

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 1064

By: Rosino

AS INTRODUCED

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 vehicle for safe operation on the highway exceeds sixty percent

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

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

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

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

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

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

20 B. The owner of every vehicle in this state shall possess a
21 certificate of title as proof of ownership of such vehicle, except
22 those vehicles registered pursuant to Section 1120 of this title and
23 trailers registered pursuant to Section 1133 of this title,
24 previously titled by anyone in another state and engaged in

1 interstate commerce, and except as provided in subsection M of this
2 section. Except for owners that possess an agricultural exemption
3 permit pursuant to Section 1358.1 of Title 68 of the Oklahoma
4 Statutes, the owner of an all-terrain vehicle or a motorcycle used
5 exclusively off roads or highways in this state which is purchased
6 or the ownership of which is transferred on or after July 1, 2005,
7 and the owner of a utility vehicle used exclusively off roads and
8 highways in this state which is purchased or the ownership of which
9 is transferred on or after July 1, 2008, shall possess a certificate
10 of title as proof of ownership. Any person possessing an
11 agricultural exemption permit and owning an all-terrain vehicle or a
12 motorcycle used exclusively off roads or highways in this state
13 which is purchased or the ownership of which is transferred on or
14 after July 1, 2008, shall possess a certificate of title as proof of
15 ownership. Upon receipt of proper application information by such
16 owner, Service Oklahoma shall issue an original or transfer
17 certificate of title. Until July 1, 2008, any security interest in
18 an all-terrain vehicle that attached and was perfected before July
19 1, 2005, and that has not otherwise terminated shall remain
20 perfected, and shall take priority over any subsequently perfected
21 security interest in the same all-terrain vehicle, notwithstanding
22 that a certificate of title may have been issued with respect to the
23 same all-terrain vehicle on or after July 1, 2005, and that a lien
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1 may have been recorded on said certificate of title. There shall be
2 eight types of certificates of title:

3 1. Original title for any motor vehicle which is not a
4 remanufactured, salvage, unrecovered-theft, rebuilt, rebodied or
5 junked vehicle;

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

9 3. Rebuilt title for any motor vehicle which is a rebuilt
10 vehicle;

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

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

16 6. Remanufactured title for any vehicle which is a
17 remanufactured vehicle;

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

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

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

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

- 17 a. a full description of the vehicle,
- 18 b. the manufacturer's serial or other identification
19 number,
- 20 c. the motor number and the date on which first sold by
21 the manufacturer or dealer to the owner,
- 22 d. any distinguishing marks,
- 23 e. a statement of the applicant's source of title,
- 24 f. any security interest upon the vehicle, and

1 g. such other information as Service Oklahoma may
2 require.

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

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

16 The declaration shall be based upon the best information and
17 knowledge of the owner and shall be in addition to the requirements
18 specified in paragraph 1 of this subsection. Service Oklahoma shall
19 not issue a certificate of title for a vehicle which is subject to
20 the provisions of this paragraph without the required declaration,
21 completed and signed by the owner of the vehicle. Upon receipt of
22 an application without the properly completed declaration, Service
23 Oklahoma shall return the application to the applicant with notice
24 that the title may not be issued without the required declaration.

1 Nothing in this paragraph shall prohibit Service Oklahoma from
2 recognizing the type of or brand on a title or other ownership
3 document issued by another state or the inspection conducted in
4 another state and issuing the appropriate certificate of title for
5 the vehicle.

6 3. The certificate of title shall have the following security
7 features:

- 8 a. intaglio printing or security thread, with or without
9 watermark,
- 10 b. latent images,
- 11 c. fluorescent inks,
- 12 d. micro print,
- 13 e. void background, and
- 14 f. color coding.

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

18 5. The certificate of title shall be of such size and design
19 and color as Service Oklahoma may direct pursuant to the provisions
20 of this section. The title shall be on colored paper or other
21 material as designated by Service Oklahoma and be of such intensity
22 or hue as will allow easy identification as to whether the title is
23 an original title, a salvage title, a rebuilt title, remanufactured
24 title, rebodied title or a junked title. The type of title shall be

1 identified on the front of the certificate of title. The original
2 title, rebuilt title, remanufactured title, an unrecovered-theft
3 title, rebodied title or classic title shall be identified by the
4 word "Original", "Rebuilt", "Remanufactured", "Unrecovered Theft",
5 "Rebodied" or "Classic" printed in the upper right quadrant of the
6 certificate of title, in the space which is currently captioned
7 "type of title". A rebodied title shall also identify on the front
8 of the title the year, make and model of the originally manufactured
9 vehicle which has been rebodied and display a notation that reads as
10 follows: "This vehicle has been assembled with new major components
11 licensed by the original manufacturer."

12 D. 1. To obtain an original certificate of title for a vehicle
13 that is being registered for the first time in this state which has
14 not been previously registered in any other state, the applicant
15 shall be required to deliver, as evidence of ownership, a
16 manufacturer's certificate of origin properly assigned by the
17 manufacturer, distributor, or dealer licensed in this or any other
18 state shown thereon to be the last transferee to the applicant upon
19 a form to be prescribed and approved by Service Oklahoma. A
20 manufacturer's certificate of origin shall contain:

- 21 a. the manufacturer's serial or other identification
22 number,
- 23 b. date on which first sold by the manufacturer to the
24 dealer,

- c. any distinguishing marks including model and the year same was made,
- d. a statement of any security interests upon the vehicle, and
- e. such other information as Service Oklahoma may require.

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

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

E. In the absence of a dealer's or manufacturer's number, Service Oklahoma may assign such identifying number to the vehicle, which shall be permanently stamped, burned or pressed or attached into the vehicle, and a certificate of title shall be delivered to the applicant upon payment of all fees and taxes, and the remaining copies shall be permanently filed and indexed by Service Oklahoma. Service Oklahoma shall assign an identifying number to any rebuilt vehicle if the vehicle identification number displayed on the rebuilt vehicle does not accurately describe the vehicle as rebuilt. The licensed operator, at the time of inspection of the rebuilt

1 vehicle pursuant to Section 1111 of this title, shall identify the
2 make, model, and year for the body to accurately describe the
3 rebuilt vehicle. At the time of the inspection, an appropriate
4 identifying number shall be permanently stamped, burned, pressed, or
5 attached on the rebuilt vehicle. The assigned identifying number
6 shall be recorded on the certificate of title for the rebuilt
7 vehicle. The dealer's or manufacturer's vehicle identification
8 number on the rebuilt vehicle shall be preserved in the computer
9 files of Service Oklahoma for at least five (5) years.

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

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

19 2. As evidence of compliance with federal law, copies of the
20 bond release letters for the vehicle issued by the United States
21 Environmental Protection Agency and the United States Department of
22 Transportation, together with a receipt issued by the Internal
23 Revenue Service indicating that the applicable federal gas guzzler
24 tax has been paid.

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

13 G. When registering in this state a vehicle which was titled in
14 another state and which title contains the name of a secured party
15 on the face of the other state certificate of title, or such state
16 certificate is being held by the secured party in that state or any
17 other state, Service Oklahoma or the licensed operator shall
18 complete a lien entry form as prescribed by Service Oklahoma. The
19 owner of such vehicle shall file an affidavit with Service Oklahoma
20 or the licensed operator stating that title to the vehicle is being
21 held by a secured party, has not been issued pursuant to the laws of
22 the state where titled, and that there is an existing lien or
23 encumbrance on the vehicle. The current name and address of the
24 secured party or lienholder shall also be stated in the affidavit.

1 The form of the affidavit shall be prescribed by Service Oklahoma
2 and contain any other information deemed necessary by Service
3 Oklahoma. A statement of the lien or encumbrance shall be included
4 on the Oklahoma certificate of title and the lien or encumbrance
5 shall be deemed continuously perfected as though it had been
6 perfected pursuant to Section 1110 of this title. For completing
7 the lien entry form and recording the security interest on the
8 certificate of title, Service Oklahoma or the licensed operator
9 shall collect a fee of Three Dollars (\$3.00) which shall be in
10 addition to other fees provided by the Oklahoma Vehicle License and
11 Registration Act. The fee, if collected by the licensed operator
12 pursuant to this subsection, shall be retained by the licensed
13 operator.

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

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

19 J. If a vehicle is sold to a resident of another state
20 destroyed, dismantled, or ceases to be used as a vehicle, the owner
21 shall immediately notify Service Oklahoma. Absent evidence to the
22 contrary, failure to notify Service Oklahoma shall be prima facie
23 evidence that the vehicle has been in continuous operation in this
24 state.

1 K. If a vehicle is stolen, the owner shall immediately notify
2 the appropriate law enforcement agency. Immediately after receiving
3 such notification, the law enforcement agency shall notify Service
4 Oklahoma.

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

- 16 1. Are offered for sale at auction;
- 17 2. Have been solely used as vehicles for rent under the
18 ownership of a licensed motor vehicle dealer or a person engaged in
19 the business of renting motor vehicles; or
- 20 3. Have not been registered in this or any other state for more
21 than one (1) year.

22 The inspection shall include a comparison of the vehicle
23 identification number on the vehicle with the number recorded on the
24 ownership records and the recording of the actual odometer reading

1 on the vehicle. The four-dollar fee shall be collected by the
2 licensed operator or Service Oklahoma when the title is issued. The
3 licensed operator shall retain Two Dollars (\$2.00). The remaining
4 Two Dollars (\$2.00) shall be deposited in the Oklahoma Tax
5 Commission Reimbursement Fund through December 31, 2022, and
6 beginning January 1, 2023, this fee shall be deposited in the
7 Service Oklahoma Reimbursement Fund.

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

11 M. No title for any out-of-state vehicle offered for sale at
12 salvage pools, salvage disposal sales, or an auction, or by a dealer
13 or a licensed automotive dismantler and parts recycler, shall be
14 issued ~~without~~ unless an inspection has been conducted to compare
15 the vehicle identification number on the vehicle with the number
16 recorded on the ownership record and to record the actual odometer
17 reading on the vehicle by a person employed thereby or a licensed
18 operator. ~~Upon request of the seller, person or entity conducting~~
19 ~~an auction, dealer or licensed dismantler, the inspection shall be~~
20 ~~conducted at the location or place of business of the sale, auction,~~
21 ~~dealer, or the dismantler. The inspection shall be conducted by any~~
22 ~~licensed operator or a duly authorized employee thereof; provided,~~
23 ~~if~~ If the vehicle identification number on the vehicle offered for
24 sale or ~~at salvage pools, salvage disposal sales or a classic or~~

1 ~~antique~~ auction does not match the number recorded on the ownership
2 record, ~~the~~ an inspection ~~may~~ shall be conducted ~~at the location of~~
3 ~~or place of business of such sale or auction~~ by any state, county or
4 city law enforcement officer or an agent of the National Insurance
5 Crime Bureau at the location of or place of business of such sale or
6 auction or as specified by the state, county, or city law
7 enforcement officer or agent of the National Insurance Crime Bureau.

8 Service Oklahoma may ~~enter into reciprocal agreements with other~~
9 ~~states for~~ authorize such inspections to be performed at locations
10 outside the boundaries of this state ~~for vehicles which:~~

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

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

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

17 The inspection shall be certified upon forms prescribed by Service
18 Oklahoma. The name and other identification of the authorized
19 person conducting the inspection shall be legibly printed or typed
20 on the form. Prior to any inspection by any employee of a licensed
21 operator, the licensed operator shall notify Service Oklahoma of the
22 name and any other identification information requested by Service
23 Oklahoma of the authorized person. A signature specimen of the
24 authorized person shall be submitted to Service Oklahoma by the

1 employing licensed operator. If the authorization to inspect
2 vehicles is withdrawn or the employer-employee relationship is
3 terminated, the licensed operator, immediately, shall notify Service
4 Oklahoma and return any remaining inspection forms to Service
5 Oklahoma. The fee for the inspection performed by a licensed
6 operator shall be Four Dollars (\$4.00). The licensed operator shall
7 retain Three Dollars (\$3.00) of the fee. The fee for an inspection
8 performed by employees of salvage pools, salvage disposal sales,
9 auctions, dealers, or licensed automotive dismantler and parts
10 recyclers shall be One Dollar (\$1.00) and shall not be retained but
11 remitted to the state. Fees received by a licensed operator or an
12 authorized employee thereof shall be handled and accounted for in
13 the manner as prescribed by law for any other fees paid to or
14 received by a licensed operator. Out-of-state vehicles brought into
15 this state by a person licensed in another state to sell new or used
16 vehicles to be sold within this state at a motor vehicle auction
17 which is limited to dealer-to-dealer transactions shall not be
18 required to be inspected, unless the vehicle is purchased by an
19 Oklahoma dealer. Any person licensed in another state to sell new
20 or used motor vehicles, who offers a motor vehicle for sale within
21 this state at a motor vehicle auction which is limited to dealer-to-
22 dealer transactions, shall not be within the definition of "owner"
23 in Section 1102 of this title, for purposes of Section 1101 et seq.
24 of this title. If Service Oklahoma or another Oklahoma agency

1 issuing a license to a person authorized by this section to perform
2 an inspection determines that a person has not complied with this
3 section, falsified an inspection form, or does not obtain an
4 inspection if required, by any state, county, or city law
5 enforcement officer or an agent of the National Insurance Crime
6 Bureau, the person's authority to perform an inspection under this
7 section may be suspended or revoked, or the person's license to
8 conduct business may be suspended or revoked by the Oklahoma agency
9 issuing such license.

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. This act shall become effective November 1, 2023.
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