

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3898 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Dean Davis

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3898

By: Davis

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to motor vehicles; amending 47 O.S. 2021, Section 1105, as amended by Section 110, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1105), which relates to definitions; exempting certain commercial vehicles from inspection upon payment of fees and submission of affidavit; requiring Service Oklahoma to prescribe form and contents of certain affidavit; amending 47 O.S. 2021, Section 1115, as last amended by Section 1, Chapter 246, O.S.L. 2023 (47 O.S. Supp. 2023, Section 1115), which relates to vehicles required to be registered; providing for biennial and triennial registration of certain vehicles; authorizing Service Oklahoma to promulgate certain rules; setting fees; authorizing licensed operators to retain certain fees; amending 47 O.S. 2021, Section 1133, which relates to the registration of commercial vehicles; providing for biennial and triennial registration of commercial vehicles and trailers; modifying name of responsible agency; setting fees; authorizing licensed operators to retain certain fees; authorizing Service Oklahoma to promulgate certain rules; and providing an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1105, as
2 amended by Section 110, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2023, Section 1105), is amended to read as follows:

4 Section 1105. A. As used in the Oklahoma Vehicle License and
5 Registration Act:

6 1. "Salvage vehicle" means any vehicle which is within the last
7 ten (10) model years and which has been damaged by collision or
8 other occurrence to the extent that the cost of repairing the
9 vehicle for safe operation on the highway exceeds sixty percent
10 (60%) of its fair market value, as defined by Section 1111 of this
11 title, immediately prior to the damage. For purposes of this
12 section, actual repair costs shall only include labor and parts for
13 actual damage to the suspension, motor, transmission, frame or
14 unibody and designated structural components;

15 2. "Rebuilt vehicle" means any salvage vehicle which has been
16 rebuilt and inspected for the purpose of registration and title;

17 3. "Flood-damaged vehicle" means a salvage or rebuilt vehicle
18 which was damaged by flooding or a vehicle which was submerged at a
19 level to or above the dashboard of the vehicle and on which an
20 amount of loss was paid by the insurer;

21 4. "Unrecovered-theft vehicle" means a vehicle which has been
22 stolen and not yet recovered;

23 5. "Recovered-theft vehicle" means a vehicle, including a
24 salvage or rebuilt vehicle, which was recovered from a theft; and

1 6. "Junked vehicle" means any vehicle which is incapable of
2 operation or use on the highway, has no resale value except as a
3 source of parts or scrap and has an eighty percent (80%) loss in
4 fair market value.

5 B. The owner of every vehicle in this state shall possess a
6 certificate of title as proof of ownership of such vehicle, except
7 those vehicles registered pursuant to Section 1120 of this title and
8 trailers registered pursuant to Section 1133 of this title,
9 previously titled by anyone in another state and engaged in
10 interstate commerce, and except as provided in subsection M of this
11 section. Except for owners that possess an agricultural exemption
12 permit pursuant to Section 1358.1 of Title 68 of the Oklahoma
13 Statutes, the owner of an all-terrain vehicle or a motorcycle used
14 exclusively off roads or highways in this state which is purchased
15 or the ownership of which is transferred on or after July 1, 2005,
16 and the owner of a utility vehicle used exclusively off roads and
17 highways in this state which is purchased or the ownership of which
18 is transferred on or after July 1, 2008, shall possess a certificate
19 of title as proof of ownership. Any person possessing an
20 agricultural exemption permit and owning an all-terrain vehicle or a
21 motorcycle used exclusively off roads or highways in this state
22 which is purchased or the ownership of which is transferred on or
23 after July 1, 2008, shall possess a certificate of title as proof of
24 ownership. Upon receipt of proper application information by such

1 owner, Service Oklahoma shall issue an original or transfer
2 certificate of title. Until July 1, 2008, any security interest in
3 an all-terrain vehicle that attached and was perfected before July
4 1, 2005, and that has not otherwise terminated shall remain
5 perfected, and shall take priority over any subsequently perfected
6 security interest in the same all-terrain vehicle, notwithstanding
7 that a certificate of title may have been issued with respect to the
8 same all-terrain vehicle on or after July 1, 2005, and that a lien
9 may have been recorded on said certificate of title. There shall be
10 eight types of certificates of title:

11 1. Original title for any motor vehicle which is not a
12 remanufactured, salvage, unrecovered-theft, rebuilt, rebodied or
13 junked vehicle;

14 2. Salvage title for any motor vehicle which is a salvage
15 vehicle or is specified as a salvage vehicle or the equivalent
16 thereof on a certificate of title from another state;

17 3. Rebuilt title for any motor vehicle which is a rebuilt
18 vehicle;

19 4. Junked title for any motor vehicle which is a junked vehicle
20 or is specified as a junked vehicle or the equivalent thereof on a
21 certificate of title from another state;

22 5. Classic title for any motor vehicle, except a junked
23 vehicle, which is twenty-five (25) model years or older;

24

1 6. Remanufactured title for any vehicle which is a
2 remanufactured vehicle;

3 7. Unrecovered-theft title for any motor vehicle which has been
4 stolen and not recovered; and

5 8. Rebodied title for any motor vehicle which is a rebodied
6 vehicle.

7 Application for a certificate of title, whether the initial
8 certificate of title or a duplicate, may be made to Service Oklahoma
9 or any licensed operator. When application is made with a licensed
10 operator, the application information shall be transmitted either
11 electronically or by mail to Service Oklahoma by the licensed
12 operator. If the application information is transmitted
13 electronically, the licensed operator shall forward the required
14 application along with evidence of ownership, where required, by
15 mail. Where the transmission of application information cannot be
16 performed electronically, Service Oklahoma is authorized to provide
17 postage paid envelopes to licensed operators for the purpose of
18 mailing the application along with evidence of ownership, where
19 required. Service Oklahoma shall upon receipt of proper application
20 information issue an Oklahoma certificate of title. The
21 certificates may be mailed to the applicant. Upon issuance of a
22 certificate of title, Service Oklahoma shall provide the appropriate
23 licensed operator with confirmation of such issuance.

1 C. 1. The application for certificate of title shall be upon a
2 blank form furnished by Service Oklahoma, containing:

- 3 a. a full description of the vehicle,
- 4 b. the manufacturer's serial or other identification
5 number,
- 6 c. the motor number and the date on which first sold by
7 the manufacturer or dealer to the owner,
- 8 d. any distinguishing marks,
- 9 e. a statement of the applicant's source of title,
- 10 f. any security interest upon the vehicle, and
- 11 g. such other information as Service Oklahoma may
12 require.

13 2. The application for a certificate of title for a vehicle
14 which is within the last seven (7) model years shall require a
15 declaration as to whether the vehicle has been damaged by collision
16 or other occurrence and whether the vehicle has been recovered from
17 theft and the extent of the damage to the vehicle. The declaration
18 shall be made by the owner of a vehicle if:

- 19 a. the vehicle has been damaged or stolen,
- 20 b. the owner did or did not receive any payment for the
21 loss from an insurer, or
- 22 c. the vehicle is titled or registered in a state that
23 does not classify the vehicle or brand the title
24

1 because of damage to or loss of the vehicle similar to
2 the classifications or brands utilized by this state.

3 The declaration shall be based upon the best information and
4 knowledge of the owner and shall be in addition to the requirements
5 specified in paragraph 1 of this subsection. Service Oklahoma shall
6 not issue a certificate of title for a vehicle which is subject to
7 the provisions of this paragraph without the required declaration,
8 completed and signed by the owner of the vehicle. Upon receipt of
9 an application without the properly completed declaration, Service
10 Oklahoma shall return the application to the applicant with notice
11 that the title may not be issued without the required declaration.
12 Nothing in this paragraph shall prohibit Service Oklahoma from
13 recognizing the type of or brand on a title or other ownership
14 document issued by another state or the inspection conducted in
15 another state and issuing the appropriate certificate of title for
16 the vehicle.

17 3. The certificate of title shall have the following security
18 features:

- 19 a. intaglio printing or security thread, with or without
20 watermark,
- 21 b. latent images,
- 22 c. fluorescent inks,
- 23 d. micro print,
- 24 e. void background, and

1 f. color coding.

2 4. Each title issued pursuant to the provisions of the Oklahoma
3 Vehicle License and Registration Act shall be color coded as
4 determined by Service Oklahoma.

5 5. The certificate of title shall be of such size and design
6 and color as Service Oklahoma may direct pursuant to the provisions
7 of this section. The title shall be on colored paper or other
8 material as designated by Service Oklahoma and be of such intensity
9 or hue as will allow easy identification as to whether the title is
10 an original title, a salvage title, a rebuilt title, remanufactured
11 title, rebodied title or a junked title. The type of title shall be
12 identified on the front of the certificate of title. The original
13 title, rebuilt title, remanufactured title, an unrecovered-theft
14 title, rebodied title or classic title shall be identified by the
15 word "Original", "Rebuilt", "Remanufactured", "Unrecovered Theft",
16 "Rebodied" or "Classic" printed in the upper right quadrant of the
17 certificate of title, in the space which is currently captioned
18 "type of title". A rebodied title shall also identify on the front
19 of the title the year, make and model of the originally manufactured
20 vehicle which has been rebodied and display a notation that reads as
21 follows: "This vehicle has been assembled with new major components
22 licensed by the original manufacturer."

23 D. 1. To obtain an original certificate of title for a vehicle
24 that is being registered for the first time in this state which has

1 not been previously registered in any other state, the applicant
2 shall be required to deliver, as evidence of ownership, a
3 manufacturer's certificate of origin properly assigned by the
4 manufacturer, distributor, or dealer licensed in this or any other
5 state shown thereon to be the last transferee to the applicant upon
6 a form to be prescribed and approved by Service Oklahoma. A
7 manufacturer's certificate of origin shall contain:

- 8 a. the manufacturer's serial or other identification
9 number,
- 10 b. date on which first sold by the manufacturer to the
11 dealer,
- 12 c. any distinguishing marks including model and the year
13 same was made,
- 14 d. a statement of any security interests upon the
15 vehicle, and
- 16 e. such other information as Service Oklahoma may
17 require.

18 2. The manufacturer's certificate of origin shall have the
19 following security features:

- 20 a. intaglio printing or security thread, with or without
21 watermark,
- 22 b. latent images,
- 23 c. fluorescent inks,
- 24 d. micro print, and

1 e. void background.

2 E. In the absence of a dealer's or manufacturer's number,
3 Service Oklahoma may assign such identifying number to the vehicle,
4 which shall be permanently stamped, burned or pressed or attached
5 into the vehicle, and a certificate of title shall be delivered to
6 the applicant upon payment of all fees and taxes, and the remaining
7 copies shall be permanently filed and indexed by Service Oklahoma.
8 Service Oklahoma shall assign an identifying number to any rebuilt
9 vehicle if the vehicle identification number displayed on the
10 rebuilt vehicle does not accurately describe the vehicle as rebuilt.
11 The licensed operator, at the time of inspection of the rebuilt
12 vehicle pursuant to Section 1111 of this title, shall identify the
13 make, model, and year for the body to accurately describe the
14 rebuilt vehicle. At the time of the inspection, an appropriate
15 identifying number shall be permanently stamped, burned, pressed, or
16 attached on the rebuilt vehicle. The assigned identifying number
17 shall be recorded on the certificate of title for the rebuilt
18 vehicle. The dealer's or manufacturer's vehicle identification
19 number on the rebuilt vehicle shall be preserved in the computer
20 files of Service Oklahoma for at least five (5) years.

21 F. When registering for the first time in this state a vehicle
22 which was not originally manufactured for sale in the United States,
23 to obtain a certificate of title, Service Oklahoma shall require the
24 applicant to deliver:

1 1. As evidence of ownership, if the vehicle has not previously
2 been titled in the United States, the documents constituting valid
3 proof of ownership in the country in which the vehicle was
4 originally purchased, together with a notarized translation of any
5 such documents; and

6 2. As evidence of compliance with federal law, copies of the
7 bond release letters for the vehicle issued by the United States
8 Environmental Protection Agency and the United States Department of
9 Transportation, together with a receipt issued by the Internal
10 Revenue Service indicating that the applicable federal gas guzzler
11 tax has been paid.

12 Service Oklahoma shall not issue a certificate of title for a
13 vehicle which is subject to the provisions of this paragraph without
14 the required documentation from agencies of the United States and
15 evidence of ownership. Upon receipt of an application without the
16 required documentation, Service Oklahoma shall return the
17 application to the applicant with notice that the certificate of
18 title may not be issued without the required documentation. Nothing
19 in this paragraph shall prohibit Service Oklahoma from issuing
20 certificates of title for antique or classic vehicles not driven
21 upon the public streets, roads, or highways, for mini-trucks
22 registered pursuant to Section 1151.3 of this title, or for medium-
23 speed electric vehicles.

1 G. When registering in this state a vehicle which was titled in
2 another state and which title contains the name of a secured party
3 on the face of the other state certificate of title, or such state
4 certificate is being held by the secured party in that state or any
5 other state, Service Oklahoma or the licensed operator shall
6 complete a lien entry form as prescribed by Service Oklahoma. The
7 owner of such vehicle shall file an affidavit with Service Oklahoma
8 or the licensed operator stating that title to the vehicle is being
9 held by a secured party, has not been issued pursuant to the laws of
10 the state where titled, and that there is an existing lien or
11 encumbrance on the vehicle. The current name and address of the
12 secured party or lienholder shall also be stated in the affidavit.
13 The form of the affidavit shall be prescribed by Service Oklahoma
14 and contain any other information deemed necessary by Service
15 Oklahoma. A statement of the lien or encumbrance shall be included
16 on the Oklahoma certificate of title and the lien or encumbrance
17 shall be deemed continuously perfected as though it had been
18 perfected pursuant to Section 1110 of this title. For completing
19 the lien entry form and recording the security interest on the
20 certificate of title, Service Oklahoma or the licensed operator
21 shall collect a fee of Three Dollars (\$3.00) which shall be in
22 addition to other fees provided by the Oklahoma Vehicle License and
23 Registration Act. The fee, if collected by the licensed operator
24

1 pursuant to this subsection, shall be retained by the licensed
2 operator.

3 H. The charge for each certificate of title issued, except for
4 junked titles as defined in paragraph 4 of subsection B of this
5 section, shall be Eleven Dollars (\$11.00), which charge shall be in
6 addition to any other fees or taxes imposed by law for such vehicle.
7 One Dollar (\$1.00) of each such charge shall be deposited in the
8 Oklahoma Tax Commission Reimbursement Fund through December 31,
9 2022, and beginning January 1, 2023, it shall be deposited in the
10 Service Oklahoma Reimbursement Fund. However, the charge shall not
11 apply to any vehicle which is to be registered in this state
12 pursuant to the provisions of Section 1120 or 1133 of this title and
13 which was registered in another state at least sixty (60) days prior
14 to the time it is required to be registered in this state. When an
15 insurer requests a salvage or junk title in the name of the insurer
16 resulting from the settlement of a total loss claim and upon
17 presentation of appropriate proof of loss documentation as required
18 by Service Oklahoma, such transfer may be processed as one title
19 transaction, without first requiring issuance of a replacement
20 certificate of title in the name of the vehicle owner. The fee
21 shall be Twenty-two Dollars (\$22.00). Two Dollars (\$2.00) of this
22 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
23 Fund.

1 I. The vehicle identification number of a junked vehicle shall
2 be preserved in the computer files of Service Oklahoma for a period
3 of not less than five (5) years. The charge of junked titles as
4 defined in paragraph 4 of subsection B of this section shall be Four
5 Dollars (\$4.00). The fee remitted to the Tax Commission shall be
6 deposited in the Oklahoma Tax Commission Reimbursement Fund through
7 December 31, 2022, and beginning January 1, 2023, this fee shall be
8 deposited in the Service Oklahoma Reimbursement Fund.

9 J. If a vehicle is sold to a resident of another state
10 destroyed, dismantled, or ceases to be used as a vehicle, the owner
11 shall immediately notify Service Oklahoma. Absent evidence to the
12 contrary, failure to notify Service Oklahoma shall be prima facie
13 evidence that the vehicle has been in continuous operation in this
14 state.

15 K. If a vehicle is stolen, the owner shall immediately notify
16 the appropriate law enforcement agency. Immediately after receiving
17 such notification, the law enforcement agency shall notify Service
18 Oklahoma.

19 L. Except for all-terrain vehicles, utility vehicles and
20 motorcycles used exclusively for off-road use, no title for an out-
21 of-state vehicle, except any commercial truck or truck-tractor
22 registered pursuant to Section 1120 of this title which is engaged
23 in interstate commerce or any trailer or semitrailer registered
24 pursuant to Section 1133 of this title which is engaged in

1 interstate commerce, shall be issued without an inspection of such
2 vehicle and payment of a fee of Four Dollars (\$4.00) for such
3 inspection; provided, Service Oklahoma may enter into reciprocal
4 agreements with other states for such inspections to be performed at
5 locations outside the boundaries of this state for vehicles which:

6 1. Are offered for sale at auction;

7 2. Have been solely used as vehicles for rent under the
8 ownership of a licensed motor vehicle dealer or a person engaged in
9 the business of renting motor vehicles; or

10 3. Have not been registered in this or any other state for more
11 than one (1) year.

12 The inspection shall include a comparison of the vehicle
13 identification number on the vehicle with the number recorded on the
14 ownership records and the recording of the actual odometer reading
15 on the vehicle. Commercial vehicles registered pursuant to the
16 provisions of Section 1133 et seq. of this title shall be exempt
17 from the inspection requirement of this subsection, upon payment of
18 any fees required pursuant to this subsection when title is issued
19 and submission of an affidavit to Service Oklahoma or the licensed
20 operator. The form of the affidavit shall be prescribed by Service
21 Oklahoma and contain any information deemed necessary by Service
22 Oklahoma. The four-dollar fee shall be collected by the licensed
23 operator or Service Oklahoma when the title is issued. The licensed
24 operator shall retain Two Dollars (\$2.00). The remaining Two

1 Dollars (\$2.00) shall be deposited in the Oklahoma Tax Commission
2 Reimbursement Fund through December 31, 2022, and beginning January
3 1, 2023, this fee shall be deposited in the Service Oklahoma
4 Reimbursement Fund.

5 Service Oklahoma may allow the inspection to be performed at a
6 location out-of-state by another state's department of motor
7 vehicles or state police.

8 M. No title for any out-of-state vehicle offered for sale at
9 salvage pools, salvage disposal sales, or an auction, or by a dealer
10 or a licensed automotive dismantler and parts recycler, shall be
11 issued without an inspection to compare the vehicle identification
12 number on the vehicle with the number recorded on the ownership
13 record and to record the actual odometer reading on the vehicle.
14 Upon request of the seller, person or entity conducting an auction,
15 dealer or licensed dismantler, the inspection shall be conducted at
16 the location or place of business of the sale, auction, dealer, or
17 the dismantler. The inspection shall be conducted by any licensed
18 operator or a duly authorized employee thereof; provided, if the
19 vehicle identification number on the vehicle offered for sale at
20 salvage pools, salvage disposal sales or a classic or antique
21 auction does not match the number recorded on the ownership record,
22 the inspection may be conducted at the location of or place of
23 business of such sale or auction by any state, county or city law
24 enforcement officer. Service Oklahoma may enter into reciprocal

1 agreements with other states for such inspections to be performed at
2 locations outside the boundaries of this state for vehicles which:

3 1. Are offered for sale at auction;

4 2. Have been solely used as vehicles for rent under the
5 ownership of a licensed motor vehicle dealer or a person engaged in
6 the business of renting motor vehicles; or

7 3. Have not been registered in this or any other state for more
8 than one (1) year.

9 The inspection shall be certified upon forms prescribed by Service
10 Oklahoma. The name and other identification of the authorized
11 person conducting the inspection shall be legibly printed or typed
12 on the form. Prior to any inspection by any employee of a licensed
13 operator, the licensed operator shall notify Service Oklahoma of the
14 name and any other identification information requested by Service
15 Oklahoma of the authorized person. A signature specimen of the
16 authorized person shall be submitted to Service Oklahoma by the
17 employing licensed operator. If the authorization to inspect
18 vehicles is withdrawn or the employer-employee relationship is
19 terminated, the licensed operator, immediately, shall notify Service
20 Oklahoma and return any remaining inspection forms to Service
21 Oklahoma. The fee for the inspection shall be Four Dollars (\$4.00).
22 The licensed operator shall retain Three Dollars (\$3.00) of the fee.
23 Fees received by a licensed operator or an authorized employee
24 thereof shall be handled and accounted for in the manner as

1 prescribed by law for any other fees paid to or received by a
2 licensed operator. Out-of-state vehicles brought into this state by
3 a person licensed in another state to sell new or used vehicles to
4 be sold within this state at a motor vehicle auction which is
5 limited to dealer-to-dealer transactions shall not be required to be
6 inspected, unless the vehicle is purchased by an Oklahoma dealer.
7 Any person licensed in another state to sell new or used motor
8 vehicles, who offers a motor vehicle for sale within this state at a
9 motor vehicle auction which is limited to dealer-to-dealer
10 transactions, shall not be within the definition of "owner" in
11 Section 1102 of this title, for purposes of Section 1101 et seq. of
12 this title.

13 N. A licensed motor vehicle dealer, upon payment of a fee of
14 Fifteen Dollars (\$15.00), may reassign an out-of-state certificate
15 of title to a used motor vehicle provided such dealer obtains the
16 appropriate inspection form required by either subsection L or M of
17 this section and attaches the form to the out-of-state certificate
18 of title. Licensed operators shall be allowed to retain Two Dollars
19 and twenty-five cents (\$2.25) of the fee plus an additional Two
20 Dollars (\$2.00) or Three Dollars (\$3.00) as provided in subsections
21 L and M of this section for performance of the inspection. Two
22 Dollars (\$2.00) of the fee shall be deposited in the Service
23 Oklahoma Reimbursement Fund. An out-of-state vehicle which has been
24 rebuilt shall be inspected pursuant to the provisions of Section

1 1111 of this title. Service Oklahoma shall train licensed operators
2 in interpreting vehicle identification numbers to assure that it
3 accurately describes the vehicle and to detect rollback or
4 alteration of the odometer. Failure of a licensed operator to
5 inspect the vehicle and make the required notations shall be a
6 misdemeanor punishable by a fine of not more than One Thousand
7 Dollars (\$1,000.00) for the first offense and Five Thousand Dollars
8 (\$5,000.00) for the second offense or subsequent offense, or by
9 imprisonment in the county jail for not more than six (6) months, or
10 by both such fine and imprisonment.

11 O. The ownership of any unrecovered vehicle which has been
12 declared a total loss by an insurer because of theft shall be
13 transferred to the insurer by an unrecovered-theft vehicle title;
14 provided, the ownership of any such vehicle which has been declared
15 a total loss by an insurer licensed by the Insurance Department of
16 the State of Oklahoma and maintaining a multi-state motor vehicle
17 salvage processing center in this state shall be transferred to the
18 insurer by a salvage or an unrecovered-theft title without the
19 requirement of a visual inspection of the vehicle identification
20 number by the insurer. Upon recovery of the vehicle, the ownership
21 shall be transferred by an original title, salvage title, or junked
22 title, as may be appropriate based upon an estimate of the amount of
23 loss submitted by the insurer.

1 P. When an insurance company makes a total loss settlement on a
2 total loss vehicle and the insurance company or a salvage pool
3 authorized by the insurance company is unable to obtain the properly
4 endorsed certificate of ownership or other evidence of ownership
5 acceptable to Service Oklahoma within thirty (30) days following
6 acceptance by the owner of an offer of an amount in settlement of a
7 total loss, that insurance company or salvage pool, on a form
8 provided by Service Oklahoma and signed under penalty of perjury,
9 may request Service Oklahoma to issue the applicable salvage title
10 for the vehicle. The request shall include information declaring
11 that the requester has made at least two written attempts to obtain
12 the certificate of ownership or other acceptable evidence of title.

13 Q. The owner of any vehicle which is incapable of operation or
14 use on the public roads and has no resale value, except as parts,
15 scrap or junk, may deliver the certificate of title to the vehicle
16 to Service Oklahoma for cancellation. Upon verification that any
17 perfected lien against the vehicle has been released, the
18 certificate of title shall be canceled without any fee, charge, or
19 cost required from the owner. The vehicle identification numbers on
20 the certificates of title shall be preserved in the computer files
21 of Service Oklahoma for at least five (5) years from the date of
22 cancellation of the certificate of title. Service Oklahoma shall
23 prescribe and provide an affidavit form to be completed by the owner
24 of any vehicle for which the certificate of title is canceled. No

1 title or registration shall subsequently be issued for a vehicle for
2 which the certificate of title has been surrendered pursuant to this
3 subsection. Service Oklahoma shall prescribe a form for the
4 transfer of ownership of a vehicle for which the certificate of
5 title has been canceled.

6 R. The owner of a vehicle which is not within the last ten (10)
7 model years, not roadworthy and not capable of repair for operation
8 or use on the roads and highways, or a vehicle which is being sold
9 to a scrap metal dealer pursuant to Section 11-92 of Title 2 of the
10 Oklahoma Statutes, shall transfer the vehicle only upon a
11 certificate of ownership prescribed by Service Oklahoma, if the
12 certificate of title to the vehicle is lost, has been canceled, or
13 otherwise not available. The prescribed ownership form shall
14 include the names and addresses of the buyer and seller, the driver
15 license number or Social Security number of the seller, the make and
16 model of the vehicle, and the public vehicle identification number.
17 If there is no public vehicle identification number, the vehicle
18 shall be inspected by a law enforcement officer to verify the
19 absence of the number on the vehicle and the prescribed ownership
20 form shall include a signed statement, by such officer, verifying
21 the absence of the number.

22 The certificate of ownership shall be completed in triplicate.
23 The buyer and seller shall each retain a copy. Within thirty (30)
24 days of the transaction, the seller shall submit one copy to Service

1 Oklahoma or a licensed operator accompanied with a fee of Four
2 Dollars (\$4.00). One Dollar (\$1.00) shall be retained by the
3 licensed operator and Three Dollars (\$3.00) shall be deposited in
4 the Oklahoma Tax Commission Reimbursement Fund in the State Treasury
5 through December 31, 2022, and beginning January 1, 2023, this fee
6 shall be deposited in the Service Oklahoma Reimbursement Fund.

7 Upon receipt of the certificate, Service Oklahoma shall verify
8 that any perfected lien upon the vehicle has been released. If the
9 lien is not released, Service Oklahoma shall mail notice of the
10 transfer to the lienholder at the lienholder's last-known address.
11 If a certificate of title has been issued, it shall be canceled and
12 the vehicle identification number shall be preserved in the computer
13 of Service Oklahoma for at least five (5) years. The buyer of the
14 vehicle may not be sued and shall not be liable for monetary damages
15 to the lienholder, however, the vehicle shall be subject to a valid
16 repossession by a lienholder.

17 S. Service Oklahoma shall notify the chief administrative
18 officer of the agency or department responsible for issuing motor
19 vehicle certificates of title in each state in the United States of
20 the types of motor vehicle certificate of title effective in
21 Oklahoma on and after January 1, 1989.

22 T. When registering for the first time in this state a
23 remanufactured vehicle which has not been registered in any other
24 state since its remanufacture, before issuing a certificate of

1 title, Service Oklahoma shall require the applicant to deliver a
2 statement of origin from the remanufacturer.

3 U. If a vehicle is sold to a foreign buyer pursuant to the
4 provisions of the Automotive Dismantlers and Parts Recycler Act, the
5 licensed seller shall stamp the title with: "EXPORT ONLY.
6 NONTRANSFERABLE IN THE UNITED STATES." The licensed seller shall
7 supply Service Oklahoma the title number, the vehicle identification
8 number and the foreign buyer's bid identification number on a form
9 prescribed by Service Oklahoma. Service Oklahoma shall cancel the
10 title, and the vehicle identification number shall be preserved in
11 the computer files of Service Oklahoma for a period of not less than
12 five (5) years.

13 V. Service Oklahoma shall not be considered a necessary party
14 to any lawsuit which is instigated for the purpose of determining
15 ownership of a vehicle, wherein Service Oklahoma's only involvement
16 would be to issue title, and the court shall issue an order
17 dismissing Service Oklahoma from the pending action. In the event
18 no other party or lienholder can be identified as to ownership or
19 claim, Service Oklahoma shall accept an affidavit of ownership from
20 the party claiming ownership and issue proper title thereon.

21 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1115, as
22 last amended by Section 1, Chapter 246, O.S.L. 2023 (47 O.S. Supp.
23 2023, Section 1115), is amended to read as follows:
24

1 Section 1115. A. Unless provided otherwise by statute, the
2 following vehicles shall be registered annually: manufactured
3 homes, vehicles registered with a permanent nonexpiring license
4 plate pursuant to Section 1113 of this title, and commercial
5 vehicles registered pursuant to the installment plan provided in
6 subsection H of Section 1133 of this title. The following schedule
7 shall apply for such vehicle purchased in this state or brought into
8 this state by residents of this state:

9 1. Between January 1 and March 31, the payment of the full
10 annual fee shall be required;

11 2. Between April 1 and June 30, the payment of three-fourths
12 (3/4) the annual fee shall be required;

13 3. Between July 1 and September 30, the payment of one-half
14 (1/2) the annual fee shall be required; and

15 4. Between October 1 and November 30, the payment of one-fourth
16 (1/4) the annual fee shall be required.

17 License plates or decals for each year shall be made available
18 on December 1 of each preceding year for such vehicles. Any person
19 who purchases such vehicle or manufactured home between December 1
20 and December 31 of any year shall register it within thirty (30)
21 days from date of purchase and obtain a license plate or
22 Manufactured Home License Registration Decal, as appropriate, for
23 the following calendar year upon payment of the full annual fee.
24 Unless provided otherwise by statute, all annual license,

1 registration and other fees for such vehicles shall be due and
2 payable on January 1 of each year and if not paid by February 1
3 shall be deemed delinquent.

4 B. 1. All vehicles, other than those required to be registered
5 pursuant to the provisions of subsection A of this section, shall be
6 registered on a staggered system of registration and licensing on a
7 monthly series basis to distribute the work of registering such
8 vehicles as uniformly and expeditiously as practicable throughout
9 the calendar year unless otherwise provided in this section. After
10 the end of the month following the expiration date, the license and
11 registration fees for the new registration period shall become
12 delinquent. At the time of registration or renewal, the owner of
13 the vehicle may choose either an annual or a biennial registration
14 of the vehicle.

15 2. All fleet vehicles registered pursuant to new applications
16 approved pursuant to the provisions of Section 1120 of this title
17 shall be registered on a staggered system monthly basis.

18 3. Applicants seeking to establish Oklahoma as the base
19 jurisdiction for registering apportioned fleet vehicles shall have a
20 one-time option of registering for a period of not less than six (6)
21 months nor greater than eighteen (18) months. Subsequent renewals
22 for these registrants will be for twelve (12) months, expiring on
23 the last day of the month chosen by the registrant under the one-
24 time option as provided herein. In addition, registrants with

1 multiple fleets may designate a different registration month of
2 expiration for each fleet.

3 As used in this section, "fleet" shall have the same meaning as
4 set forth in the International Registration Plan.

5 4. Effective January 1, 2004, all motorcycles and mopeds shall
6 be registered on a staggered system of registration. Service
7 Oklahoma shall notify in writing, prior to December 1, 2003, all
8 owners of motorcycles or mopeds registered as of such date, who
9 shall have a one-time option of registering for a period of not less
10 than three (3) months nor greater than fifteen (15) months.
11 Subsequent renewals for these registrants will be for twelve (12)
12 months, expiring on the last day of the month chosen by the
13 registrant under the one-time option as provided herein. All
14 motorcycles and mopeds registered pursuant to new applications
15 received on or after December 1, 2003, shall also be registered
16 pursuant to the provisions of this paragraph.

17 5. Any three or more commercial vehicles owned by the same
18 person and previously registered in this state may be registered at
19 the same time regardless of the month or months in which they were
20 previously registered. The month in which the commercial vehicles
21 are newly registered shall be the month in which their registration
22 is renewed annually. If a commercial vehicle is registered pursuant
23 to this paragraph in the same calendar year in which it was
24 previously registered, license and registration fees shall be

1 prorated to account for the difference between the previous renewal
2 month and the new renewal month and those fees shall be due at the
3 time of registration pursuant to this paragraph. At the time of
4 registration or renewal of a commercial vehicle, except fleet
5 vehicles registered under the provisions of Section 1120 of this
6 title, the owner of the vehicle may choose either an annual,
7 biennial, or triennial registration of the vehicle.

8 C. The following penalties shall apply for delinquent
9 registration fees:

10 1. For fleet vehicles required to be registered pursuant to the
11 provisions of Section 1120 of this title for which a properly
12 completed application for registration has not been received by the
13 Corporation Commission by the last day of the month following the
14 registration expiration date, a penalty of thirty percent (30%) of
15 the Oklahoma portion of the annual registration fee, or Two Hundred
16 Dollars (\$200.00), whichever is greater, shall be assessed. The
17 license and registration cards issued by the Corporation Commission
18 for each fleet vehicle shall be valid until two (2) months after the
19 registration expiration date;

20 2. For commercial vehicles registered under the provisions of
21 subsection B of this section, except those vehicles registered
22 pursuant to Section 1133.1 of this title, a penalty shall be
23 assessed after the last day of the month following the registration
24 expiration date. A penalty of twenty-five cents (\$0.25) per day

1 shall be added to the license fee of such vehicle and shall accrue
2 for one (1) month. Thereafter, the penalty shall be thirty percent
3 (30%) of the annual registration fee, or Two Hundred Dollars
4 (\$200.00), whichever is greater;

5 3. For new or used manufactured homes, not registered within
6 thirty (30) days from date of purchase or date such manufactured
7 home was brought into this state, a penalty equal to the
8 registration fee shall be assessed; or

9 4. For all vehicles, a penalty shall be assessed after the last
10 day of the month following the expiration date, and no penalty shall
11 be waived by Service Oklahoma or any licensed operator except as
12 provided for in subsection H of Section 1133, subsection C of
13 Section 1127 of this title, or when the vehicle was stolen as
14 certified by a police report or other documentation as required by
15 Service Oklahoma. A penalty of One Dollar (\$1.00) per day shall be
16 added to the license fee of such vehicle, provided that the penalty
17 shall not exceed One Hundred Dollars (\$100.00). Of each dollar
18 penalty collected pursuant to this subsection:

19 a. twenty-one cents (\$0.21) shall be apportioned as
20 provided in Section 1104 of this title,

21 b. twenty-one cents (\$0.21) shall be retained by the
22 licensed operator, and

23 c. fifty-eight cents (\$0.58) shall be deposited in the
24 General Revenue Fund.

1 D. In addition to all other penalties provided in the Oklahoma
2 Vehicle License and Registration Act, the following penalties shall
3 be imposed and collected by any ~~Enforcement Officer~~ enforcement
4 officer of the Corporation Commission upon finding any commercial
5 vehicle being operated in violation of the provisions of the
6 Oklahoma Vehicle License and Registration Act.

7 The penalties shall apply to any commercial vehicle found to be
8 operating in violation of the following provisions:

9 1. A penalty of not less than Fifty Dollars (\$50.00) shall be
10 imposed upon any person found to be operating a commercial vehicle
11 sixty (60) days after the end of the month in which the license
12 plate or registration credentials expire without the current year
13 license plate or registration credential displayed. Such penalty
14 shall not exceed the amount established by the Corporation
15 Commission pursuant to the provisions of subsection A of Section
16 1167 of this title. Revenue from such penalties shall be
17 apportioned as provided in Section 1167 of this title;

18 2. A penalty of not less than Fifty Dollars (\$50.00) shall be
19 imposed for any person operating a commercial vehicle subject to the
20 provisions of Section 1120 or Section 1133 of this title without the
21 proper display of, or, carrying in such commercial vehicle, the
22 identification credentials issued by the Corporation Commission as
23 evidence of payment of the fee or tax as provided in Section 1120 or
24 Section 1133 of this title. Such penalty shall not exceed the

1 amount established by the Corporation Commission pursuant to the
2 provisions of subsection A of Section 1167 of this title. Revenue
3 from such penalties shall be apportioned as provided in Section 1167
4 of this title; and

5 3. A penalty of not less than One Hundred Dollars (\$100.00)
6 shall be imposed for any person that fails to register any
7 commercial vehicle subject to the Oklahoma Vehicle License and
8 Registration Act. Such penalty shall not exceed the amount
9 established by the Corporation Commission pursuant to the provisions
10 of subsection A of Section 1167 of this title. Revenue from such
11 penalties shall be apportioned as provided in Section 1167 of this
12 title.

13 E. Service Oklahoma, or the Corporation Commission with respect
14 to vehicles registered under Section 1120 or Section 1133 of this
15 title, shall assess the registration fees and penalties for the year
16 or years a vehicle was not registered. For vehicles not registered
17 for two (2) or more years, the registration fees and penalties shall
18 be due only for the current year and one (1) previous year.

19 F. In addition to any other penalty prescribed by law, there
20 shall be a penalty of not less than Twenty Dollars (\$20.00) upon a
21 finding by an enforcement officer that:

22 1. The registration of a vehicle registered pursuant to Section
23 1132 of this title is expired and it is sixty (60) or more days
24 after the end of the month of expiration; or

1 2. The registration fees for a vehicle that is subject to the
2 registration fees pursuant to Section 1132 of this title have not
3 been paid.

4 Such penalty shall not exceed the amount established by the
5 Corporation Commission pursuant to the provisions of subsection A of
6 Section 1167 of this title. Revenue from such penalties shall be
7 apportioned as provided in Section 1167 of this title.

8 G. If a vehicle is donated to a nonprofit charitable
9 organization, the nonprofit charitable organization shall be exempt
10 from paying any current or past due registration fees, excise tax,
11 transfer fees, and penalties and interest. However, after the
12 donation, if the person donating the vehicle, or someone on behalf
13 of such person, purchases the same vehicle back from the nonprofit
14 charitable organization to which the vehicle was donated, such
15 person shall be liable for all current and past-due registration
16 fees, excise tax, title or transfer fees, and penalties and interest
17 on such vehicle.

18 H. Service Oklahoma shall promulgate rules and any necessary
19 procedures to establish an option for a biennial registration for
20 vehicles registered pursuant to paragraph 1 of subsection B of this
21 section and a biennial or triennial registration for commercial
22 intrastate vehicles.

23 1. Regardless of whether the vehicle owner elects annual ~~or,~~
24 biennial, or triennial registration, the vehicle is still subject to

1 all fees, fines, and penalties provided in the Oklahoma Vehicle
2 License and Registration Act.

3 2. For vehicle owners who elect biennial registration, the
4 annual registration fee shall be twice the annual registration fee
5 provided in the Oklahoma Vehicle License and Registration Act. For
6 vehicle owners who elect triennial registration, the annual
7 registration fee shall be three times the annual registration fee
8 provided in the Oklahoma Vehicle License and Registration Act.

9 3. When processing biennial or triennial registrations,
10 licensed operators shall be entitled to retain twice or three times,
11 as the case may be, the amounts provided in ~~paragraphs 1 and 2 of~~
12 ~~subsection A of Section 1141.1 of this title and twice the amount~~
13 ~~provided in~~ paragraph 14 of subsection A of Section 1141.1 of this
14 title for processing insurance verification information. Licensed
15 operators shall retain fees collected for issuing registrations
16 pursuant to this subsection as required by subsection E of Section
17 1141.1 of this title.

18 SECTION 3. AMENDATORY 47 O.S. 2021, Section 1133, is
19 amended to read as follows:

20 Section 1133. A. The following license fees shall be paid
21 annually, biennially, or triennially to ~~the~~ Service Oklahoma ~~Tax~~
22 ~~Commission~~ or the Corporation Commission, as applicable, upon the
23 registration of the following vehicles:

24

1 Except as provided in this subsection, for each commercial
2 vehicle over eight thousand (8,000) pounds as defined in Section
3 1102 of this title, the license fee shall be based on the combined
4 laden weight of the vehicle or combination of vehicles. The license
5 fees shall be computed and assessed at the following rates:

6	1. From 8,001 pounds to 15,000 pounds	\$ 95.00
7	2. From 15,001 pounds to 18,000 pounds	120.00
8	3. From 18,001 pounds to 21,000 pounds	155.00
9	4. From 21,001 pounds to 24,000 pounds	190.00
10	5. From 24,001 pounds to 27,000 pounds	225.00
11	6. From 27,001 pounds to 30,000 pounds	260.00
12	7. From 30,001 pounds to 33,000 pounds	295.00
13	8. From 33,001 pounds to 36,000 pounds	325.00
14	9. From 36,001 pounds to 39,000 pounds	350.00
15	10. From 39,001 pounds to 42,000 pounds	375.00
16	11. From 42,001 pounds to 45,000 pounds	400.00
17	12. From 45,001 pounds to 48,000 pounds	425.00
18	13. From 48,001 pounds to 51,000 pounds	450.00
19	14. From 51,001 pounds to 54,000 pounds	475.00
20	15. From 54,001 pounds to 57,000 pounds	648.00
21	16. From 57,001 pounds to 60,000 pounds	681.00
22	17. From 60,001 pounds to 63,000 pounds	713.00
23	18. From 63,001 pounds to 66,000 pounds	746.00
24	19. From 66,001 pounds to 69,000 pounds	778.00

1	20.	From 69,001 pounds to 72,000 pounds	817.00
2	21.	From 72,001 pounds to 73,280 pounds	857.00
3	22.	From 73,281 pounds to 74,000 pounds	870.00
4	23.	From 74,001 pounds to 75,000 pounds	883.00
5	24.	From 75,001 pounds to 76,000 pounds	896.00
6	25.	From 76,001 pounds to 77,000 pounds	909.00
7	26.	From 77,001 pounds to 78,000 pounds	922.00
8	27.	From 78,001 pounds to 79,000 pounds	935.00
9	28.	From 79,001 pounds to 80,000 pounds	948.00
10	29.	From 80,001 pounds to 81,000 pounds	961.00
11	30.	From 81,001 pounds to 82,000 pounds	974.00
12	31.	From 82,001 pounds to 83,000 pounds	987.00
13	32.	From 83,001 pounds to 84,000 pounds	1000.00
14	33.	From 84,001 pounds to 85,000 pounds	1013.00
15	34.	From 85,001 pounds to 86,000 pounds	1026.00
16	35.	From 86,001 pounds to 87,000 pounds	1039.00
17	36.	From 87,001 pounds to 88,000 pounds	1052.00
18	37.	From 88,001 pounds to 89,000 pounds	1065.00
19	38.	From 89,001 pounds to 90,000 pounds	1078.00

20 For the purposes of this section, the license fee of a wrecker
 21 or tow vehicle shall be based on the gross weight of the wrecker or
 22 tow vehicle alone without any inclusion of weight for a vehicle
 23 towed by the wrecker or tow vehicle.
 24

1 For biennial registration, the registration fee shall be twice
2 the annual registration fee provided in this section. For triennial
3 registration, the registration fee shall be three times the annual
4 registration fee provided in this section. Service Oklahoma shall
5 promulgate rules for the registration of commercial vehicles
6 biennially and triennially.

7 B. After the fifth year's registration in this or any other
8 state, the license fee upon any truck registered on a basis of the
9 combined laden weight not in excess of fifteen thousand (15,000)
10 pounds shall be assessed at fifty percent (50%) of the fee computed
11 and assessed for each of the first five (5) years. On the seventh
12 and all subsequent years of registration in this or any other state,
13 on such truck, such license fees shall be assessed and computed at
14 fifty percent (50%) of the amount due on the sixth year's
15 registration. In no event shall such annual license fee on any
16 truck be less than Ten Dollars (\$10.00) nor shall the annual license
17 fee of any truck-tractor be less than Ninety-five Dollars (\$95.00).

18 C. In addition to the fees required by subsection A of this
19 section, there shall be paid a registration fee of Forty Dollars
20 (\$40.00) upon the first registration in this state after July 1,
21 1985, and upon the transfer of ownership of any frac tank, as
22 defined by Section 54 of Title 17 of the Oklahoma Statutes,
23 construction machinery, as defined by Section 1102 of this title,

1 rental trailer, commercial trailer or semitrailer designed to be
2 pulled and usually pulled by a truck or truck-tractor.

3 Thereafter, a fee of Four Dollars (\$4.00) shall be paid
4 annually, biennially, or triennially for each frac tank,
5 construction machinery, rental trailer, commercial trailer or
6 semitrailer. The fee of Four Dollars (\$4.00) shall be due and
7 payable on January 1 of ~~each~~ the year following expiration of
8 registration on any frac tank, construction machinery, rental
9 trailer, commercial trailer or semitrailer registered under this
10 section.

11 Upon the payment of the registration fee of Forty Dollars
12 (\$40.00), a nonexpiring registration certificate and identification
13 plate shall be issued for each frac tank, construction machinery,
14 rental trailer, commercial trailer or semitrailer. The nonexpiring
15 identification plate shall remain displayed on the frac tank,
16 construction machinery, rental trailer, commercial trailer or
17 semitrailer for which the identification plate is issued until such
18 frac tank, construction machinery, trailer or semitrailer is sold or
19 removed from service.

20 A receipt shall be issued upon the payment of the ~~annual~~
21 registration fee. The receipt shall show the total fee paid for one
22 or more frac tanks, construction machinery units, rental trailers,
23 commercial trailers or semitrailers. The receipt shall be retained
24 by the owner of any frac tank, construction machinery, rental

1 trailer, commercial trailer or semitrailer for a period of three (3)
2 years and shall be subject to audit by ~~the Tax Commission~~ Service
3 Oklahoma or the Corporation Commission.

4 Any frac tank, construction machinery, commercial trailer or
5 semitrailer licensed pursuant to this section shall not be permitted
6 to be operated on the highways of this state when such frac tank,
7 construction machinery, commercial trailer or semitrailer is being
8 operated by a resident of this state, or is being operated by a
9 person operating a vehicle or vehicles domiciled in this state and
10 required by law to be licensed in Oklahoma, unless the pulling truck
11 or truck-tractor has been licensed pursuant to this section or is
12 twenty-four thousand (24,000) pounds or less and operating under a
13 valid temporary license plate provided by Section 1137.1 or 1137.3
14 of this title. In no event shall any truck, truck-tractor, frac
15 tank, construction machinery, trailer, or semitrailer used in the
16 furtherance of any commercial enterprise be permitted to operate on
17 the highways of this state or register at a smaller license fee than
18 that prescribed in this section except as provided in this section.
19 When processing biennial or triennial registrations, licensed
20 operators shall be entitled to retain twice or three times, as the
21 case may be, the amounts provided in paragraph 14 of subsection A of
22 Section 1141.1 of this title for processing insurance verification
23 information. Licensed operators shall retain fees collected for
24 issuing registrations pursuant to this subsection as required by

1 subsection E of Section 1141.1 of this title. Service Oklahoma or
2 the Corporation Commission, as applicable, shall promulgate rules
3 for the biennial and triennial registration of vehicles subject to
4 this subsection.

5 D. For each fiscal year, notwithstanding the provisions of
6 Section 1104 of this title, the first Four Hundred Thousand Dollars
7 (\$400,000.00) of all monies collected pursuant to subsections A, B
8 and C of this section shall be paid by the Tax Commission to the
9 State Treasurer of the State of Oklahoma who shall deposit same each
10 fiscal year, or such lesser amount as may accrue each fiscal year,
11 under the provisions of this section to the credit of the General
12 Revenue Fund of the State Treasury. All monies collected in excess
13 of Four Hundred Thousand Dollars (\$400,000.00) each fiscal year
14 shall be apportioned as provided in Section 1104 of this title.

15 E. If any vehicle is used for a purpose other than that for
16 which it has been registered, the owner of the vehicle shall be
17 required to immediately reregister the vehicle at the appropriate
18 rate. If any vehicle is placed or operated upon any street, road or
19 highway of this state with a laden weight in excess of that for
20 which it is licensed, the license fee for such increased laden
21 weight shall become due, and the owner of the vehicle shall be
22 required to immediately reregister the vehicle at the increased
23 rate. Provided that, in either event there shall be credited upon
24 the increased license fee for such reregistration for any portion of

1 the year or period remaining after the change in use or increase in
2 laden weight shall have occurred a proportionate part of the license
3 fees previously paid. If this reregistration is made voluntarily by
4 the owner, the ratable proportion of the credit allowed shall be
5 determined as of the date the reregistration is voluntarily made.
6 If the reregistration is not voluntarily made but occurs as a result
7 of the discovery by any enforcement officer of an improper operation
8 of the vehicle, that shall be considered prima facie evidence that
9 it has been improperly registered for the entire portion of the year
10 covered by the improper registration. Provided further that the
11 ratable credit shall be allowed only on the first reregistration of
12 any vehicle during any calendar year. If, during the calendar year,
13 subsequent changes of license plate are desired, the ratable credit
14 shall not be allowed but the owner of the vehicle shall be required
15 to pay the license fee due for that portion of the calendar year
16 remaining without benefit of any additional credits. No owner of a
17 motor vehicle shall possess at any time more than one license plate
18 for any vehicle owned by such person. No reregistration shall be
19 made until the current license plate previously issued has been
20 surrendered.

21 Any person who has paid a fee under the terms and provisions of
22 this subsection may at any time within one (1) year after the
23 payment of such fee file with the Tax Commission or Corporation
24 Commission a claim under oath for refund stating the grounds

1 therefor. However, the Tax Commission or Corporation Commission
2 shall allow refunds only where the amount of tax paid has been
3 erroneously computed or determined through clerical errors or
4 miscalculations. No refund shall be allowed by the Tax Commission
5 or Corporation Commission of a tax paid by the person where such
6 payment is made through a mistake as to the legal misinterpretation
7 or construction of the provisions of this section. Any refunds made
8 by the Tax Commission or Corporation Commission pursuant to this
9 subsection shall be made out of any monies collected pursuant to
10 this subsection and which have not been apportioned.

11 F. The annual license fee required by this section is intended
12 to cover only the motor vehicle for which it is issued. The Tax
13 Commission or Corporation Commission upon application, when a
14 licensed truck-tractor has been destroyed by fire or accident, shall
15 credit the unused portion of the annual license fee of the vehicle
16 toward the license fee of a replacement vehicle of equal registered
17 weight. The amount of credit shall not exceed the license fee due
18 on the replacement vehicle. The Tax Commission or Corporation
19 Commission shall not be required to make a refund. If the
20 replacement vehicle is to be registered at a greater weight, the
21 applicant shall pay an additional sum equivalent to the difference
22 between the unused portion of the annual license fee for the
23 original motor vehicle and the license fee due for the replacement
24 motor vehicle.

1 G. The license fees provided for in this section shall be paid
2 each year whether or not the vehicle is operated on the public
3 highway.

4 H. Notwithstanding the provision of any other statute in
5 respect to the time for payment of license fees on motor vehicles,
6 if the total amount of the annual license fees due from any resident
7 owner, either individual, partnership, or Oklahoma corporation, upon
8 the registration, on or before January 15 of any year, of commercial
9 trucks, truck-tractors, frac tanks, construction machinery, trailers
10 or semitrailers exceeds the sum of One Thousand Dollars (\$1,000.00),
11 the license fees may be paid in equal semiannual installments. The
12 first installment shall be paid at the time of the application for
13 registration of the vehicles and not later than January 15 of each
14 year, and the second installment shall be paid on or before the
15 first day of July of such year.

16 This subsection shall not operate to reduce the amount of the
17 license fees due. If any installment is not paid on or before the
18 date due, all unpaid installments of license fees for such year on
19 each vehicle shall be deemed delinquent and immediately due and
20 payable, and there shall be added a penalty of twenty-five cents
21 (\$0.25) per day to the balance of the license fee due on each
22 vehicle for each day the balance remains unpaid up to thirty (30)
23 days, after which the penalty due on each vehicle shall be Twenty-
24 five Dollars (\$25.00). The penalty for vehicles registered by

1 weight in excess of eight thousand (8,000) pounds shall be an amount
2 equal to the license fee. On and after the thirtieth day each such
3 vehicle involved shall be considered as improperly licensed and as
4 not currently registered, and all of the provisions of the Oklahoma
5 Vehicle License and Registration Act relating to enforcement,
6 including the provisions for the seizure and sale of vehicles not
7 registered and not displaying current license plates, shall apply to
8 the vehicles.

9 All fees and taxes levied by the Oklahoma Vehicle License and
10 Registration Act shall become and remain a first lien upon the
11 vehicle upon which the fees or taxes are due until paid. The lien
12 shall have priority to all other liens. No title to any vehicle may
13 be transferred until the unpaid balance on the vehicle has been paid
14 in full. Provided that any unpaid balance of the license fees shall
15 remain and become a lien against any and all property of the owner,
16 both real and personal, for so long as any license tag fee balance
17 shall remain unpaid. Any unpaid balance under these provisions
18 shall be immediately due and payable by the owner if any vehicle is
19 sold, wrecked, or otherwise retired from service.

20 Any person electing to pay license fees on a semiannual
21 installment basis, as herein authorized, shall be required to
22 purchase a new license tag for the last half and shall pay the sum
23 of Four Dollars (\$4.00) for each tag to cover the costs of the
24 license tags. The license tags for each half shall be plainly

1 marked in designating the half for which they were issued. A
2 validation sticker may be used in lieu of a metal tag where
3 appropriate. Such license tag fee shall be, in addition to the
4 license fees or any other fees, collected on each application as
5 provided by statute and shall be apportioned according to the
6 provisions of Section 1104 of this title.

7 I. Any person pulling or towing any vehicle intended to be
8 resold, into or through this state, shall pay a fee of Three Dollars
9 (\$3.00) for the vehicle towing and Three Dollars (\$3.00) for the one
10 being towed. It shall be unlawful to operate any series of such
11 units on the public highways of this state at a distance closer than
12 five hundred (500) feet from each other. All fees and taxes levied
13 by the terms and provisions of this section shall become and remain
14 a first lien upon the vehicle upon which the fees or taxes are due
15 until paid. The lien shall be prior, superior, and paramount to all
16 other liens of whatsoever kind or character.

17 J. In addition to any other penalties prescribed by law, the
18 following penalty shall be imposed by enforcement officers upon any
19 owner or operator of a commercial vehicle registered under the
20 provisions of this section when the laden weight or combined laden
21 weight of such vehicle is found to be in excess of that for which
22 registered. The penalty shall be imposed each and every time a
23 vehicle is found to be in violation of the registered laden weight
24 or combined laden weight.

1 The penalty shall be not less than Twenty Dollars (\$20.00) when
2 such vehicle exceeds the laden weight or combined laden weight by
3 two thousand one (2,001) pounds; thereafter, an additional penalty
4 of not less than Twenty Dollars (\$20.00) shall be imposed for each
5 additional one thousand (1,000) pounds or fraction thereof of weight
6 in excess of the registered laden weight or combined laden weight.
7 Such penalty shall not exceed the amount established by the
8 Corporation Commission pursuant to the provisions of subsection A of
9 Section 1167 of this title. Revenue from such penalties shall be
10 apportioned as provided in Section 1167 of this title.

11 SECTION 4. This act shall become effective November 1, 2024.

12

13 59-2-10242 JBH 02/23/24

14

15

16

17

18

19

20

21

22

23

24