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February 28, 2023

AS AMENDED

SENATE BILL NO. 1064

By: Rosino of the Senate

and

Bashore of the House

An Act relating to vehicle inspections; amending 47 O.S. 2021, Section 1105, as last amended by Section 110, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1105), which relates to definitions; modifying certain prohibition; removing certain inspection requirement; requiring certain inspection guideline; modifying certain inspection requirement; authorizing certain inspections; requiring certain fee; authorizing certain inspection authority suspension and revocation; and providing an effective date.

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

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

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

1. "Salvage vehicle" means any vehicle which is within the last ten (10) model years and which has been damaged by collision or other occurrence to the extent that the cost of repairing the

1 vehicle for safe operation on the highway exceeds sixty percent
2 (60%) of its fair market value, as defined by Section 1111 of this
3 title, immediately prior to the damage. For purposes of this
4 section, actual repair costs shall only include labor and parts for
5 actual damage to the suspension, motor, transmission, frame or
6 unibody and designated structural components;

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

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

13 4. "Unidentifiable" means that the uniqueness of a motor
14 vehicle or motor vehicle part cannot be established by either expert
15 law enforcement investigative personnel specially trained and
16 experienced in motor vehicle theft investigative procedures and
17 motor vehicle identification examination techniques, or by expert
18 employees of not-for-profit motor vehicle theft prevention agencies
19 specially trained and experienced in motor vehicle theft
20 investigative procedures and motor vehicle identification
21 examination techniques;

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

1 ~~5.~~ 6. "Recovered-theft vehicle" means a vehicle, including a
2 salvage or rebuilt vehicle, which was recovered from a theft; and

3 ~~6.~~ 7. "Junked vehicle" means any vehicle which is incapable of
4 operation or use on the highway, has no resale value except as a
5 source of parts or scrap and has an eighty percent (80%) loss in
6 fair market value.

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

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

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

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

19 3. Rebuilt title for any motor vehicle which is a rebuilt
20 vehicle;

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

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

3 6. Remanufactured title for any vehicle which is a
4 remanufactured vehicle;

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

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

9 Application for a certificate of title, whether the initial
10 certificate of title or a duplicate, may be made to Service Oklahoma
11 or any licensed operator. When application is made with a licensed
12 operator, the application information shall be transmitted either
13 electronically or by mail to Service Oklahoma by the licensed
14 operator. If the application information is transmitted
15 electronically, the licensed operator shall forward the required
16 application along with evidence of ownership, where required, by
17 mail. Where the transmission of application information cannot be
18 performed electronically, Service Oklahoma is authorized to provide
19 postage paid envelopes to licensed operators for the purpose of
20 mailing the application along with evidence of ownership, where
21 required. Service Oklahoma shall upon receipt of proper application
22 information issue an Oklahoma certificate of title. The
23 certificates may be mailed to the applicant. Upon issuance of a
24

1 certificate of title, Service Oklahoma shall provide the appropriate
2 licensed operator with confirmation of such issuance.

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

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

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

- 21 a. the vehicle has been damaged or stolen,
 - 22 b. the owner did or did not receive any payment for the
23 loss from an insurer, or
- 24

1 c. the vehicle is titled or registered in a state that
2 does not classify the vehicle or brand the title
3 because of damage to or loss of the vehicle similar to
4 the classifications or brands utilized by this state.

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

19 3. The certificate of title shall have the following security
20 features:

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

- d. micro print,
- e. void background, and
- f. color coding.

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

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

1 D. 1. To obtain an original certificate of title for a vehicle
2 that is being registered for the first time in this state which has
3 not been previously registered in any other state, the applicant
4 shall be required to deliver, as evidence of ownership, a
5 manufacturer's certificate of origin properly assigned by the
6 manufacturer, distributor, or dealer licensed in this or any other
7 state shown thereon to be the last transferee to the applicant upon
8 a form to be prescribed and approved by Service Oklahoma. A
9 manufacturer's certificate of origin shall contain:

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

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

- 22 a. intaglio printing or security thread, with or without
23 watermark,
- 24 b. latent images,

1 c. fluorescent inks,

2 d. micro print, and

3 e. void background.

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

23 F. When registering for the first time in this state a vehicle
24 which was not originally manufactured for sale in the United States,

1 to obtain a certificate of title, Service Oklahoma shall require the
2 applicant to deliver:

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

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

14 Service Oklahoma shall not issue a certificate of title for a
15 vehicle which is subject to the provisions of this paragraph without
16 the required documentation from agencies of the United States and
17 evidence of ownership. Upon receipt of an application without the
18 required documentation, Service Oklahoma shall return the
19 application to the applicant with notice that the certificate of
20 title may not be issued without the required documentation. Nothing
21 in this paragraph shall prohibit Service Oklahoma from issuing
22 certificates of title for antique or classic vehicles not driven
23 upon the public streets, roads, or highways, for mini-trucks
24

1 registered pursuant to Section 1151.3 of this title, or for medium-
2 speed electric vehicles.

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

1 Registration Act. The fee, if collected by the licensed operator
2 pursuant to this subsection, shall be retained by the licensed
3 operator.

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

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

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

1 ~~1. Are offered for sale at auction;~~

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

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

7 The inspection shall be certified upon forms prescribed by Service
8 Oklahoma. The name and other identification of the authorized
9 person conducting the inspection shall be legibly printed or typed
10 on the form. Prior to any inspection by any employee of a licensed
11 operator, the licensed operator shall notify Service Oklahoma of the
12 name and any other identification information requested by Service
13 Oklahoma of the authorized person. A signature specimen of the
14 authorized person shall be submitted to Service Oklahoma by the
15 employing licensed operator. If the authorization to inspect
16 vehicles is withdrawn or the employer-employee relationship is
17 terminated, the licensed operator, immediately, shall notify Service
18 Oklahoma and return any remaining inspection forms to Service
19 Oklahoma. The fee for the inspection performed by a licensed
20 operator shall be Four Dollars (\$4.00). The licensed operator shall
21 retain Three Dollars (\$3.00) of the fee. The fee for an inspection
22 performed by employees of salvage pools, salvage disposal sales,
23 auctions, dealers, or licensed automotive dismantler and parts
24 recyclers shall be One Dollar (\$1.00) and shall not be retained but

1 remitted to the Service Oklahoma Reimbursement Fund pursuant to
2 Section 3-106 of this title. Fees received by a licensed operator
3 or an authorized employee thereof shall be handled and accounted for
4 in the manner as prescribed by law for any other fees paid to or
5 received by a licensed operator. Out-of-state vehicles brought into
6 this state by a person licensed in another state to sell new or used
7 vehicles to be sold within this state at a motor vehicle auction
8 which is limited to dealer-to-dealer transactions shall not be
9 required to be inspected, unless the vehicle is purchased by an
10 Oklahoma dealer. Any person licensed in another state to sell new
11 or used motor vehicles, who offers a motor vehicle for sale within
12 this state at a motor vehicle auction which is limited to dealer-to-
13 dealer transactions, shall not be within the definition of "owner"
14 in Section 1102 of this title, for purposes of Section 1101 et seq.
15 of this title. If Service Oklahoma or another Oklahoma agency
16 issuing a license to a person authorized by this section to perform
17 an inspection determines that a person has not complied with this
18 section, falsified an inspection form, or does not obtain an
19 inspection if required, by any state, county, or city law
20 enforcement officer or an agent of the National Insurance Crime
21 Bureau, the person's authority to perform an inspection under this
22 section may be suspended or revoked, or the person's license to
23 conduct business may be suspended or revoked by the Oklahoma agency
24 issuing such license.

1 N. A licensed motor vehicle dealer, upon payment of a fee of
2 Fifteen Dollars (\$15.00), may reassign an out-of-state certificate
3 of title to a used motor vehicle provided such dealer obtains the
4 appropriate inspection form required by either subsection L or M of
5 this section and attaches the form to the out-of-state certificate
6 of title. Licensed operators shall be allowed to retain Two Dollars
7 and twenty-five cents (\$2.25) of the fee plus an additional Two
8 Dollars (\$2.00) or Three Dollars (\$3.00) as provided in subsections
9 L and M of this section for performance of the inspection. Two
10 Dollars (\$2.00) of the fee shall be deposited in the Service
11 Oklahoma Reimbursement Fund. An out-of-state vehicle which has been
12 rebuilt shall be inspected pursuant to the provisions of Section
13 1111 of this title. Service Oklahoma shall train licensed operators
14 in interpreting vehicle identification numbers to assure that it
15 accurately describes the vehicle and to detect rollback or
16 alteration of the odometer. Failure of a licensed operator to
17 inspect the vehicle and make the required notations shall be a
18 misdemeanor punishable by a fine of not more than One Thousand
19 Dollars (\$1,000.00) for the first offense and Five Thousand Dollars
20 (\$5,000.00) for the second offense or subsequent offense, or by
21 imprisonment in the county jail for not more than six (6) months, or
22 by both such fine and imprisonment.

23 O. The ownership of any unrecovered vehicle which has been
24 declared a total loss by an insurer because of theft shall be

1 transferred to the insurer by an unrecovered-theft vehicle title;
2 provided, the ownership of any such vehicle which has been declared
3 a total loss by an insurer licensed by the Insurance Department of
4 the State of Oklahoma and maintaining a multi-state motor vehicle
5 salvage processing center in this state shall be transferred to the
6 insurer by a salvage or an unrecovered-theft title without the
7 requirement of a visual inspection of the vehicle identification
8 number by the insurer. Upon recovery of the vehicle, the ownership
9 shall be transferred by an original title, salvage title, or junked
10 title, as may be appropriate based upon an estimate of the amount of
11 loss submitted by the insurer.

12 P. When an insurance company makes a total loss settlement on a
13 total loss vehicle and the insurance company or a salvage pool
14 authorized by the insurance company is unable to obtain the properly
15 endorsed certificate of ownership or other evidence of ownership
16 acceptable to Service Oklahoma within thirty (30) days following
17 acceptance by the owner of an offer of an amount in settlement of a
18 total loss, that insurance company or salvage pool, on a form
19 provided by Service Oklahoma and signed under penalty of perjury,
20 may request Service Oklahoma to issue the applicable salvage title
21 for the vehicle. The request shall include information declaring
22 that the requester has made at least two written attempts to obtain
23 the certificate of ownership or other acceptable evidence of title.

24

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

18 R. The owner of a vehicle which is not within the last ten (10)
19 model years, not roadworthy and not capable of repair for operation
20 or use on the roads and highways, or a vehicle which is being sold
21 to a scrap metal dealer pursuant to Section 11-92 of Title 2 of the
22 Oklahoma Statutes, shall transfer the vehicle only upon a
23 certificate of ownership prescribed by Service Oklahoma, if the
24 certificate of title to the vehicle is lost, has been canceled, or

1 otherwise not available. The prescribed ownership form shall
2 include the names and addresses of the buyer and seller, the driver
3 license number or Social Security number of the seller, the make and
4 model of the vehicle, and the public vehicle identification number.
5 If there is no public vehicle identification number, the vehicle
6 shall be inspected by a law enforcement officer to verify the
7 absence of the number on the vehicle and the prescribed ownership
8 form shall include a signed statement, by such officer, verifying
9 the absence of the number.

10 The certificate of ownership shall be completed in triplicate.
11 The buyer and seller shall each retain a copy. Within thirty (30)
12 days of the transaction, the seller shall submit one copy to Service
13 Oklahoma or a licensed operator accompanied with a fee of Four
14 Dollars (\$4.00). One Dollar (\$1.00) shall be retained by the
15 licensed operator and Three Dollars (\$3.00) shall be deposited in
16 the Oklahoma Tax Commission Reimbursement Fund in the State Treasury
17 through December 31, 2022, and beginning January 1, 2023, this fee
18 shall be deposited in the Service Oklahoma Reimbursement Fund.

19 Upon receipt of the certificate, Service Oklahoma shall verify
20 that any perfected lien upon the vehicle has been released. If the
21 lien is not released, Service Oklahoma shall mail notice of the
22 transfer to the lienholder at the lienholder's last-known address.
23 If a certificate of title has been issued, it shall be canceled and
24 the vehicle identification number shall be preserved in the computer

1 of Service Oklahoma for at least five (5) years. The buyer of the
2 vehicle may not be sued and shall not be liable for monetary damages
3 to the lienholder, however, the vehicle shall be subject to a valid
4 repossession by a lienholder.

5 S. Service Oklahoma shall notify the chief administrative
6 officer of the agency or department responsible for issuing motor
7 vehicle certificates of title in each state in the United States of
8 the types of motor vehicle certificate of title effective in
9 Oklahoma on and after January 1, 1989.

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

15 U. If a vehicle is sold to a foreign buyer pursuant to the
16 provisions of the Automotive Dismantlers and Parts Recycler Act, the
17 licensed seller shall stamp the title with: "EXPORT ONLY.
18 NONTRANSFERABLE IN THE UNITED STATES." The licensed seller shall
19 supply Service Oklahoma the title number, the vehicle identification
20 number and the foreign buyer's bid identification number on a form
21 prescribed by Service Oklahoma. Service Oklahoma shall cancel the
22 title, and the vehicle identification number shall be preserved in
23 the computer files of Service Oklahoma for a period of not less than
24 five (5) years.

1 V. Service Oklahoma shall not be considered a necessary party
2 to any lawsuit which is instigated for the purpose of determining
3 ownership of a vehicle, wherein Service Oklahoma's only involvement
4 would be to issue title, and the court shall issue an order
5 dismissing Service Oklahoma from the pending action. In the event
6 no other party or lienholder can be identified as to ownership or
7 claim, Service Oklahoma shall accept an affidavit of ownership from
8 the party claiming ownership and issue proper title thereon.

9 SECTION 2. This act shall become effective November 1, 2023.

10 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
11 February 28, 2023 - DO PASS AS AMENDED
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