

SENATE FLOOR VERSION

February 13, 2024

SENATE BILL NO. 1547

By: Hall

An Act relating to vehicle registration; amending 47 O.S. 2021, Section 1133, which relates to the registration of commercial vehicles; directing Service Oklahoma to promulgate certain rules; establishing due date for certain license fees; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 1133, is amended to read as follows:

Section 1133. A. The following license fees shall be paid annually to the Oklahoma Tax Commission or Corporation Commission, as applicable, upon the registration of the following vehicles:

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

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| 1. From 8,001 pounds to 15,000 pounds | \$ 95.00 |
| 2. From 15,001 pounds to 18,000 pounds | 120.00 |
| 3. From 18,001 pounds to 21,000 pounds | 155.00 |

1	4.	From 21,001 pounds to 24,000 pounds	190.00
2	5.	From 24,001 pounds to 27,000 pounds	225.00
3	6.	From 27,001 pounds to 30,000 pounds	260.00
4	7.	From 30,001 pounds to 33,000 pounds	295.00
5	8.	From 33,001 pounds to 36,000 pounds	325.00
6	9.	From 36,001 pounds to 39,000 pounds	350.00
7	10.	From 39,001 pounds to 42,000 pounds	375.00
8	11.	From 42,001 pounds to 45,000 pounds	400.00
9	12.	From 45,001 pounds to 48,000 pounds	425.00
10	13.	From 48,001 pounds to 51,000 pounds	450.00
11	14.	From 51,001 pounds to 54,000 pounds	475.00
12	15.	From 54,001 pounds to 57,000 pounds	648.00
13	16.	From 57,001 pounds to 60,000 pounds	681.00
14	17.	From 60,001 pounds to 63,000 pounds	713.00
15	18.	From 63,001 pounds to 66,000 pounds	746.00
16	19.	From 66,001 pounds to 69,000 pounds	778.00
17	20.	From 69,001 pounds to 72,000 pounds	817.00
18	21.	From 72,001 pounds to 73,280 pounds	857.00
19	22.	From 73,281 pounds to 74,000 pounds	870.00
20	23.	From 74,001 pounds to 75,000 pounds	883.00
21	24.	From 75,001 pounds to 76,000 pounds	896.00
22	25.	From 76,001 pounds to 77,000 pounds	909.00
23	26.	From 77,001 pounds to 78,000 pounds	922.00
24	27.	From 78,001 pounds to 79,000 pounds	935.00

1	28.	From 79,001 pounds to 80,000 pounds	948.00
2	29.	From 80,001 pounds to 81,000 pounds	961.00
3	30.	From 81,001 pounds to 82,000 pounds	974.00
4	31.	From 82,001 pounds to 83,000 pounds	987.00
5	32.	From 83,001 pounds to 84,000 pounds	1000.00
6	33.	From 84,001 pounds to 85,000 pounds	1013.00
7	34.	From 85,001 pounds to 86,000 pounds	1026.00
8	35.	From 86,001 pounds to 87,000 pounds	1039.00
9	36.	From 87,001 pounds to 88,000 pounds	1052.00
10	37.	From 88,001 pounds to 89,000 pounds	1065.00
11	38.	From 89,001 pounds to 90,000 pounds	1078.00

12 For the purposes of this section, the license fee of a wrecker
13 or tow vehicle shall be based on the gross weight of the wrecker or
14 tow vehicle alone without any inclusion of weight for a vehicle
15 towed by the wrecker or tow vehicle.

16 B. After the fifth year's registration in this or any other
17 state, the license fee upon any truck registered on a basis of the
18 combined laden weight not in excess of fifteen thousand (15,000)
19 pounds shall be assessed at fifty percent (50%) of the fee computed
20 and assessed for each of the first five (5) years. On the seventh
21 and all subsequent years of registration in this or any other state,
22 on such truck, such license fees shall be assessed and computed at
23 fifty percent (50%) of the amount due on the sixth year's
24 registration. In no event shall such annual license fee on any

1 truck be less than Ten Dollars (\$10.00) nor shall the annual license
2 fee of any truck-tractor be less than Ninety-five Dollars (\$95.00).

3 C. In addition to the fees required by subsection A of this
4 section, there shall be paid a registration fee of Forty Dollars
5 (\$40.00) upon the first registration in this state after July 1,
6 1985, and upon the transfer of ownership of any frac tank, as
7 defined by Section 54 of Title 17 of the Oklahoma Statutes,
8 construction machinery, as defined by Section 1102 of this title,
9 rental trailer, commercial trailer, or semitrailer designed to be
10 pulled and usually pulled by a truck or truck-tractor.

11 Thereafter, a fee of Four Dollars (\$4.00) shall be paid annually
12 for each frac tank, construction machinery, rental trailer,
13 commercial trailer, or semitrailer. The fee of Four Dollars (\$4.00)
14 shall be due and payable on January 1 of each year on any frac tank,
15 construction machinery, rental trailer, commercial trailer, or
16 semitrailer registered under this section.

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

3 A receipt shall be issued upon the payment of the annual fee.
4 The receipt shall show the total fee paid for one or more frac
5 tanks, construction machinery units, rental trailers, commercial
6 trailers, or semitrailers. The receipt shall be retained by the
7 owner of any frac tank, construction machinery, rental trailer,
8 commercial trailer, or semitrailer for a period of three (3) years
9 and shall be subject to audit by the Tax Commission or Corporation
10 Commission.

11 Any frac tank, construction machinery, commercial trailer, or
12 semitrailer licensed pursuant to this section shall not be permitted
13 to be operated on the highways of this state when such frac tank,
14 construction machinery, commercial trailer, or semitrailer is being
15 operated by a resident of this state, or is being operated by a
16 person operating a vehicle or vehicles domiciled in this state and
17 required by law to be licensed in Oklahoma, unless the pulling truck
18 or truck-tractor has been licensed pursuant to this section or is
19 twenty-four thousand (24,000) pounds or less and operating under a
20 valid temporary license plate provided by Section 1137.1 or 1137.3
21 of this title. In no event shall any truck, truck-tractor, frac
22 tank, construction machinery, trailer, or semitrailer used in the
23 furtherance of any commercial enterprise be permitted to operate on
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1 the highways of this state or register at a smaller license fee than
2 that prescribed in this section except as provided in this section.

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

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

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

19 Any person who has paid a fee under the terms and provisions of
20 this subsection may at any time within one (1) year after the
21 payment of such fee file with the Tax Commission or Corporation
22 Commission a claim under oath for refund stating the grounds
23 therefor. However, the Tax Commission or Corporation Commission
24 shall allow refunds only where the amount of tax paid has been

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

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

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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
15 shall remain and become a lien against any and all property of the
16 owner, both real and personal, for so long as any license tag fee
17 balance shall remain unpaid. Any unpaid balance under these
18 provisions shall be immediately due and payable by the owner if any
19 vehicle is 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 K. Service Oklahoma shall promulgate rules for the mass renewal
12 of commercial vehicle registration for businesses that possess at
13 least ten vehicles registered as commercial vehicles under the
14 provisions of this section, provided that such mass renewal shall
15 not be mandatory for such businesses. For such mass renewal, the
16 annual license fees described in subsections A and B of this section
17 shall be due and payable on January 1 of each year on such
18 commercial vehicles.

19 SECTION 2. This act shall become effective November 1, 2024.
20 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
21 February 13, 2024 - DO PASS
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