

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1765

By: Coleman

6 AS INTRODUCED

7 An Act relating to motor vehicles; providing
8 definitions; requiring the Oklahoma Motor Vehicle
9 Commission to provide with motor vehicle registration
10 a list of open recalls for the vehicle; requiring
11 repairs before renewal of registration; providing for
12 contents of notice; allowing the Commission to deny
13 renewal for registration if motor vehicle owner does
14 not remedy recalls in notice; allowing for extensions
15 under certain conditions; providing for protection
16 against certain liability; providing for
17 codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 563.1 of Title 47, unless there
18 is created a duplication in numbering, reads as follows:

19 A. As used in this section:

20 1. "Commission" means the Oklahoma Tax Commission;

21 2. "Director" means the Executive Director of the Oklahoma
22 Motor Vehicle Commission; and

23 3. "Open recall" means a safety recall applicable to a specific
24 motor vehicle, according to information made available by the

1 National Highway Traffic Safety Administration, that has not been
2 repaired.

3 B. The Oklahoma Motor Vehicle Commission shall, prior to
4 issuing a motor vehicle registration or mailing a motor vehicle
5 registration renewal notice, check information made available by the
6 National Highway Traffic Safety Administration to determine whether
7 the motor vehicle is subject to an open recall. For a vehicle that
8 is subject to one or more open recalls, the Commission shall provide
9 the owner of the motor vehicle written notice of all open recalls
10 applicable to the motor vehicle. The recall notice shall be
11 provided at the time the vehicle is registered, except that for
12 registrational renewals, the recall notice shall be included in the
13 registration renewal notice. The recall notice shall include the
14 following:

- 15 1. A description of each open recall;
- 16 2. A statement that each open recall may be repaired by a motor
17 vehicle dealer approved by the manufacturer of the motor vehicle at
18 no cost to the owner of the motor vehicle, except as provided in 49
19 U.S.C., Section 30120; and
- 20 3. A statement that, except as provided in subsection D or E of
21 this section, the Commission shall not issue a registration
22 certificate for a motor vehicle until each open recall is repaired
23 in compliance with the provision of subsection C of this section.

1 C. Notwithstanding any provision of law, after an owner of a
2 motor vehicle receives notice that the motor vehicle is subject to
3 one or more open recalls pursuant to subsection B of this section,
4 the owner shall obtain the necessary repairs before the motor
5 vehicle's next registration renewal. It shall be the responsibility
6 of the owner to submit proof, in a manner determined by the
7 Director, that the repairs needed to address all open recalls have
8 been made. The Director shall deny an application for registration
9 renewal for any motor vehicle that has failed to receive repairs
10 necessary to remedy an open recall within the time period
11 established by this section.

12 D. The Director shall extend for six-month intervals, the
13 registration of a motor vehicle subject to an open recall for which
14 parts or equipment to repair the open recall are unavailable.

15 E. The Director may, at the Director's discretion, extend the
16 registration of a motor vehicle subject to an open recall for a
17 period not to exceed one six-month period if the owner of the motor
18 vehicle fails to repair the motor vehicle due to circumstances
19 beyond the control of the owner or due to undue hardship.

20 F. Nothing in this section shall alter the liability under law
21 of any motor vehicle manufacturer or motor vehicle dealer approved
22 by the manufacturer to repair an open recall.

23 G. The Director and employees of the Commission who are
24 designated by the Director, for the purposes of discharging their

1 duties pursuant to this section, shall not be liable to any person
2 for any act or omission related to the open recall notice provided
3 pursuant to this section, except for cases of gross negligence.

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

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