

1 ENGROSSED HOUSE
2 BILL NO. 3898

By: Davis of the House

3 and

4 Rogers of the Senate

5
6 [motor vehicles - definitions - inspection of
7 commercial motor vehicles - fees and affidavit -
8 Service Oklahoma - vehicle registration requirement
9 - biennial and triennial registration - promulgate
10 rules - fees - licensed operators - registration of
11 commercial vehicles - biennial and triennial
12 registration of commercial vehicles and trailers -
13 name of responsible agency - effective date]
14

15

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

17 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1105, as
18 amended by Section 110, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
19 2023, Section 1105), is amended to read as follows:

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

22 1. "Salvage vehicle" means any vehicle which is within the last
23 ten (10) model years and which has been damaged by collision or
24 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. "Unrecovered-theft vehicle" means a vehicle which has been
14 stolen and not yet recovered;

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

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

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

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

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

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,

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

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

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

15 E. In the absence of a dealer's or manufacturer's number,
16 Service Oklahoma may assign such identifying number to the vehicle,
17 which shall be permanently stamped, burned or pressed or attached
18 into the vehicle, and a certificate of title shall be delivered to
19 the applicant upon payment of all fees and taxes, and the remaining
20 copies shall be permanently filed and indexed by Service Oklahoma.
21 Service Oklahoma shall assign an identifying number to any rebuilt
22 vehicle if the vehicle identification number displayed on the
23 rebuilt vehicle does not accurately describe the vehicle as rebuilt.
24 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

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. Commercial vehicles registered pursuant to the
2 provisions of Section 1133 et seq. of this title shall be exempt
3 from the inspection requirement of this subsection, upon payment of
4 any fees required pursuant to this subsection when title is issued
5 and submission of an affidavit to Service Oklahoma or the licensed
6 operator. The form of the affidavit shall be prescribed by Service
7 Oklahoma and contain any information deemed necessary by Service
8 Oklahoma. The four-dollar fee shall be collected by the licensed
9 operator or Service Oklahoma when the title is issued. The licensed
10 operator shall retain Two Dollars (\$2.00). The remaining Two
11 Dollars (\$2.00) shall be deposited in the Oklahoma Tax Commission
12 Reimbursement Fund through December 31, 2022, and beginning January
13 1, 2023, this fee shall be deposited in the Service Oklahoma
14 Reimbursement Fund.

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

18 M. No title for any out-of-state vehicle offered for sale at
19 salvage pools, salvage disposal sales, or an auction, or by a dealer
20 or a licensed automotive dismantler and parts recycler, shall be
21 issued without an inspection to compare the vehicle identification
22 number on the vehicle with the number recorded on the ownership
23 record and to record the actual odometer reading on the vehicle.
24 Upon request of the seller, person or entity conducting an auction,

1 dealer or licensed dismantler, the inspection shall be conducted at
2 the location or place of business of the sale, auction, dealer, or
3 the dismantler. The inspection shall be conducted by any licensed
4 operator or a duly authorized employee thereof; provided, if the
5 vehicle identification number on the vehicle offered for sale at
6 salvage pools, salvage disposal sales or a classic or antique
7 auction does not match the number recorded on the ownership record,
8 the inspection may be conducted at the location of or place of
9 business of such sale or auction by any state, county or city law
10 enforcement officer. Service Oklahoma may enter into reciprocal
11 agreements with other states for such inspections to be performed at
12 locations outside the boundaries of this state for vehicles which:

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

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

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

23 N. A licensed motor vehicle dealer, upon payment of a fee of
24 Fifteen Dollars (\$15.00), may reassign an out-of-state certificate

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

21 O. The ownership of any unrecovered vehicle which has been
22 declared a total loss by an insurer because of theft shall be
23 transferred to the insurer by an unrecovered-theft vehicle title;
24 provided, the ownership of any such vehicle which has been declared

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

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

22 Q. The owner of any vehicle which is incapable of operation or
23 use on the public roads and has no resale value, except as parts,
24 scrap or junk, may deliver the certificate of title to the vehicle

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

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

1 model of the vehicle, and the public vehicle identification number.
2 If there is no public vehicle identification number, the vehicle
3 shall be inspected by a law enforcement officer to verify the
4 absence of the number on the vehicle and the prescribed ownership
5 form shall include a signed statement, by such officer, verifying
6 the absence of the number.

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

16 Upon receipt of the certificate, Service Oklahoma shall verify
17 that any perfected lien upon the vehicle has been released. If the
18 lien is not released, Service Oklahoma shall mail notice of the
19 transfer to the lienholder at the lienholder's last-known address.
20 If a certificate of title has been issued, it shall be canceled and
21 the vehicle identification number shall be preserved in the computer
22 of Service Oklahoma for at least five (5) years. The buyer of the
23 vehicle may not be sued and shall not be liable for monetary damages
24

1 to the lienholder, however, the vehicle shall be subject to a valid
2 repossession by a lienholder.

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

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

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

23 V. Service Oklahoma shall not be considered a necessary party
24 to any lawsuit which is instigated for the purpose of determining

1 ownership of a vehicle, wherein Service Oklahoma's only involvement
2 would be to issue title, and the court shall issue an order
3 dismissing Service Oklahoma from the pending action. In the event
4 no other party or lienholder can be identified as to ownership or
5 claim, Service Oklahoma shall accept an affidavit of ownership from
6 the party claiming ownership and issue proper title thereon.

7 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1115, as
8 last amended by Section 1, Chapter 246, O.S.L. 2023 (47 O.S. Supp.
9 2023, Section 1115), is amended to read as follows:

10 Section 1115. A. Unless provided otherwise by statute, the
11 following vehicles shall be registered annually: manufactured
12 homes, vehicles registered with a permanent nonexpiring license
13 plate pursuant to Section 1113 of this title, and commercial
14 vehicles registered pursuant to the installment plan provided in
15 subsection H of Section 1133 of this title. The following schedule
16 shall apply for such vehicle purchased in this state or brought into
17 this state by residents of this state:

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

20 2. Between April 1 and June 30, the payment of three-fourths
21 (3/4) the annual fee shall be required;

22 3. Between July 1 and September 30, the payment of one-half
23 (1/2) the annual fee shall be required; and
24

1 4. Between October 1 and November 30, the payment of one-fourth
2 (1/4) the annual fee shall be required.

3 License plates or decals for each year shall be made available
4 on December 1 of each preceding year for such vehicles. Any person
5 who purchases such vehicle or manufactured home between December 1
6 and December 31 of any year shall register it within thirty (30)
7 days from date of purchase and obtain a license plate or
8 Manufactured Home License Registration Decal, as appropriate, for
9 the following calendar year upon payment of the full annual fee.
10 Unless provided otherwise by statute, all annual license,
11 registration and other fees for such vehicles shall be due and
12 payable on January 1 of each year and if not paid by February 1
13 shall be deemed delinquent.

14 B. 1. All vehicles, other than those required to be registered
15 pursuant to the provisions of subsection A of this section, shall be
16 registered on a staggered system of registration and licensing on a
17 monthly series basis to distribute the work of registering such
18 vehicles as uniformly and expeditiously as practicable throughout
19 the calendar year unless otherwise provided in this section. After
20 the end of the month following the expiration date, the license and
21 registration fees for the new registration period shall become
22 delinquent. At the time of registration or renewal, the owner of
23 the vehicle may choose either an annual or a biennial registration
24 of the vehicle.

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

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

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

15 4. Effective January 1, 2004, all motorcycles and mopeds shall
16 be registered on a staggered system of registration. Service
17 Oklahoma shall notify in writing, prior to December 1, 2003, all
18 owners of motorcycles or mopeds registered as of such date, who
19 shall have a one-time option of registering for a period of not less
20 than three (3) months nor greater than fifteen (15) months.
21 Subsequent renewals for these registrants will be for twelve (12)
22 months, expiring on the last day of the month chosen by the
23 registrant under the one-time option as provided herein. All
24 motorcycles and mopeds registered pursuant to new applications

1 received on or after December 1, 2003, shall also be registered
2 pursuant to the provisions of this paragraph.

3 5. Any three or more commercial vehicles owned by the same
4 person and previously registered in this state may be registered at
5 the same time regardless of the month or months in which they were
6 previously registered. The month in which the commercial vehicles
7 are newly registered shall be the month in which their registration
8 is renewed annually. If a commercial vehicle is registered pursuant
9 to this paragraph in the same calendar year in which it was
10 previously registered, license and registration fees shall be
11 prorated to account for the difference between the previous renewal
12 month and the new renewal month and those fees shall be due at the
13 time of registration pursuant to this paragraph. At the time of
14 registration or renewal of a commercial vehicle, except fleet
15 vehicles registered under the provisions of Section 1120 of this
16 title, the owner of the vehicle may choose either an annual,
17 biennial, or triennial registration of the vehicle.

18 C. The following penalties shall apply for delinquent
19 registration fees:

20 1. For fleet vehicles required to be registered pursuant to the
21 provisions of Section 1120 of this title for which a properly
22 completed application for registration has not been received by the
23 Corporation Commission by the last day of the month following the
24 registration expiration date, a penalty of thirty percent (30%) of

1 the Oklahoma portion of the annual registration fee, or Two Hundred
2 Dollars (\$200.00), whichever is greater, shall be assessed. The
3 license and registration cards issued by the Corporation Commission
4 for each fleet vehicle shall be valid until two (2) months after the
5 registration expiration date;

6 2. For commercial vehicles registered under the provisions of
7 subsection B of this section, except those vehicles registered
8 pursuant to Section 1133.1 of this title, a penalty shall be
9 assessed after the last day of the month following the registration
10 expiration date. A penalty of twenty-five cents (\$0.25) per day
11 shall be added to the license fee of such vehicle and shall accrue
12 for one (1) month. Thereafter, the penalty shall be thirty percent
13 (30%) of the annual registration fee, or Two Hundred Dollars
14 (\$200.00), whichever is greater;

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

19 4. For all vehicles, a penalty shall be assessed after the last
20 day of the month following the expiration date, and no penalty shall
21 be waived by Service Oklahoma or any licensed operator except as
22 provided for in subsection H of Section 1133, subsection C of
23 Section 1127 of this title, or when the vehicle was stolen as
24 certified by a police report or other documentation as required by

1 Service Oklahoma. A penalty of One Dollar (\$1.00) per day shall be
2 added to the license fee of such vehicle, provided that the penalty
3 shall not exceed One Hundred Dollars (\$100.00). Of each dollar
4 penalty collected pursuant to this subsection:

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

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

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

11 D. In addition to all other penalties provided in the Oklahoma
12 Vehicle License and Registration Act, the following penalties shall
13 be imposed and collected by any ~~Enforcement Officer~~ enforcement
14 officer of the Corporation Commission upon finding any commercial
15 vehicle being operated in violation of the provisions of the
16 Oklahoma Vehicle License and Registration Act.

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

19 1. A penalty of not less than Fifty Dollars (\$50.00) shall be
20 imposed upon any person found to be operating a commercial vehicle
21 sixty (60) days after the end of the month in which the license
22 plate or registration credentials expire without the current year
23 license plate or registration credential displayed. Such penalty
24 shall not exceed the amount established by the Corporation

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

4 2. A penalty of not less than Fifty Dollars (\$50.00) shall be
5 imposed for any person operating a commercial vehicle subject to the
6 provisions of Section 1120 or Section 1133 of this title without the
7 proper display of, or, carrying in such commercial vehicle, the
8 identification credentials issued by the Corporation Commission as
9 evidence of payment of the fee or tax as provided in Section 1120 or
10 Section 1133 of this title. Such penalty shall not exceed the
11 amount established by the Corporation Commission pursuant to the
12 provisions of subsection A of Section 1167 of this title. Revenue
13 from such penalties shall be apportioned as provided in Section 1167
14 of this title; and

15 3. A penalty of not less than One Hundred Dollars (\$100.00)
16 shall be imposed for any person that fails to register any
17 commercial vehicle subject to the Oklahoma Vehicle License and
18 Registration Act. Such penalty shall not exceed the amount
19 established by the Corporation Commission pursuant to the provisions
20 of subsection A of Section 1167 of this title. Revenue from such
21 penalties shall be apportioned as provided in Section 1167 of this
22 title.

23 E. Service Oklahoma, or the Corporation Commission with respect
24 to vehicles registered under Section 1120 or Section 1133 of this

1 title, shall assess the registration fees and penalties for the year
2 or years a vehicle was not registered. For vehicles not registered
3 for two (2) or more years, the registration fees and penalties shall
4 be due only for the current year and one (1) previous year.

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

8 1. The registration of a vehicle registered pursuant to Section
9 1132 of this title is expired and it is sixty (60) or more days
10 after the end of the month of expiration; or

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

14 Such penalty shall not exceed the amount established by the
15 Corporation Commission pursuant to the provisions of subsection A of
16 Section 1167 of this title. Revenue from such penalties shall be
17 apportioned as provided in Section 1167 of this title.

18 G. If a vehicle is donated to a nonprofit charitable
19 organization, the nonprofit charitable organization shall be exempt
20 from paying any current or past due registration fees, excise tax,
21 transfer fees, and penalties and interest. However, after the
22 donation, if the person donating the vehicle, or someone on behalf
23 of such person, purchases the same vehicle back from the nonprofit
24 charitable organization to which the vehicle was donated, such

1 person shall be liable for all current and past-due registration
2 fees, excise tax, title or transfer fees, and penalties and interest
3 on such vehicle.

4 H. Service Oklahoma shall promulgate rules and any necessary
5 procedures to establish an option for a biennial registration for
6 vehicles registered pursuant to paragraph 1 of subsection B of this
7 section and a biennial or triennial registration for commercial
8 intrastate vehicles.

9 1. Regardless of whether the vehicle owner elects annual ~~or,~~
10 biennial, or triennial registration, the vehicle is still subject to
11 all fees, fines, and penalties provided in the Oklahoma Vehicle
12 License and Registration Act.

13 2. For vehicle owners who elect biennial registration, the
14 annual registration fee shall be twice the annual registration fee
15 provided in the Oklahoma Vehicle License and Registration Act. For
16 vehicle owners who elect triennial registration, the annual
17 registration fee shall be three times the annual registration fee
18 provided in the Oklahoma Vehicle License and Registration Act.

19 3. When processing biennial or triennial registrations,
20 licensed operators shall be entitled to retain twice or three times,
21 as the case may be, the amounts provided in ~~paragraphs 1 and 2 of~~
22 ~~subsection A of Section 1141.1 of this title and twice the amount~~
23 ~~provided in~~ paragraph 14 of subsection A of Section 1141.1 of this
24 title for processing insurance verification information. Licensed

1 operators shall retain fees collected for issuing registrations
2 pursuant to this subsection as required by subsection E of Section
3 1141.1 of this title.

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

6 Section 1133. A. The following license fees shall be paid
7 annually, biennially, or triennially to ~~the~~ Service Oklahoma ~~Tax~~
8 ~~Commission~~ or the Corporation Commission, as applicable, upon the
9 registration of the following vehicles:

10 Except as provided in this subsection, for each commercial
11 vehicle over eight thousand (8,000) pounds as defined in Section
12 1102 of this title, the license fee shall be based on the combined
13 laden weight of the vehicle or combination of vehicles. The license
14 fees shall be computed and assessed at the following rates:

- | | | |
|----|---|----------|
| 15 | 1. From 8,001 pounds to 15,000 pounds | \$ 95.00 |
| 16 | 2. From 15,001 pounds to 18,000 pounds | 120.00 |
| 17 | 3. From 18,001 pounds to 21,000 pounds | 155.00 |
| 18 | 4. From 21,001 pounds to 24,000 pounds | 190.00 |
| 19 | 5. From 24,001 pounds to 27,000 pounds | 225.00 |
| 20 | 6. From 27,001 pounds to 30,000 pounds | 260.00 |
| 21 | 7. From 30,001 pounds to 33,000 pounds | 295.00 |
| 22 | 8. From 33,001 pounds to 36,000 pounds | 325.00 |
| 23 | 9. From 36,001 pounds to 39,000 pounds | 350.00 |
| 24 | 10. From 39,001 pounds to 42,000 pounds | 375.00 |

1	11.	From 42,001 pounds to 45,000 pounds	400.00
2	12.	From 45,001 pounds to 48,000 pounds	425.00
3	13.	From 48,001 pounds to 51,000 pounds	450.00
4	14.	From 51,001 pounds to 54,000 pounds	475.00
5	15.	From 54,001 pounds to 57,000 pounds	648.00
6	16.	From 57,001 pounds to 60,000 pounds	681.00
7	17.	From 60,001 pounds to 63,000 pounds	713.00
8	18.	From 63,001 pounds to 66,000 pounds	746.00
9	19.	From 66,001 pounds to 69,000 pounds	778.00
10	20.	From 69,001 pounds to 72,000 pounds	817.00
11	21.	From 72,001 pounds to 73,280 pounds	857.00
12	22.	From 73,281 pounds to 74,000 pounds	870.00
13	23.	From 74,001 pounds to 75,000 pounds	883.00
14	24.	From 75,001 pounds to 76,000 pounds	896.00
15	25.	From 76,001 pounds to 77,000 pounds	909.00
16	26.	From 77,001 pounds to 78,000 pounds	922.00
17	27.	From 78,001 pounds to 79,000 pounds	935.00
18	28.	From 79,001 pounds to 80,000 pounds	948.00
19	29.	From 80,001 pounds to 81,000 pounds	961.00
20	30.	From 81,001 pounds to 82,000 pounds	974.00
21	31.	From 82,001 pounds to 83,000 pounds	987.00
22	32.	From 83,001 pounds to 84,000 pounds	1000.00
23	33.	From 84,001 pounds to 85,000 pounds	1013.00
24	34.	From 85,001 pounds to 86,000 pounds	1026.00

1	35. From 86,001 pounds to 87,000 pounds	1039.00
2	36. From 87,001 pounds to 88,000 pounds	1052.00
3	37. From 88,001 pounds to 89,000 pounds	1065.00
4	38. From 89,001 pounds to 90,000 pounds	1078.00

5 For the purposes of this section, the license fee of a wrecker
6 or tow vehicle shall be based on the gross weight of the wrecker or
7 tow vehicle alone without any inclusion of weight for a vehicle
8 towed by the wrecker or tow vehicle.

9 For biennial registration, the registration fee shall be twice
10 the annual registration fee provided in this section. For triennial
11 registration, the registration fee shall be three times the annual
12 registration fee provided in this section. Service Oklahoma shall
13 promulgate rules for the registration of commercial vehicles
14 biennially and triennially.

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

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
12 annually, biennially, or triennially for each frac tank,
13 construction machinery, rental trailer, commercial trailer or
14 semitrailer. The fee of Four Dollars (\$4.00) shall be due and
15 payable on January 1 of ~~each~~ the year following expiration of
16 registration on any frac tank, construction machinery, rental
17 trailer, commercial trailer or semitrailer registered under this
18 section.

19 Upon the payment of the registration fee of Forty Dollars
20 (\$40.00), a nonexpiring registration certificate and identification
21 plate shall be issued for each frac tank, construction machinery,
22 rental trailer, commercial trailer or semitrailer. The nonexpiring
23 identification plate shall remain displayed on the frac tank,
24 construction machinery, rental trailer, commercial trailer or

1 semitrailer for which the identification plate is issued until such
2 frac tank, construction machinery, trailer or semitrailer is sold or
3 removed from service.

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

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

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 When processing biennial or triennial registrations, licensed
4 operators shall be entitled to retain twice or three times, as the
5 case may be, the amounts provided in paragraph 14 of subsection A of
6 Section 1141.1 of this title for processing insurance verification
7 information. Licensed operators shall retain fees collected for
8 issuing registrations pursuant to this subsection as required by
9 subsection E of Section 1141.1 of this title. Service Oklahoma or
10 the Corporation Commission, as applicable, shall promulgate rules
11 for the biennial and triennial registration of vehicles subject to
12 this subsection.

13 D. For each fiscal year, notwithstanding the provisions of
14 Section 1104 of this title, the first Four Hundred Thousand Dollars
15 (\$400,000.00) of all monies collected pursuant to subsections A, B
16 and C of this section shall be paid by the Tax Commission to the
17 State Treasurer of the State of Oklahoma who shall deposit same each
18 fiscal year, or such lesser amount as may accrue each fiscal year,
19 under the provisions of this section to the credit of the General
20 Revenue Fund of the State Treasury. All monies collected in excess
21 of Four Hundred Thousand Dollars (\$400,000.00) each fiscal year
22 shall be apportioned as provided in Section 1104 of this title.

23 E. If any vehicle is used for a purpose other than that for
24 which it has been registered, the owner of the vehicle shall be

1 required to immediately reregister the vehicle at the appropriate
2 rate. If any vehicle is placed or operated upon any street, road or
3 highway of this state with a laden weight in excess of that for
4 which it is licensed, the license fee for such increased laden
5 weight shall become due, and the owner of the vehicle shall be
6 required to immediately reregister the vehicle at the increased
7 rate. Provided that, in either event there shall be credited upon
8 the increased license fee for such reregistration for any portion of
9 the year or period remaining after the change in use or increase in
10 laden weight shall have occurred a proportionate part of the license
11 fees previously paid. If this reregistration is made voluntarily by
12 the owner, the ratable proportion of the credit allowed shall be
13 determined as of the date the reregistration is voluntarily made.
14 If the reregistration is not voluntarily made but occurs as a result
15 of the discovery by any enforcement officer of an improper operation
16 of the vehicle, that shall be considered prima facie evidence that
17 it has been improperly registered for the entire portion of the year
18 covered by the improper registration. Provided further that the
19 ratable credit shall be allowed only on the first reregistration of
20 any vehicle during any calendar year. If, during the calendar year,
21 subsequent changes of license plate are desired, the ratable credit
22 shall not be allowed but the owner of the vehicle shall be required
23 to pay the license fee due for that portion of the calendar year
24 remaining without benefit of any additional credits. No owner of a

1 motor vehicle shall possess at any time more than one license plate
2 for any vehicle owned by such person. No reregistration shall be
3 made until the current license plate previously issued has been
4 surrendered.

5 Any person who has paid a fee under the terms and provisions of
6 this subsection may at any time within one (1) year after the
7 payment of such fee file with the Tax Commission or Corporation
8 Commission a claim under oath for refund stating the grounds
9 therefor. However, the Tax Commission or Corporation Commission
10 shall allow refunds only where the amount of tax paid has been
11 erroneously computed or determined through clerical errors or
12 miscalculations. No refund shall be allowed by the Tax Commission
13 or Corporation Commission of a tax paid by the person where such
14 payment is made through a mistake as to the legal misinterpretation
15 or construction of the provisions of this section. Any refunds made
16 by the Tax Commission or Corporation Commission pursuant to this
17 subsection shall be made out of any monies collected pursuant to
18 this subsection and which have not been apportioned.

19 F. The annual license fee required by this section is intended
20 to cover only the motor vehicle for which it is issued. The Tax
21 Commission or Corporation Commission upon application, when a
22 licensed truck-tractor has been destroyed by fire or accident, shall
23 credit the unused portion of the annual license fee of the vehicle
24 toward the license fee of a replacement vehicle of equal registered

1 weight. The amount of credit shall not exceed the license fee due
2 on the replacement vehicle. The Tax Commission or Corporation
3 Commission shall not be required to make a refund. If the
4 replacement vehicle is to be registered at a greater weight, the
5 applicant shall pay an additional sum equivalent to the difference
6 between the unused portion of the annual license fee for the
7 original motor vehicle and the license fee due for the replacement
8 motor vehicle.

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

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

24

1 This subsection shall not operate to reduce the amount of the
2 license fees due. If any installment is not paid on or before the
3 date due, all unpaid installments of license fees for such year on
4 each vehicle shall be deemed delinquent and immediately due and
5 payable, and there shall be added a penalty of twenty-five cents
6 (\$0.25) per day to the balance of the license fee due on each
7 vehicle for each day the balance remains unpaid up to thirty (30)
8 days, after which the penalty due on each vehicle shall be Twenty-
9 five Dollars (\$25.00). The penalty for vehicles registered by
10 weight in excess of eight thousand (8,000) pounds shall be an amount
11 equal to the license fee. On and after the thirtieth day each such
12 vehicle involved shall be considered as improperly licensed and as
13 not currently registered, and all of the provisions of the Oklahoma
14 Vehicle License and Registration Act relating to enforcement,
15 including the provisions for the seizure and sale of vehicles not
16 registered and not displaying current license plates, shall apply to
17 the vehicles.

18 All fees and taxes levied by the Oklahoma Vehicle License and
19 Registration Act shall become and remain a first lien upon the
20 vehicle upon which the fees or taxes are due until paid. The lien
21 shall have priority to all other liens. No title to any vehicle may
22 be transferred until the unpaid balance on the vehicle has been paid
23 in full. Provided that any unpaid balance of the license fees shall
24 remain and become a lien against any and all property of the owner,

1 both real and personal, for so long as any license tag fee balance
2 shall remain unpaid. Any unpaid balance under these provisions
3 shall be immediately due and payable by the owner if any vehicle is
4 sold, wrecked, or otherwise retired from service.

5 Any person electing to pay license fees on a semiannual
6 installment basis, as herein authorized, shall be required to
7 purchase a new license tag for the last half and shall pay the sum
8 of Four Dollars (\$4.00) for each tag to cover the costs of the
9 license tags. The license tags for each half shall be plainly
10 marked in designating the half for which they were issued. A
11 validation sticker may be used in lieu of a metal tag where
12 appropriate. Such license tag fee shall be, in addition to the
13 license fees or any other fees, collected on each application as
14 provided by statute and shall be apportioned according to the
15 provisions of Section 1104 of this title.

16 I. Any person pulling or towing any vehicle intended to be
17 resold, into or through this state, shall pay a fee of Three Dollars
18 (\$3.00) for the vehicle towing and Three Dollars (\$3.00) for the one
19 being towed. It shall be unlawful to operate any series of such
20 units on the public highways of this state at a distance closer than
21 five hundred (500) feet from each other. All fees and taxes levied
22 by the terms and provisions of this section shall become and remain
23 a first lien upon the vehicle upon which the fees or taxes are due
24

1 until paid. The lien shall be prior, superior, and paramount to all
2 other liens of whatsoever kind or character.

3 J. In addition to any other penalties prescribed by law, the
4 following penalty shall be imposed by enforcement officers upon any
5 owner or operator of a commercial vehicle registered under the
6 provisions of this section when the laden weight or combined laden
7 weight of such vehicle is found to be in excess of that for which
8 registered. The penalty shall be imposed each and every time a
9 vehicle is found to be in violation of the registered laden weight
10 or combined laden weight.

11 The penalty shall be not less than Twenty Dollars (\$20.00) when
12 such vehicle exceeds the laden weight or combined laden weight by
13 two thousand one (2,001) pounds; thereafter, an additional penalty
14 of not less than Twenty Dollars (\$20.00) shall be imposed for each
15 additional one thousand (1,000) pounds or fraction thereof of weight
16 in excess of the registered laden weight or combined laden weight.
17 Such penalty shall not exceed the amount established by the
18 Corporation Commission pursuant to the provisions of subsection A of
19 Section 1167 of this title. Revenue from such penalties shall be
20 apportioned as provided in Section 1167 of this title.

21 SECTION 4. This act shall become effective November 1, 2024.
22
23
24

1 Passed the House of Representatives the 6th day of March, 2024.

2
3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ___ day of _____, 2024.

7
8 _____
9 Presiding Officer of the Senate