

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 3898

By: Davis

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7  
8 COMMITTEE SUBSTITUTE

9 [ motor vehicles- definitions - inspection of  
10 commercial motor vehicles - fees and affidavit -  
11 Service Oklahoma - vehicle registration requirement  
12 - biennial and triennial registration - promulgate  
13 rules - fees - licensed operators - registration of  
14 commercial vehicles - biennial and triennial  
15 registration of commercial vehicles and trailers -  
16 name of responsible agency - effective date ]  
17  
18

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

20 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1105, as  
21 amended by Section 110, Chapter 282, O.S.L. 2022 (47 O.S. Supp.  
22 2023, Section 1105), is amended to read as follows:

23 Section 1105. A. As used in the Oklahoma Vehicle License and  
24 Registration Act:

- 1        1. "Salvage vehicle" means any vehicle which is within the last  
2 ten (10) model years and which has been damaged by collision or  
3 other occurrence to the extent that the cost of repairing the  
4 vehicle for safe operation on the highway exceeds sixty percent  
5 (60%) of its fair market value, as defined by Section 1111 of this  
6 title, immediately prior to the damage. For purposes of this  
7 section, actual repair costs shall only include labor and parts for  
8 actual damage to the suspension, motor, transmission, frame or  
9 unibody and designated structural components;
- 10       2. "Rebuilt vehicle" means any salvage vehicle which has been  
11 rebuilt and inspected for the purpose of registration and title;
- 12       3. "Flood-damaged vehicle" means a salvage or rebuilt vehicle  
13 which was damaged by flooding or a vehicle which was submerged at a  
14 level to or above the dashboard of the vehicle and on which an  
15 amount of loss was paid by the insurer;
- 16       4. "Unrecovered-theft vehicle" means a vehicle which has been  
17 stolen and not yet recovered;
- 18       5. "Recovered-theft vehicle" means a vehicle, including a  
19 salvage or rebuilt vehicle, which was recovered from a theft; and
- 20       6. "Junked vehicle" means any vehicle which is incapable of  
21 operation or use on the highway, has no resale value except as a  
22 source of parts or scrap and has an eighty percent (80%) loss in  
23 fair market value.
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1 B. The owner of every vehicle in this state shall possess a  
2 certificate of title as proof of ownership of such vehicle, except  
3 those vehicles registered pursuant to Section 1120 of this title and  
4 trailers registered pursuant to Section 1133 of this title,  
5 previously titled by anyone in another state and engaged in  
6 interstate commerce, and except as provided in subsection M of this  
7 section. Except for owners that possess an agricultural exemption  
8 permit pursuant to Section 1358.1 of Title 68 of the Oklahoma  
9 Statutes, the owner of an all-terrain vehicle or a motorcycle used  
10 exclusively off roads or highways in this state which is purchased  
11 or the ownership of which is transferred on or after July 1, 2005,  
12 and the owner of a utility vehicle used exclusively off roads and  
13 highways in this state which is purchased or the ownership of which  
14 is transferred on or after July 1, 2008, shall possess a certificate  
15 of title as proof of ownership. Any person possessing an  
16 agricultural exemption permit and owning an all-terrain vehicle or a  
17 motorcycle used exclusively off roads or highways in this state  
18 which is purchased or the ownership of which is transferred on or  
19 after July 1, 2008, shall possess a certificate of title as proof of  
20 ownership. Upon receipt of proper application information by such  
21 owner, Service Oklahoma shall issue an original or transfer  
22 certificate of title. Until July 1, 2008, any security interest in  
23 an all-terrain vehicle that attached and was perfected before July  
24 1, 2005, and that has not otherwise terminated shall remain

1 perfected, and shall take priority over any subsequently perfected  
2 security interest in the same all-terrain vehicle, notwithstanding  
3 that a certificate of title may have been issued with respect to the  
4 same all-terrain vehicle on or after July 1, 2005, and that a lien  
5 may have been recorded on said certificate of title. There shall be  
6 eight types of certificates of title:

7 1. Original title for any motor vehicle which is not a  
8 remanufactured, salvage, unrecovered-theft, rebuilt, rebodied or  
9 junked vehicle;

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

13 3. Rebuilt title for any motor vehicle which is a rebuilt  
14 vehicle;

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

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

20 6. Remanufactured title for any vehicle which is a  
21 remanufactured vehicle;

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

24

1       8.  Rebodied title for any motor vehicle which is a rebodied  
2 vehicle.

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

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

- 22           a.  a full description of the vehicle,
- 23           b.  the manufacturer's serial or other identification  
24                number,

- c. the motor number and the date on which first sold by the manufacturer or dealer to the owner,
- d. any distinguishing marks,
- e. a statement of the applicant's source of title,
- f. any security interest upon the vehicle, and
- g. such other information as Service Oklahoma may require.

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

- a. the vehicle has been damaged or stolen,
- b. the owner did or did not receive any payment for the loss from an insurer, or
- c. the vehicle is titled or registered in a state that does not classify the vehicle or brand the title because of damage to or loss of the vehicle similar to the classifications or brands utilized by this state.

The declaration shall be based upon the best information and knowledge of the owner and shall be in addition to the requirements specified in paragraph 1 of this subsection. Service Oklahoma shall not issue a certificate of title for a vehicle which is subject to

1 the provisions of this paragraph without the required declaration,  
2 completed and signed by the owner of the vehicle. Upon receipt of  
3 an application without the properly completed declaration, Service  
4 Oklahoma shall return the application to the applicant with notice  
5 that the title may not be issued without the required declaration.  
6 Nothing in this paragraph shall prohibit Service Oklahoma from  
7 recognizing the type of or brand on a title or other ownership  
8 document issued by another state or the inspection conducted in  
9 another state and issuing the appropriate certificate of title for  
10 the vehicle.

11 3. The certificate of title shall have the following security  
12 features:

- 13 a. intaglio printing or security thread, with or without  
14 watermark,
- 15 b. latent images,
- 16 c. fluorescent inks,
- 17 d. micro print,
- 18 e. void background, and
- 19 f. color coding.

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

23 5. The certificate of title shall be of such size and design  
24 and color as Service Oklahoma may direct pursuant to the provisions

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

17 D. 1. To obtain an original certificate of title for a vehicle  
18 that is being registered for the first time in this state which has  
19 not been previously registered in any other state, the applicant  
20 shall be required to deliver, as evidence of ownership, a  
21 manufacturer's certificate of origin properly assigned by the  
22 manufacturer, distributor, or dealer licensed in this or any other  
23 state shown thereon to be the last transferee to the applicant upon  
24

1 a form to be prescribed and approved by Service Oklahoma. A  
2 manufacturer's certificate of origin shall contain:

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

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

- 15 a. intaglio printing or security thread, with or without  
16 watermark,
- 17 b. latent images,
- 18 c. fluorescent inks,
- 19 d. micro print, and
- 20 e. void background.

21 E. In the absence of a dealer's or manufacturer's number,  
22 Service Oklahoma may assign such identifying number to the vehicle,  
23 which shall be permanently stamped, burned or pressed or attached  
24 into the vehicle, and a certificate of title shall be delivered to

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

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

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

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

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

19        G. When registering in this state a vehicle which was titled in  
20 another state and which title contains the name of a secured party  
21 on the face of the other state certificate of title, or such state  
22 certificate is being held by the secured party in that state or any  
23 other state, Service Oklahoma or the licensed operator shall  
24 complete a lien entry form as prescribed by Service Oklahoma. The

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

20 H. The charge for each certificate of title issued, except for  
21 junked titles as defined in paragraph 4 of subsection B of this  
22 section, shall be Eleven Dollars (\$11.00), which charge shall be in  
23 addition to any other fees or taxes imposed by law for such vehicle.  
24 One Dollar (\$1.00) of each such charge shall be deposited in the

1 Oklahoma Tax Commission Reimbursement Fund through December 31,  
2 2022, and beginning January 1, 2023, it shall be deposited in the  
3 Service Oklahoma Reimbursement Fund. However, the charge shall not  
4 apply to any vehicle which is to be registered in this state  
5 pursuant to the provisions of Section 1120 or 1133 of this title and  
6 which was registered in another state at least sixty (60) days prior  
7 to the time it is required to be registered in this state. When an  
8 insurer requests a salvage or junk title in the name of the insurer  
9 resulting from the settlement of a total loss claim and upon  
10 presentation of appropriate proof of loss documentation as required  
11 by Service Oklahoma, such transfer may be processed as one title  
12 transaction, without first requiring issuance of a replacement  
13 certificate of title in the name of the vehicle owner. The fee  
14 shall be Twenty-two Dollars (\$22.00). Two Dollars (\$2.00) of this  
15 fee shall be deposited in the Oklahoma Tax Commission Reimbursement  
16 Fund.

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

1 J. If a vehicle is sold to a resident of another state  
2 destroyed, dismantled, or ceases to be used as a vehicle, the owner  
3 shall immediately notify Service Oklahoma. Absent evidence to the  
4 contrary, failure to notify Service Oklahoma shall be prima facie  
5 evidence that the vehicle has been in continuous operation in this  
6 state.

7 K. If a vehicle is stolen, the owner shall immediately notify  
8 the appropriate law enforcement agency. Immediately after receiving  
9 such notification, the law enforcement agency shall notify Service  
10 Oklahoma.

11 L. Except for all-terrain vehicles, utility vehicles and  
12 motorcycles used exclusively for off-road use, no title for an out-  
13 of-state vehicle, except any commercial truck or truck-tractor  
14 registered pursuant to Section 1120 of this title which is engaged  
15 in interstate commerce or any trailer or semitrailer registered  
16 pursuant to Section 1133 of this title which is engaged in  
17 interstate commerce, shall be issued without an inspection of such  
18 vehicle and payment of a fee of Four Dollars (\$4.00) for such  
19 inspection; provided, Service Oklahoma may enter into reciprocal  
20 agreements with other states for such inspections to be performed at  
21 locations outside the boundaries of this state for vehicles which:

22 1. Are offered for sale at auction;

23

24

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

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

6 The inspection shall include a comparison of the vehicle  
7 identification number on the vehicle with the number recorded on the  
8 ownership records and the recording of the actual odometer reading  
9 on the vehicle. Commercial vehicles registered pursuant to the  
10 provisions of Section 1133 et seq. of this title shall be exempt  
11 from the inspection requirement of this subsection, upon payment of  
12 any fees required pursuant to this subsection when title is issued  
13 and submission of an affidavit to Service Oklahoma or the licensed  
14 operator. The form of the affidavit shall be prescribed by Service  
15 Oklahoma and contain any information deemed necessary by Service  
16 Oklahoma. The four-dollar fee shall be collected by the licensed  
17 operator or Service Oklahoma when the title is issued. The licensed  
18 operator shall retain Two Dollars (\$2.00). The remaining Two  
19 Dollars (\$2.00) shall be deposited in the Oklahoma Tax Commission  
20 Reimbursement Fund through December 31, 2022, and beginning January  
21 1, 2023, this fee shall be deposited in the Service Oklahoma  
22 Reimbursement Fund.

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

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

- 23 1. Are offered for sale at auction;
- 24

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

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

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

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

10 N. A licensed motor vehicle dealer, upon payment of a fee of  
11 Fifteen Dollars (\$15.00), may reassign an out-of-state certificate  
12 of title to a used motor vehicle provided such dealer obtains the  
13 appropriate inspection form required by either subsection L or M of  
14 this section and attaches the form to the out-of-state certificate  
15 of title. Licensed operators shall be allowed to retain Two Dollars  
16 and twenty-five cents (\$2.25) of the fee plus an additional Two  
17 Dollars (\$2.00) or Three Dollars (\$3.00) as provided in subsections  
18 L and M of this section for performance of the inspection. Two  
19 Dollars (\$2.00) of the fee shall be deposited in the Service  
20 Oklahoma Reimbursement Fund. An out-of-state vehicle which has been  
21 rebuilt shall be inspected pursuant to the provisions of Section  
22 1111 of this title. Service Oklahoma shall train licensed operators  
23 in interpreting vehicle identification numbers to assure that it  
24 accurately describes the vehicle and to detect rollback or

1 alteration of the odometer. Failure of a licensed operator to  
2 inspect the vehicle and make the required notations shall be a  
3 misdemeanor punishable by a fine of not more than One Thousand  
4 Dollars (\$1,000.00) for the first offense and Five Thousand Dollars  
5 (\$5,000.00) for the second offense or subsequent offense, or by  
6 imprisonment in the county jail for not more than six (6) months, or  
7 by both such fine and imprisonment.

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

21 P. When an insurance company makes a total loss settlement on a  
22 total loss vehicle and the insurance company or a salvage pool  
23 authorized by the insurance company is unable to obtain the properly  
24 endorsed certificate of ownership or other evidence of ownership

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

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

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1 transfer of ownership of a vehicle for which the certificate of  
2 title has been canceled.

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

19 The certificate of ownership shall be completed in triplicate.  
20 The buyer and seller shall each retain a copy. Within thirty (30)  
21 days of the transaction, the seller shall submit one copy to Service  
22 Oklahoma or a licensed operator accompanied with a fee of Four  
23 Dollars (\$4.00). One Dollar (\$1.00) shall be retained by the  
24 licensed operator and Three Dollars (\$3.00) shall be deposited in

1 the Oklahoma Tax Commission Reimbursement Fund in the State Treasury  
2 through December 31, 2022, and beginning January 1, 2023, this fee  
3 shall be deposited in the Service Oklahoma Reimbursement Fund.

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

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

19 T. When registering for the first time in this state a  
20 remanufactured vehicle which has not been registered in any other  
21 state since its remanufacture, before issuing a certificate of  
22 title, Service Oklahoma shall require the applicant to deliver a  
23 statement of origin from the remanufacturer.

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

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

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

22 Section 1115. A. Unless provided otherwise by statute, the  
23 following vehicles shall be registered annually: manufactured  
24 homes, vehicles registered with a permanent nonexpiring license

1 plate pursuant to Section 1113 of this title, and commercial  
2 vehicles registered pursuant to the installment plan provided in  
3 subsection H of Section 1133 of this title. The following schedule  
4 shall apply for such vehicle purchased in this state or brought into  
5 this state by residents of this state:

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

8 2. Between April 1 and June 30, the payment of three-fourths  
9 (3/4) the annual fee shall be required;

10 3. Between July 1 and September 30, the payment of one-half  
11 (1/2) the annual fee shall be required; and

12 4. Between October 1 and November 30, the payment of one-fourth  
13 (1/4) the annual fee shall be required.

14 License plates or decals for each year shall be made available  
15 on December 1 of each preceding year for such vehicles. Any person  
16 who purchases such vehicle or manufactured home between December 1  
17 and December 31 of any year shall register it within thirty (30)  
18 days from date of purchase and obtain a license plate or  
19 Manufactured Home License Registration Decal, as appropriate, for  
20 the following calendar year upon payment of the full annual fee.  
21 Unless provided otherwise by statute, all annual license,  
22 registration and other fees for such vehicles shall be due and  
23 payable on January 1 of each year and if not paid by February 1  
24 shall be deemed delinquent.

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

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

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

24

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

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

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

1 time of registration pursuant to this paragraph. At the time of  
2 registration or renewal of a commercial vehicle, except fleet  
3 vehicles registered under the provisions of Section 1120 of this  
4 title, the owner of the vehicle may choose either an annual,  
5 biennial, or triennial registration of the vehicle.

6 C. The following penalties shall apply for delinquent  
7 registration fees:

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

18 2. For commercial vehicles registered under the provisions of  
19 subsection B of this section, except those vehicles registered  
20 pursuant to Section 1133.1 of this title, a penalty shall be  
21 assessed after the last day of the month following the registration  
22 expiration date. A penalty of twenty-five cents (\$0.25) per day  
23 shall be added to the license fee of such vehicle and shall accrue  
24 for one (1) month. Thereafter, the penalty shall be thirty percent

1 (30%) of the annual registration fee, or Two Hundred Dollars  
2 (\$200.00), whichever is greater;

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

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

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

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

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

23 D. In addition to all other penalties provided in the Oklahoma  
24 Vehicle License and Registration Act, the following penalties shall

1 be imposed and collected by any ~~Enforcement Officer~~ enforcement  
2 officer of the Corporation Commission upon finding any commercial  
3 vehicle being operated in violation of the provisions of the  
4 Oklahoma Vehicle License and Registration Act.

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

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

16 2. A penalty of not less than Fifty Dollars (\$50.00) shall be  
17 imposed for any person operating a commercial vehicle subject to the  
18 provisions of Section 1120 or Section 1133 of this title without the  
19 proper display of, or, carrying in such commercial vehicle, the  
20 identification credentials issued by the Corporation Commission as  
21 evidence of payment of the fee or tax as provided in Section 1120 or  
22 Section 1133 of this title. Such penalty shall not exceed the  
23 amount established by the Corporation Commission pursuant to the  
24 provisions of subsection A of Section 1167 of this title. Revenue

1 from such penalties shall be apportioned as provided in Section 1167  
2 of this title; and

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

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

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

20 1. The registration of a vehicle registered pursuant to Section  
21 1132 of this title is expired and it is sixty (60) or more days  
22 after the end of the month of expiration; or

23

24

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,  
24

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.

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13       59-2-10654       JM       02/29/24

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