

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1264

By: Bergstrom

AS INTRODUCED

An Act relating to vehicle licensing and registration; amending 47 O.S. 2021, Section 1134, which relates to fees and exemptions for farm vehicles; modifying requirement to obtain farm vehicle license plate or exception to include the ownership or lease of agricultural land; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 1134, is amended to read as follows:

Section 1134. A. Upon each pickup, truck or truck-tractor owned and operated by one or more farmers and used primarily for farm use, and not for commercial or industrial purposes, the license fee shall be Thirty Dollars (\$30.00). As used in this section, the term "pickup" shall mean a small, light truck with an open back or box used for hauling and designed primarily for the carrying of property rather than people. The term "truck" shall mean a motor vehicle designed or converted primarily for carrying or hauling farm commodities, property, livestock, or equipment, rather than people.

1 B. The fees assessed pursuant to this section shall not apply
2 to trailers or semitrailers or combinations thereof used primarily
3 for farm use and for the transportation of products of the farm by
4 the producer thereof. Such fee shall not apply to any trailer or
5 semitrailer or combinations thereof when used primarily for the
6 transportation of any article or articles owned by the operator of
7 the trailer or semitrailer or combinations thereof and not used in
8 the furtherance of or incident to any commercial or industrial
9 enterprise. The provisions of Section 1134.2 of this title shall
10 apply to any trailers or semitrailers when used primarily for the
11 transportation of logs, ties, stave bolts and posts, direct from
12 forest to sawmill.

13 C. For the purpose of this section, a trailer or semitrailer or
14 combination thereof owned by a farmer and used primarily for the
15 purpose of transporting farm products to market or for the purpose
16 of transporting to the farm material or things to be used thereon,
17 and not for commercial or industrial purposes, may be registered for
18 One Dollar (\$1.00); provided, any such trailer used by the holder of
19 a certificate of convenience and necessity issued by the ~~Oklahoma~~
20 Corporation Commission or the Interstate Commerce Commission shall
21 be conclusively presumed to be used in and for a commercial use, and
22 must be licensed as such, paying the license fees provided in
23 Section 1133 of this title.
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1 D. Before a party shall be allowed to purchase a license plate
2 or claim an exception or exemption under this section, the party
3 shall:

4 1. Show an income tax Schedule F for the preceding year; ~~or~~

5 2. Present a valid exemption card issued pursuant to the
6 provisions of Section 1358.1 of Title 68 of the Oklahoma Statutes;
7 or

8 3. Present proof of ownership or lease of land classified as
9 agricultural land for the purpose of ad valorem assessment pursuant
10 to the Ad Valorem Tax Code, Section 2801 et seq. of Title 68 of the
11 Oklahoma Statutes.

12 A violation shall be grounds for revocation of driver's license.
13 Any person who signs the affidavit as required by this section when
14 the person does not believe that the information in the affidavit is
15 true or knows it is not true, upon conviction, shall be guilty of
16 perjury and shall be punished as provided for by law.

17 E. Any person owning a truck upon which the farm truck license
18 fee has been paid in Oklahoma for the current year and whose truck
19 may be needed during grain harvests or other seasonal farming
20 activities for hauling farm products other than his or her own, or
21 for hauling gravel, shale or other road materials for rural roads,
22 may make application with the Oklahoma Tax Commission for a short
23 term commercial license for such truck for a period of time not to
24 exceed ninety (90) days as provided for in subsection F of this

1 section, or may make application in accordance with the Motor
2 Carrier Harvest Permit Act of 2006 if applicable.

3 F. Upon such application, the Tax Commission shall issue a
4 temporary commercial truck license and register the truck upon
5 payment of the following fees:

6 1. For thirty (30) days a fee equal to one-eighth (1/8) of the
7 annual commercial license fee required for such truck.

8 2. For sixty (60) days a fee equal to one-fourth (1/4) of the
9 annual commercial license fee required for such truck.

10 3. For ninety (90) days a fee equal to three-eighths (3/8) of
11 the annual commercial license fee required for such truck.

12 G. Provided, however, the provisions of this section shall not
13 apply to the transportation of persons or property for hire.

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