

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1124

By: Bullard

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicle registration;  
8 amending 47 O.S. 2011, Section 1113, as last amended  
9 by Section 4, Chapter 208, O.S.L. 2018 (47 O.S. Supp.  
10 2019, Section 1113), which relates to requirements  
11 for registration documents; clarifying applicability  
12 of certain requirement for purposes of conformity;  
13 repealing Section 3, Chapter 208, O.S.L. 2018 (47  
14 O.S. Supp. 2019, Section 1112.3), which relates to  
15 requirements for registration documents; repealing  
16 certain requirement to maintain specified documents  
17 in possession or in vehicle; updating statutory  
18 language; providing an effective date; and declaring  
19 an emergency.

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

21 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1113, as  
22 last amended by Section 4, Chapter 208, O.S.L. 2018 (47 O.S. Supp.  
23 2019, Section 1113), is amended to read as follows:

24 Section 1113. A. 1. Except for all-terrain vehicles, utility  
25 vehicles and motorcycles used exclusively off roads and highways,  
26 upon the filing of a registration application and the payment of the  
27 fees provided for in the Oklahoma Vehicle License and Registration  
28 Act, the Oklahoma Tax Commission or Corporation Commission, as

1 applicable, shall assign to the vehicle described in the application  
2 a distinctive number, and issue to the owner of the vehicle a  
3 certificate of registration, one license plate and a yearly decal.  
4 The Oklahoma Tax Commission shall assign an all-terrain vehicle,  
5 utility vehicle or motorcycle used exclusively off roads and  
6 highways a distinctive number and issue to the owner a certificate  
7 of registration and a decal but not a license plate. For each  
8 subsequent registration year, the Tax Commission shall issue a  
9 yearly decal to be affixed to the license plate, except for an all-  
10 terrain vehicle, utility vehicle or motorcycle used exclusively off  
11 roads and highways. The initial decal for an all-terrain vehicle,  
12 utility vehicle or motorcycle shall be attached to the front of the  
13 vehicle and shall be in clear view. The decal shall be on the front  
14 or on the front fork of the motorcycle used exclusively off roads  
15 and highways and the decal shall be in clear view. The yearly decal  
16 shall have an identification number and the last two numbers of the  
17 registration year for which it shall expire. Except as provided by  
18 Section 1113A of this title, the license plate shall be affixed to  
19 the exterior of the vehicle until a replacement license plate is  
20 applied for. If the owner applies for a replacement license plate,  
21 the Tax Commission shall charge the fee provided for in Section 1114  
22 of this title. The yearly decal will validate the license plate for  
23 each registration period other than the year the license plate is  
24 issued. The license plate and decal shall be of such size, color,

1 design and numbering as the Tax Commission may direct. However,  
2 yearly decals issued to the owner of a vehicle who has filed an  
3 affidavit with the appropriate motor license agent in accordance  
4 with Section 7-607 of this title shall be a separate and distinct  
5 color from all other decals issued under this section. Before ~~the~~  
6 ~~effective date of this act~~ August 25, 2017, the Tax Commission shall  
7 also issue a monthly decal which shall include a two-letter  
8 abbreviation corresponding to the county in which the vehicle is  
9 registered. The Tax Commission shall issue all decals in the  
10 possession of the Tax Commission on ~~the effective date of this act~~  
11 August 25, 2017, before issuing any decals which do not contain the  
12 county abbreviation.

13 2. The license plate shall be securely attached to the rear of  
14 the vehicle, except truck-tractor plates which shall be attached to  
15 the front of the vehicle. The Tax Commission may, with the  
16 concurrence of the Department of Public Safety, by Joint Rule,  
17 change and direct the manner, place and location of display of any  
18 vehicle license plate when such action is deemed in the public  
19 interest. The license plate, decal and all letters and numbers  
20 shall be clearly visible at all times. The operation of a vehicle  
21 in this state, regardless of where such vehicle is registered, upon  
22 which the license plate is covered, overlaid or otherwise screened  
23 with any material, whether such material be clear, translucent,  
24 tinted or opaque, shall be a violation of this paragraph.

1           3. Upon payment of the annual registration fee provided in  
2 Section 1133 of this title, the Tax Commission or Corporation  
3 Commission, as applicable, or a motor license agent may issue a  
4 permanent nonexpiring license plate to an owner of one hundred or  
5 more commercial motor vehicles and for vehicles registered under the  
6 provisions of Section 1120 of this title. Upon payment of the  
7 annual registration fee, the Tax Commission or Corporation  
8 Commission shall issue a certificate of registration that shall be  
9 carried at all times in the vehicle for which it is issued.  
10 Provided, if the registrant submits its application through  
11 electronic means, such qualified owners of one hundred or more  
12 commercial motor vehicles, properly registered pursuant to the  
13 provisions of Section 1133 of this title, may elect to receive a  
14 permanent certificate of registration that shall be carried at all  
15 times in the vehicle for which it is issued.

16           4. Every vehicle owned by an agency of this state shall be  
17 exempt from the payment of registration fees required by this title.  
18 Provided, such vehicle shall be registered and shall otherwise  
19 comply with the provisions of the Oklahoma Vehicle License and  
20 Registration Act.

21           B. The license plates required under the provisions of this  
22 title shall conform to the requirements and specifications listed  
23 hereinafter:  
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1           1. Each license plate shall have a space for the placement of  
2 the yearly decals for each succeeding year of registration after the  
3 initial issue;

4           2. The provisions of the Oklahoma Vehicle License and  
5 Registration Act regarding the issuance of yearly decals shall not  
6 apply to the issuance of apportioned license plates, including  
7 license plates for state vehicles, and exempt plates for  
8 governmental entities and fire departments organized pursuant to  
9 Section 592 of Title 18 of the Oklahoma Statutes;

10          3. All license plates and decals shall be made with  
11 reflectorized material as a background to the letters, numbers and  
12 characters displayed thereon. The reflectorized material shall be  
13 of such a nature as to provide effective and dependable brightness  
14 during the service period for which the license plate or decal is  
15 issued;

16          4. Except as otherwise provided in this subsection, the Tax  
17 Commission shall design appropriate official license plates for all  
18 state vehicles. Such license plates shall be permanent in nature  
19 and designed in such manner as to remain with the vehicle for the  
20 duration of the vehicle's life span or until the title is  
21 transferred to a nongovernmental owner;

22          5. Within the limits prescribed in this section, the Tax  
23 Commission shall design appropriate official license plates for  
24 vehicles of the Oklahoma Highway Patrol. The license plates shall

1 have the legend "Oklahoma OK" and shall contain the letters "OHP"  
2 followed by the state seal and the badge number of the Highway  
3 Patrol officer to whom the vehicle is assigned. The words "Oklahoma  
4 Highway Patrol" shall also be included on such license plates;

5 6. Within the limits prescribed in this section, the Tax  
6 Commission shall design appropriate official license plates for  
7 vehicles of the ~~Oklahoma~~ Military Department of the State of  
8 Oklahoma. Such license plates shall have the legend "Oklahoma OK"  
9 and shall contain the letters "OMD" followed by the state seal and  
10 three numbers or letters as designated by the Adjutant General. The  
11 words "Oklahoma Military Department" shall also be included on such  
12 license plates;

13 7. Within the limits prescribed in this section, the Tax  
14 Commission shall design appropriate official license plates for  
15 vehicles of the ~~Oklahoma~~ Department of Corrections. Such license  
16 plates shall contain the letters "DOC" followed by the Department of  
17 Corrections badge and three numbers or letters or combination of  
18 both as designated by the Director of the agency. The words  
19 "Department of Corrections" shall also be included on such license  
20 plates; and

21 8. Within the limits prescribed in this section, the Oklahoma  
22 Tourism and Recreation Department shall design any license plates  
23 required by the initiation of a license plate reissuance by the  
24 Oklahoma Tax Commission at the request of the Department of Public  
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1 Safety pursuant to the provisions of Section 1113.2 of this title.

2 Any such new designs shall be submitted by the Oklahoma Tourism and  
3 Recreation Department to the Department of Public Safety for its  
4 approval prior to being issued by the Oklahoma Tax Commission.

5 C. Where the applicant has satisfactorily shown that the  
6 applicant owns the vehicle sought to be registered but is unable to  
7 produce documentary evidence of the ownership, a license plate may  
8 be issued upon approval by the Tax Commission or Corporation  
9 Commission, as applicable. In such instances the reason for not  
10 issuing a certificate of title shall be indicated on the receipt  
11 given to the applicant. It shall still be the duty of the applicant  
12 to immediately take all necessary steps to obtain the Oklahoma  
13 certificate of title and it shall be unlawful for the applicant to  
14 sell the vehicle until the certificate has been obtained in the  
15 applicant's name.

16 D. The certificate of registration provided for in this section  
17 shall be in convenient form, and the certificate of registration, or  
18 a certified copy or photostatic copy thereof, duly authenticated by  
19 the Tax Commission or Corporation Commission, as applicable, shall  
20 be carried at all times in or upon ~~all~~ commercial vehicles so  
21 registered, in such manner as to permit a ready examination thereof  
22 upon demand by any peace officer of the state or duly authorized  
23 employee of the Department of Public Safety. Any such officer or  
24 agent may seize and hold such commercial vehicle when the operator

1 of the same does not have the registration certificate in the  
2 operator's possession or when any such officer or agent determines  
3 that the registration certificate has been obtained by  
4 misrepresentation of any essential or material fact or when any  
5 number or identifying information appearing on such certificate has  
6 been changed, altered, obliterated or concealed in any way, until  
7 the proper registration or identification of such vehicle has been  
8 made or produced by the owner thereof.

9 E. The purchaser of a new or used manufactured home shall,  
10 within thirty (30) days of the date of purchase, register the home  
11 with the Tax Commission or a motor license agent pursuant to the  
12 provisions of Section 1117 of this title. For a new manufactured  
13 home, it shall be the responsibility of the dealer selling the home  
14 to place a temporary license plate on the home in the same manner as  
15 provided in Section 1128 of this title for other new motor vehicles.  
16 For the first year that any manufactured home is registered in this  
17 state, the Tax Commission shall issue a metal license plate which  
18 shall be affixed to the manufactured home. The temporary dealer  
19 license plate or the metal license plate shall be displayed on the  
20 manufactured home at all times when upon a public roadway; provided,  
21 a repossession affidavit issued pursuant to Sections 1110 and 1126  
22 of this title shall be permissible in lieu of a current license  
23 plate and decal for the purposes of removing a repossessed  
24 manufactured home to a secure location. Manufactured homes



1 previously registered and subject to ad valorem taxation as provided  
2 by law shall have a decal affixed at the time ad valorem taxes are  
3 paid for such manufactured home; provided, for a manufactured home  
4 permanently affixed to real estate, no decal or license plate shall  
5 be required to be affixed and the owner thereof shall be given a  
6 receipt upon payment of ad valorem taxes due on the home. The Tax  
7 Commission shall make sufficient plates and decals available to the  
8 various motor license agents of the state in order for an owner of a  
9 manufactured home to acquire the plate or decal. A one-dollar fee  
10 shall be charged for issuance of any plate or decal. The fee shall  
11 be apportioned each month to the General Revenue Fund of the State  
12 Treasury.

13 F. The decal shall be easily visible for purposes of  
14 verification by a county assessor that the manufactured home is  
15 properly assessed for ad valorem taxation. In the first year of  
16 registration, a decal shall be issued for placement on the license  
17 plate indicating payment of applicable registration fees and excise  
18 taxes. A duplicate manufactured home registration decal shall be  
19 affixed inside the window nearest the front door of the manufactured  
20 home. In the second and all subsequent years for which the  
21 manufactured home is subject to ad valorem taxation, an annual decal  
22 shall be affixed inside the window nearest the front door as  
23 evidence of payment of ad valorem taxes. The Tax Commission shall  
24 issue decals to the various county treasurers of the state in order

1 for a manufactured home owner to obtain such decal each year. Upon  
2 presentation of a valid ad valorem tax receipt, the manufactured  
3 home owner shall be issued the annual decal.

4 G. Upon the registration of a manufactured home in this state  
5 for the first time or upon discovery of a manufactured home  
6 previously registered within this state for which the information  
7 required by this subsection is not known, the Tax Commission shall  
8 obtain:

- 9 1. The name of the owner of the manufactured home;
- 10 2. The serial number or identification number of the  
11 manufactured home;
- 12 3. A legal description or address of the location for the home;
- 13 4. The actual retail selling price of the manufactured home  
14 excluding Oklahoma taxes;
- 15 5. The certificate of title number for the home; and
- 16 6. Any other information which the Tax Commission deems to be  
17 necessary.

18 The application for registration shall also include the school  
19 district in which the manufactured home is located or is to be  
20 located. The information shall be entered into a computer data  
21 system which shall be used by the Tax Commission to provide  
22 information to county assessors upon request by the assessor. The  
23 assessor may request any information from the system in order to  
24 properly assess a manufactured home for ad valorem taxation.

1 SECTION 2. REPEALER Section 3, Chapter 208, O.S.L. 2018  
2 (47 O.S. Supp. 2019, Section 1112.3), is hereby repealed.

3 SECTION 3. This act shall become effective July 1, 2020.

4 SECTION 4. It being immediately necessary for the preservation  
5 of the public peace, health or safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

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