

1 motor license agent; ~~provided, after the effective date of this act~~
2 ~~such qualifications and requirements shall apply to agents in all~~
3 ~~areas of this state.~~ Such qualifications and requirements shall
4 include, but not be limited to, the following:

- 5 1. Necessary job skills and experience;
- 6 2. Minimum office hours;
- 7 3. Provision for sufficient staffing, equipment, office space
8 and parking to provide maximum efficiency and maximum convenience to
9 the public;
- 10 4. Obtainment of a faithful performance surety bond as provided
11 for by law;
- 12 5. A In counties with a population in excess of thirty thousand
13 (30,000) persons according to the latest Federal Decennial Census, a
14 requirement that operation of a motor license agency be the primary
15 source of income for ~~said~~ the agent;
- 16 6. That the applicant has not been convicted of a felony and
17 that no felony charges are pending against the applicant;
- 18 7. That a complete financial statement be submitted by the
19 applicant on forms provided by the Tax Commission;
- 20 8. That a report of the applicant's credit history be obtained
21 through the appropriate credit bureau; and
- 22 9. That the location specified in the application for
23 appointment as a motor license agent not be owned by a member of the
24 Oklahoma Legislature or any person related to a member of the

1 Oklahoma Legislature within the third degree by consanguinity or
2 affinity and that the location not be within a three-mile radius of
3 an existing motor license agency unless the applicant is assuming
4 the location of an operating agency. The Tax Commission may, at its
5 discretion, approve the relocation of an existing agency within a
6 three-mile radius of another existing agency only if a naturally
7 intervening geographic barrier within that radius causes the
8 locations to be separated by not less than three (3) miles of
9 roadway by the most direct route.

10 B. After the necessary information has been forwarded to the
11 Tax Commission, ~~each applicant shall be interviewed by~~ the Tax
12 Commission or its designees may select applicants to be interviewed
13 and each item of information shall be reviewed.

14 Any person making application to the Tax Commission for the
15 purpose of becoming a motor license agent shall pay when submitting
16 the application, a nonrefundable application fee of One Hundred
17 Dollars (\$100.00). All such application fees shall be deposited in
18 the Oklahoma Tax Commission Revolving Fund.

19 C. Upon application by a person to serve as a motor license
20 agent, in such counties, the Tax Commission ~~shall~~ is authorized to
21 make a determination whether such person and such location meets the
22 qualifications and requirements prescribed herein and, if such be
23 the case, ~~shall~~ may appoint such person to serve as a motor license
24 agent.

1 D. A motor license agent, appointed pursuant to this subsection
2 shall be permitted to operate a motor license agency at a single
3 location and shall be prohibited from operating subagencies or
4 branch agencies, ~~unless such subagencies or branch agencies were~~
5 ~~established prior to June 1, 1985.~~

6 ~~Unless otherwise specifically provided, motor~~ Motor license
7 agents appointed pursuant to this ~~subsection~~ section shall be
8 subject to all laws relating to motor license agents and shall be
9 subject to removal at the will of the Tax Commission.

10 ~~B. Before the effective date of this act, in all counties of~~
11 ~~this state having a population of less than one hundred thirty~~
12 ~~thousand (130,000) and in municipalities having a population of less~~
13 ~~than eight thousand five hundred (8,500) located in a county having~~
14 ~~a population in excess of one hundred thirty thousand (130,000),~~
15 ~~according to the latest Federal Decennial Census, the~~ The Tax
16 Commission shall appoint as many motor license agents as it deems
17 necessary to carry out the provisions of the Motor Vehicle License
18 and Registration Act. Provided, that in counties with a population
19 in excess of twenty-five thousand (25,000) persons, according to the
20 latest Federal Decennial Census, having only one motor license agent
21 serving the county, the Tax Commission shall establish at least one
22 additional agency to serve the county. ~~Any motor license agent~~
23 ~~appointed pursuant to this subsection before the effective date of~~

1 ~~this act may continue to serve until such agent vacates the position~~
2 ~~by reason of resignation, removal, death or otherwise.~~

3 E. All motor license agents shall be self-employed independent
4 contractors and shall be under the supervision of the Tax
5 Commission; provided, any agent authorized to issue registrations
6 pursuant to the International Registration Plan shall also be under
7 the supervision of the Corporation Commission, subject to rules
8 promulgated by the Corporation Commission pursuant to the provisions
9 of subsection E of Section 1166 of this title. Any such agent, upon
10 being appointed, shall furnish and file with the Tax Commission a
11 bond in such amount as may be fixed by the Tax Commission. Such
12 agent shall be removable at the will of the Tax Commission. Such
13 agent shall perform all duties and do such things in the
14 administration of the laws of this state as shall be enjoined upon
15 and required by the Tax Commission or the Corporation Commission.
16 Provided, the Tax Commission may operate a motor license agency in
17 any county where a vacancy occurs.

18 ~~E.~~ F. In the event of a vacancy existing by reason of
19 resignation, removal, death or otherwise, in the position of any
20 motor license agent, the Tax Commission is hereby empowered and
21 authorized to take any and all actions it deems appropriate in order
22 to provide for the orderly transition and for the maintenance of
23 operations of the motor license agency including but not limited to
24 the designation of one of its regular employees to serve as "acting

1 agent" without bond, and to receive and expend all fees or charges
2 authorized or provided by law and exercise the same powers and
3 authority as a regularly appointed motor license agent. An acting
4 agent may be authorized by the Tax Commission equally as the
5 preceding agent to make disbursements from any balances in the
6 preceding motor license agent's operating account and the agent's
7 operating funds for the payment of expenses of operations and
8 salaries and other overhead. If such funds are insufficient, the
9 Tax Commission is authorized to expend from funds appropriated for
10 the operation of the Tax Commission such amounts as are necessary to
11 maintain and continue the operation of any such motor license agency
12 until a successor agent is appointed and qualified. The Tax
13 Commission may require a blanket fiduciary bond of the agency
14 employees.

15 ~~D.~~ G. Any motor license agency operated by a motor license
16 agent who has been charged with a felony shall be closed
17 immediately. ~~The State Auditor and Inspector shall immediately~~
18 ~~conduct an audit of such motor license agency and forward the report~~
19 ~~of the audit to the Tax Commission for review.~~ The Tax Commission
20 shall determine whether the motor license agency shall be reopened
21 and operated by the motor license agent ~~or whether the agency shall~~
22 ~~be reopened and operated by the Tax Commission.~~ The review of the
23 ~~audit and the Tax Commission~~ determination shall be effected as soon
24 as possible to prevent additional inconvenience to the public.

1 ~~E.~~ H. When an application for registration is made with the Tax
2 Commission, Corporation Commission or a motor license agent, a
3 registration fee of One Dollar and seventy-five cents (\$1.75) shall
4 be collected for each license plate or decal issued. Such fees
5 shall be in addition to the registration fees on motor vehicles and
6 when an application for registration is made to the motor license
7 agent such motor license agent shall retain a fee as provided in
8 Section 1141.1 of this title. When the fee is paid by a person
9 making application directly with the Tax Commission or Corporation
10 Commission, as applicable, the registration fees shall be in the
11 same amount as provided for motor license agents and the fee
12 provided by Section 1141.1 of this title shall be deposited in the
13 Oklahoma Tax Commission Revolving Fund or as provided in Section
14 1167 of this title, as applicable. The Tax Commission shall prepare
15 schedules of registration fees and charges for titles which shall
16 include the fees for such agents and all fees and charges paid by a
17 person shall be listed separately on the application and
18 registration and totaled on the application and registration. The
19 motor license agents shall charge only such fees as are specifically
20 provided for by law, and all such authorized fees shall be posted in
21 such a manner that any person shall have notice of all fees that are
22 imposed by law.

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1 ~~F.~~ I. No person shall be appointed as a motor license agent
2 unless the person has attested under oath that the person is not
3 related by affinity or consanguinity within the third degree to:

- 4 1. Any member of the Oklahoma Legislature;
5 2. Any person who has served as a member of the Oklahoma
6 Legislature within the two-year period preceding the date of
7 appointment as motor license agent; or
8 3. Any employee of the Tax Commission.

9 ~~G.~~ J. Any motor license agent appointed under the provisions of
10 this title shall be responsible for all costs incurred by the Tax
11 Commission when relocating an existing motor license agency. The
12 Tax Commission may waive payment of such costs in case of unforeseen
13 business or emergency conditions beyond the control of the agent.

14 SECTION 2. This act shall become effective November 1, 2018.

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16 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 03/26/2018 -
17 DO PASS.

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