

1 **SENATE FLOOR VERSION**

2 February 18, 2020

3 **AS AMENDED**

4 SENATE BILL NO. 1376

5 By: Bice

6 **[ motor license agents - financial responsibility -**  
7 **effective date ]**

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

10 SECTION 1. AMENDATORY 47 O.S. 2011, Section 7-602, as  
11 last amended by Section 3, Chapter 74, O.S.L. 2017 (47 O.S. Supp.  
12 2019, Section 7-602), is amended to read as follows:

13 Section 7-602. A. 1. The owner of a motor vehicle registered  
14 in this state shall carry in the vehicle at all times a current  
15 owner's security verification form listing the vehicle or an  
16 equivalent form which has been issued by the Department of Public  
17 Safety, and the operator of the vehicle shall produce the form upon  
18 request for inspection by any law enforcement officer or  
19 representative of the Department and, in case of an accident, the  
20 form shall be shown upon request to any person affected by the  
21 accident.

22 2. a. Every person registering a motor vehicle in this  
23 state, except a motor vehicle which is not being used  
24 upon the public highways or public streets, or a

1 manufactured home while on a permanent foundation, at  
2 the time of registration of the vehicle, shall certify  
3 the existence of security with respect to the vehicle  
4 by providing to a motor license agent or other  
5 registering agency necessary information from the  
6 current owner's security verification in a manner that  
7 allows verification of coverage through the online  
8 verification system. The information shall include  
9 the name or number issued by the National Association  
10 of Insurance Commissioners of the current insurance  
11 carrier authorized to do business in this state and  
12 the policy number applicable to the vehicle being  
13 registered. A motor license agent or other  
14 registering agency shall require the submission of the  
15 form or other verifying information prior to  
16 processing an application for registration or renewal.

17 b. Every motor license agent or other registering agency  
18 shall use the online verification system to certify  
19 the existence of security with respect to the vehicle  
20 from an insurance carrier authorized to do business in  
21 this state unless the online verification system is  
22 not online or the required information is otherwise  
23 not available. In such a case, the license agent or  
24 other registering agency may accept verification as

1 provided in subparagraph a of this paragraph or from a  
2 licensed insurance producer or customer service  
3 representative to certify the existence of the  
4 required insurance prior to processing any application  
5 for motor vehicle registration. Every motor license  
6 agent or other registering agent shall allow  
7 submission of proof from a licensed insurance producer  
8 or customer service representative pursuant to this  
9 subparagraph via electronic mail at no additional cost  
10 to the person registering the vehicle.

11 3. Fleet vehicles operating under the authority of the  
12 Corporation Commission, the Federal Highway Administration, or  
13 vehicles registered pursuant to the provisions of Section 1120 of  
14 this title, shall certify the existence of security with respect to  
15 each vehicle at the time of registration by submitting one of the  
16 following:

- 17 a. a current owner's security verification form verifying  
18 the existence of security as required by the  
19 Compulsory Insurance Law, or  
20 b. a permit number verified by the Corporation Commission  
21 indicating the existence of a current liability  
22 insurance policy. Provided, in the event the  
23 Corporation Commission is unable to verify the  
24 existence of insurance as provided herein in a prompt

1 and timely fashion, the Corporation Commission may  
2 accept a current single state registration form issued  
3 by the Corporation Commission or any other regulating  
4 entity with which the Corporation Commission has  
5 entered into a reciprocal compact or agreement  
6 regarding the regulation of motor vehicles engaged in  
7 interstate or foreign commerce upon and over the  
8 public highways.

9 4. The following shall not be required to carry an owner's or  
10 operator's security verification form or an equivalent form from the  
11 Department of Public Safety during operation of the vehicle and  
12 shall not be required to surrender a security verification form for  
13 vehicle registration purposes:

- 14 a. any vehicle owned or leased by the federal or state  
15 government, or any agency or political subdivision  
16 thereof,
- 17 b. any vehicle bearing the name, symbol, or logo of a  
18 business, corporation or utility on the exterior and  
19 which is in compliance with the provisions of the  
20 Compulsory Insurance Law according to records of the  
21 Corporation Commission which reflect a deposit or  
22 fleet policy,

- c. fleet vehicles maintaining current vehicle liability insurance as required by the Corporation Commission or any other regulating entity,
- d. any licensed taxicab, and
- e. any vehicle owned by a licensed used motor vehicle dealer.

5. Any person who knowingly issues or promulgates false or fraudulent information in connection with either an owner's or operator's security verification form or an equivalent form which has been issued by the Department of Public Safety shall be guilty of a misdemeanor and upon conviction shall be subject to a fine not exceeding Five Hundred Dollars (\$500.00), or imprisonment for not more than six (6) months, or by both such fine and imprisonment.

B. ~~Each~~ Except for registration renewal transactions completed through an online system dealing with the Oklahoma Vehicle License and Registration Act, each motor license agent is authorized to charge a fee of One Dollar and fifty cents (\$1.50) to each person to whom the agent issues a certificate of registration and who is required to surrender proof of financial responsibility, or for whom the motor license agent certifies the existence of financial responsibility through an authorized online certification system, pursuant to the provisions of the Compulsory Insurance Law. The fee may be retained by the agent as compensation for services in processing the proof of financial responsibility and for processing

1 the driver license information, insurance verification information,  
2 and other additional information furnished to the agent pursuant to  
3 Section 1112 of this title, if such agent does not receive the  
4 maximum compensation as authorized by law.

5 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1141.1, as  
6 amended by Section 4, Chapter 158, O.S.L. 2012 (47 O.S. Supp. 2019,  
7 Section 1141.1), is amended to read as follows:

8 Section 1141.1. A. Each motor license agent shall be entitled  
9 to retain the following amounts from the taxes and fees collected by  
10 such agent to be used to fund the operation of the office of such  
11 motor license agent subject to the provisions of Sections 1140  
12 through 1147 of this title:

13 1. Beginning July 1, 2005, Two Dollars and eighty-one cents  
14 (\$2.81) for each vehicle registered and for each special license  
15 plate issued pursuant to the Oklahoma Vehicle License and  
16 Registration Act. Beginning July 1, 2006, and thereafter, Three  
17 Dollars and fifty-six cents (\$3.56) for each vehicle registered and  
18 for each special license plate issued pursuant to the Oklahoma  
19 Vehicle License and Registration Act;

20 2. One Dollar and twenty-five cents (\$1.25) for each  
21 certificate of title issued for boats and motors pursuant to the  
22 Oklahoma Statutes;

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1           3. For each certificate of registration issued for boats and  
2 motors pursuant to the Oklahoma Statutes, an amount determined  
3 pursuant to the provisions of subsection B of this section;

4           4. Two Dollars and twenty-five cents (\$2.25) for each  
5 certificate of title issued pursuant to the Oklahoma Vehicle License  
6 and Registration Act. Provided, the fee retention amount for  
7 certificates of title issued pursuant to the provisions of  
8 subsection H of Section 1105 of this title, in which an insurer pays  
9 the optional twenty-two-dollar-fee amount, is Four Dollars and fifty  
10 cents (\$4.50);

11           5. Beginning October 1, 2000, three percent (3%) of the vehicle  
12 excise tax collected pursuant to Section 2103 of Title 68 of the  
13 Oklahoma Statutes. Beginning July 1, 2001, each motor license agent  
14 shall be entitled to retain three and one hundred twenty-five one-  
15 thousandths percent (3.125%) of the vehicle excise tax collected  
16 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.  
17 Beginning July 1, 2002, and for all subsequent years, each motor  
18 license agent shall be entitled to retain three and twenty-five one-  
19 hundredths percent (3.25%) of the vehicle excise tax collected  
20 pursuant to Section 2103 of Title 68 of the Oklahoma Statutes.  
21 However, beginning July 1, 2003, the Legislature shall annually  
22 review the percentage to be retained by the motor license agents  
23 pursuant to this paragraph to determine whether such percentage  
24 should be adjusted;

- 1       6. Four percent (4%) of the excise tax collected on the  
2 transfer of boats and motors pursuant to the Oklahoma Statutes;
- 3       7. Two Dollars (\$2.00) for each driver license, endorsement,  
4 identification license, or renewal or duplicate issued pursuant to  
5 Section 6-101 et seq. of this title;
- 6       8. Two Dollars (\$2.00) for the recording of security interests  
7 as provided in Section 1110 of this title;
- 8       9. Two Dollars (\$2.00) for each inspection conducted pursuant  
9 to subsection L of Section 1105 of this title;
- 10      10. Three Dollars (\$3.00) for each inspection conducted  
11 pursuant to subsection M of Section 1105 of this title;
- 12      11. One Dollar (\$1.00) for each certificate of ownership filed  
13 pursuant to subsection R of Section 1105 of this title;
- 14      12. One Dollar (\$1.00) for each temporary permit issued  
15 pursuant to Section 1124 of this title;
- 16      13. Except for registration renewal transactions completed  
17 through an online system dealing with the Oklahoma Vehicle License  
18 and Registration Act, One Dollar and fifty cents (\$1.50) for  
19 processing each proof of financial responsibility, driver license  
20 information, insurance verification information, and other  
21 additional information as provided in Section 7-602 of this title;
- 22      14. The mailing fees and registration fees provided in Sections  
23 1131 and 1140 of this title;
- 24      15. The notary fee provided in Section 1143 of this title;



1        16. Three Dollars (\$3.00) for each lien entry form completed  
2 and recorded on a certificate of title pursuant to subsection G of  
3 Section 1105 of this title;

4        17. Seven Dollars (\$7.00) for each notice of transfer as  
5 provided by subsection B of Section 1107.4 of this title;

6        18. Seven Dollars (\$7.00) for each certificate of title or each  
7 certificate of registration issued for repossessed vehicles pursuant  
8 to Section 1126 of this title;

9        19. Any amount specifically authorized by law to be retained by  
10 the motor license agent for the furnishing of a summary of a traffic  
11 record; and

12        20. Beginning July 1, 2009, each motor license agent shall also  
13 be entitled to a portion of the penalties for delinquent  
14 registration or payment of excise tax as provided for in subsection  
15 C of Section 1115, subsection F of Section 1132 and subsection C of  
16 Section 1151 of this title and of subsection A of Section 2103 of  
17 Title 68 of the Oklahoma Statutes.

18        The balance of the funds collected shall be remitted to the  
19 Oklahoma Tax Commission as provided in Section 1142 of this title to  
20 be apportioned pursuant to Section 1104 of this title.

21        B. For each certificate of registration issued for boats and  
22 motors, each motor license agent shall be entitled to retain the  
23 greater of One Dollar and twenty-five cents (\$1.25) or an amount to  
24 be determined by the Tax Commission according to the provisions of

1 this subsection. At the end of fiscal year 1997 and each fiscal  
2 year thereafter, the Tax Commission shall compute the average amount  
3 of registration fees for all boats and motors registered in this  
4 state during the fiscal year and shall multiply the result by six  
5 and twenty-two one-hundredths percent (6.22%). The resulting  
6 product shall be the amount which may be retained by each motor  
7 license agent for each certificate of registration for boats and  
8 motors issued during the following calendar year.

9 SECTION 3. This act shall become effective November 1, 2020.

10 COMMITTEE REPORT BY: COMMITTEE ON FINANCE  
11 February 18, 2020 - DO PASS AS AMENDED  
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