ownership, and assignment of the certificate of title.

B. 1. The value of any vehicle, for purposes of the excise tax levied by Section 2103 of this title, shall be the actual sales price of such a vehicle ~~before~~ after any discounts or credits are given for a trade-in. ~~However, the value~~

1 2. For purposes of computing the maximum value or the minimum
2 value of the vehicle to calculate the amount of motor vehicle excise
3 tax due, and notwithstanding the actual sales price of the vehicle
4 as negotiated between the seller and buyer, the sales price of the
5 vehicle prior to the subtraction of ~~such~~ discounts or credits for a
6 trade-in shall be required to be within twenty percent (20%) of the
7 average retail price value of such vehicle as listed in the
8 automotive reference material prescribed by the Oklahoma Tax
9 Commission.

10 3. The ~~actual sales price value~~ of the vehicle as computed in
11 paragraph 1 of this subsection, which total shall be the basis of
12 the motor vehicle excise tax, as well as:

13 a. the sales price of the vehicle for purposes of
14 paragraph 2 of this subsection,

15 b. the number of tires on the vehicle, and

16 c. the tire rim diameters,

17 shall be entered on the bill of sale furnished by the seller to the
18 purchaser, or on such other form as may be prescribed by the Tax
19 Commission.

20 C. Upon receipt of the properly completed bill of sale or other
21 form as prescribed by the Tax Commission, and the payment of all
22 applicable taxes and fees, the Tax Commission or an appointed motor
23 license agent shall issue a vehicle certificate of title in
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1 accordance with the provisions of the Oklahoma Vehicle License and
2 Registration Act.

3 D. On or before November 1, 2025, the Oklahoma Tax Commission
4 shall file a report with the Governor, the Speaker of the House of
5 Representatives, the President Pro Tempore of the Senate, the Chair
6 of the Appropriations and Budget Committee of the House of
7 Representatives, and the Chair of the Appropriations Committee of
8 the Senate. The report shall state the fiscal impact of the motor
9 vehicle excise tax over the previous three (3) fiscal years, the
10 future projections of the motor vehicle excise tax, and any other
11 information important to the implementation and fiscal impact of
12 motor vehicle excise tax.

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

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