

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 173

By: Allen

4  
5  
6 AS INTRODUCED

7 An Act relating to motor vehicle license and  
8 registration; amending 47 O.S. 2011, Sections 1102,  
9 as last amended by Section 1, Chapter 57, O.S.L.  
10 2016, 1105, as last amended by Section 2, Chapter  
11 133, O.S.L. 2016 and 1132, as amended by Section 2,  
12 Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2016,  
13 Sections 1102, 1105 and 1132), which relate to  
14 certificates of title and registration; adding  
15 definitions; providing penalty for failure to timely  
16 register, title and tag specified trailers; requiring  
17 registration of all noncommercial boat trailers, farm  
18 trailers and utility trailers; defining term; setting  
19 fee for initial and subsequent registration;  
20 providing for issuance of certificate and plate;  
21 requiring display; providing for apportionment of  
22 fees; setting time period for first registration and  
23 establishing related procedures and criteria;  
24 amending 47 O.S. 2011, Section 1134, which relates to  
farm vehicles; clarifying applicability of certain  
fees; clarifying language; deleting authority for  
permissive registration of farm trailers or  
semitrailers for specified fee and related  
presumption; repealing 47 O.S. 2011, Section 1133.3,  
which relates to optional registration of certain  
trailers; providing for codification; and providing  
an effective date.

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

1 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1102, as  
2 last amended by Section 1, Chapter 57, O.S.L. 2016 (47 O.S. Supp.  
3 2016, Section 1102), is amended to read as follows:

4 Section 1102. As used in the Oklahoma Vehicle License and  
5 Registration Act:

6 1. "All-terrain vehicle" means a vehicle manufactured and used  
7 exclusively for off-highway use traveling on four or more non-  
8 highway tires, and being fifty (50) inches or less in width;

9 2. "Carrying capacity" means the carrying capacity of a vehicle  
10 as determined or declared in tons of cargo or payload by the owner;  
11 provided, that such declared capacity shall not be less than the  
12 minimum tonnage capacity fixed, listed or advertised by the  
13 manufacturer of any vehicle;

14 3. "Certificate of title" means a document which is proof of  
15 legal ownership of a motor vehicle as described and provided for in  
16 Section 1105 of this title;

17 4. "Chips and oil" or the term "road oil and crushed rock"  
18 means, with respect to materials authorized for use in the surfacing  
19 of roads or highways in this title or in any equivalent statute  
20 pertaining to road or highway surfacing in the State of Oklahoma,  
21 any asphaltic materials. Wherever chips and oil or road oil and  
22 crushed rock are authorized for use in the surfacing of roads or  
23 highways in this state, whether by the Department of Transportation,  
24 or by the county commissioners, or other road building authority

1 subject to the Oklahoma Vehicle License and Registration Act,  
2 asphaltic materials are also authorized for use in such surfacing  
3 and construction;

4 5. "Combined laden weight" means the weight of a truck or  
5 station wagon and its cargo or payload transported thereon, or the  
6 weight of a truck or truck-tractor plus the weight of any trailers  
7 or semitrailers together with the cargo or payload transported  
8 thereon;

9 6. "Commercial trailer" means any trailer, as defined in  
10 Section 1-180 of this title, or semitrailer, as defined in Section  
11 1-162 of this title, when such trailer or semitrailer is used  
12 primarily for business or commercial purposes;

13 7. "Commercial trailer dealer" means any person, firm or  
14 corporation engaged in the business of selling any new and unused,  
15 or used, or both new and used commercial trailers;

16 8. "Commercial vehicle" means any vehicle over eight thousand  
17 (8,000) pounds combined laden weight used primarily for business or  
18 commercial purposes. Each motor vehicle being registered pursuant  
19 to the provisions of this section shall have the name of the  
20 commercial establishment or the words "Commercial Vehicle"  
21 permanently and prominently displayed upon the outside of the  
22 vehicle in letters not less than two (2) inches high. Such letters  
23 shall be in sharp contrast to the background and shall be of  
24 sufficient shape and color as to be readily legible during daylight

1 hours, from a distance of fifty (50) feet while the vehicle is not  
2 in motion;

3 9. "Commission" or "Tax Commission" means the Oklahoma Tax  
4 Commission;

5 10. "Construction machinery" means machines or devices drawn as  
6 trailers which are designed and used for construction, tree trimming  
7 and waste maintenance projects, which derive no revenue from the  
8 transportation of persons or property, whose use of the highway is  
9 only incidental and which are not mounted or affixed to another  
10 vehicle; provided, construction machinery shall not include  
11 implements of husbandry as defined in Section 1-125 of this title;

12 11. "Dealer" means any person, firm, association, corporation  
13 or trust who sells, solicits or advertises the sale of new and  
14 unused motor vehicles and holds a bona fide contract or franchise in  
15 effect with a manufacturer or distributor of a particular make of  
16 new or unused motor vehicle or vehicles for the sale of same;

17 12. "Farm trailer" means a trailer or semitrailer constructed  
18 and suitable for towing used primarily for the purpose of  
19 transporting farm products;

20 13. "Mini-truck" means a foreign-manufactured import or  
21 domestic-manufactured vehicle powered by an internal combustion  
22 engine with a piston or rotor displacement of one thousand cubic  
23 centimeters (1,000 cu cm) or less, which is sixty-seven (67) inches  
24 or less in width, with an unladen dry weight of three thousand four

1 hundred (3,400) pounds or less, traveling on four or more tires,  
2 having a top speed of approximately fifty-five (55) miles per hour,  
3 equipped with a bed or compartment for hauling, and having an  
4 enclosed passenger cab;

5 ~~13.~~ 14. "Interstate commerce" means any commerce moving between  
6 any place in a state and any place in another state or between  
7 places in the same state through another state;

8 ~~14.~~ 15. "Laden weight" means the combined weight of a vehicle  
9 when fully equipped for use and the cargo or payload transported  
10 thereon; provided, that in no event shall the laden weight be less  
11 than the unladen weight of the vehicle fully equipped for use, plus  
12 the manufacturer's rated carrying capacity;

13 ~~15.~~ 16. "Local authorities" means every county, municipality or  
14 local board or body having authority to adopt police regulations  
15 under the Constitution and laws of this state;

16 ~~16.~~ 17. "Low-speed electrical vehicle" means any four-wheeled  
17 electrical vehicle that is powered by an electric motor that draws  
18 current from rechargeable storage batteries or other sources of  
19 electrical current and whose top speed is greater than twenty (20)  
20 miles per hour but not greater than twenty-five (25) miles per hour  
21 and is manufactured in compliance with the National Highway Traffic  
22 Safety Administration standards for low-speed vehicles in 49 C.F.R.  
23 571.500;

24

1       ~~17.~~ 18. "Manufactured home" means a residential dwelling built  
2 in accordance with the National Manufactured Housing Construction  
3 and Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq.,  
4 and rules promulgated pursuant thereto and the rules promulgated by  
5 the Oklahoma Used Motor Vehicle and Parts Commission pursuant to  
6 Section 582 of this title. Manufactured home shall not mean a park  
7 model recreational vehicle as defined in this section;

8       ~~18.~~ 19. "Manufactured home dealer" means any person, firm or  
9 corporation engaged in the business of selling any new and unused,  
10 or used, or both new and used manufactured homes. Such information  
11 and a valid franchise letter as proof of authorization to sell any  
12 such new manufactured home product line or lines shall be attached  
13 to the application for a dealer license to sell manufactured homes.  
14 "Manufactured home dealer" shall not include any person, firm or  
15 corporation who sells or contracts for the sale of the dealer's own  
16 personally titled manufactured home or homes. No person, firm or  
17 corporation shall be considered a manufactured home dealer as to any  
18 manufactured home purchased or acquired by such person, firm or  
19 corporation for purposes other than resale; provided, that the  
20 restriction set forth in this sentence shall not prevent an  
21 otherwise qualified person, firm or corporation from utilizing a  
22 single manufactured home as a sales office;

23       ~~19.~~ 20. "Medium-speed electrical vehicle" means any self-  
24 propelled, electrically powered four-wheeled motor vehicle, equipped

1 with a roll cage or crush-proof body design, whose speed attainable  
2 in one (1) mile is more than thirty (30) miles per hour but not  
3 greater than thirty-five (35) miles per hour;

4 ~~20.~~ 21. "Motor license agent" means any person appointed,  
5 designated or authorized by the Oklahoma Tax Commission to collect  
6 the fees and to enforce the provisions provided for in the Oklahoma  
7 Vehicle License and Registration Act;

8 ~~21.~~ 22. "New vehicle" or "unused vehicle" means a vehicle which  
9 has been in the possession of the manufacturer, distributor or  
10 wholesaler or has been sold only by the manufacturer, distributor or  
11 wholesaler to a dealer;

12 ~~22.~~ 23. "Nonresident" means any person who is not a resident of  
13 this state;

14 ~~23.~~ 24. "Off-road motorcycle" means any motorcycle, as defined  
15 in Section 1-135 of this title, when such motorcycle has been  
16 manufactured for and used exclusively off roads, highways and any  
17 other paved surfaces;

18 ~~24.~~ 25. "Owner" means any person owning, operating or  
19 possessing any vehicle herein defined;

20 ~~25.~~ 26. "Park model recreational vehicle" means a vehicle that  
21 is:

22 a. designed and marketed as temporary living quarters for  
23 camping, recreational, seasonal or travel use,  
24

- 1           b. not permanently affixed to real property for use as a  
2 permanent dwelling,  
3           c. built on a single chassis mounted on wheels with a  
4 gross trailer area not exceeding four hundred (400)  
5 square feet in the setup mode, and  
6           d. certified by the manufacturer as complying with  
7 standard A119.5 of the American National Standards  
8 Institute, Inc.;

9       ~~26.~~ 27. "Person" means any individual, copartner, joint  
10 venture, association, corporation, limited liability company,  
11 estate, trust, business trust, syndicate, the State of Oklahoma, or  
12 any county, city, municipality, school district or other political  
13 subdivision thereof, or any group or combination acting as a unit,  
14 or any receiver appointed by the state or federal court;

15       ~~27.~~ 28. "Rebodied vehicle" means a vehicle:

- 16           a. which has been assembled using a new body or new major  
17 component which is of the identical type as the  
18 original vehicle and is licensed by the manufacturer  
19 of the original vehicle and other original, new or  
20 reconditioned parts. For purposes of this paragraph,  
21 "new body or new major component" means a new body,  
22 cab, frame, front end clip or rear end clip,  
23  
24



1           b.    which is not a salvage, rebuilt, or junked vehicle as  
2                defined by paragraph 1, 2, or 6 of subsection A of  
3                Section 1105 of this title, and

4           c.    for which the Tax Commission has assigned or will  
5                assign a new identifying number;

6        ~~28.~~ 29. "Recreational off-highway vehicle" means a vehicle  
7        manufactured and used exclusively for off-highway use, traveling on  
8        four or more non-highway tires, and being sixty-five (65) inches or  
9        less in width;

10       ~~29.~~ 30. "Recreational vehicle" means every vehicle which is  
11        built on or permanently attached to a self-propelled motor chassis  
12        or chassis cab which becomes an integral part of the completed  
13        vehicle and is capable of being operated on the highways. In order  
14        to qualify as a recreational vehicle pursuant to this paragraph such  
15        vehicle shall be permanently constructed and equipped for human  
16        habitation, having its own sleeping and kitchen facilities,  
17        including permanently affixed cooking facilities, water tanks and  
18        holding tank with permanent toilet facilities. Recreational vehicle  
19        shall not include manufactured homes or any vehicle with portable  
20        sleeping, toilet and kitchen facilities which are designed to be  
21        removed from such vehicle. Recreational vehicle shall include park  
22        model recreational vehicles as defined in this section;

23        ~~30.~~ 31. "Remanufactured vehicle" means a vehicle which has been  
24        assembled by a vehicle remanufacturer using a new body and which may

1 include original, reconditioned, or remanufactured parts, and which  
2 is not a salvage, rebuilt, or junked vehicle as defined by  
3 paragraphs 1, 2, and 6, respectively, of subsection A of Section  
4 1105 of this title;

5 ~~31.~~ 32. "Rental trailer" means all small or utility trailers or  
6 semitrailers constructed and suitable for towing by a passenger  
7 automobile and designed only for carrying property, when the  
8 trailers or semitrailers are owned by, or are in the possession of,  
9 any person engaged in renting or leasing such trailers or  
10 semitrailers for intrastate or interstate use or combined intrastate  
11 and interstate use;

12 ~~32.~~ 33. "Special mobilized machinery" means special purpose  
13 machines or devices, either self-propelled or drawn as trailers or  
14 semitrailers, which derive no revenue from the transportation of  
15 persons or property, whose use of the highway is only incidental,  
16 and whose useful revenue producing service is performed at  
17 destinations in an area away from the traveled surface of an  
18 established open highway;

19 ~~33.~~ 34. "State" means the State of Oklahoma;

20 ~~34.~~ 35. "Station wagon" means any passenger vehicle which does  
21 not have a separate luggage compartment or trunk and which does not  
22 have open beds, and has one or more rear seats readily lifted out or  
23 folded, whether same is called a station wagon or ranch wagon;

24

1       ~~35.~~ 36. "Travel trailer" means any vehicular portable structure  
2 built on a chassis, used as a temporary dwelling for travel,  
3 recreational or vacation use, and, when factory-equipped for the  
4 road, it shall have a body width not exceeding eight (8) feet and an  
5 overall length not exceeding forty (40) feet, including the hitch or  
6 coupling;

7       ~~36.~~ 37. "Travel trailer dealer" means any person, firm or  
8 corporation engaged in the business of selling any new and unused,  
9 or used, or both new and used travel trailers. Such information and  
10 a valid franchise letter as proof of authorization to sell any such  
11 new travel trailer product line or lines shall be attached to the  
12 application for a dealer license to sell travel trailers. "Travel  
13 trailer dealer" shall not include any person, firm or corporation  
14 who sells or contracts for the sale of his or her own personally  
15 titled travel trailer or trailers. No person, firm or corporation  
16 shall be considered as a travel trailer dealer as to any travel  
17 trailer purchased or acquired by such person, firm or corporation  
18 for purposes other than resale;

19       ~~37.~~ 38. "Used motor vehicle dealer" means "used motor vehicle  
20 dealer" as defined in Section 581 of this title;

21       ~~38.~~ 39. "Used vehicle" means any vehicle which has been sold,  
22 bargained, exchanged or given away, or used to the extent that it  
23 has become what is commonly known, and generally recognized, as a  
24 "secondhand" vehicle. This shall also include any vehicle other

1 than a remanufactured vehicle, regardless of age, owned by any  
2 person who is not a dealer;

3 ~~39.~~ 40. "Utility vehicle" means a vehicle powered by an  
4 internal combustion engine, manufactured and used exclusively for  
5 off-highway use, equipped with seating for two or more people and a  
6 steering wheel, traveling on four or more wheels;

7 41. "Utility trailer" means a trailer or semi-trailer not  
8 otherwise defined in this section which is constructed and suitable  
9 for towing by a vehicle and designed only for carrying property;  
10 provided, for purposes of the requirement to possess a certificate  
11 of title and for annual registration only, a utility trailer shall  
12 be considered a vehicle;

13 ~~40.~~ 42. "Vehicle" means any type of conveyance or device in,  
14 upon or by which a person or property is or may be transported from  
15 one location to another upon the avenues of public access within the  
16 state. "Vehicle" does not include bicycles, trailers except travel  
17 trailers ~~and,~~ rental trailers and utility trailers except as  
18 provided in paragraph 41 of this section, or implements of husbandry  
19 as defined in Section 1-125 of this title. All implements of  
20 husbandry used as conveyances shall be required to display the  
21 owner's driver license number or license plate number of any vehicle  
22 owned by the owner of the implement of husbandry on the rear of the  
23 implement in numbers not less than two (2) inches in height. The  
24

1 use of the owner's Social Security number on the rear of the  
2 implement of husbandry shall not be required; and

3 ~~41.~~ 43. "Vehicle remanufacturer" means a commercial entity  
4 which assembles remanufactured vehicles.

5 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1105, as  
6 last amended by Section 2, Chapter 133, O.S.L. 2016 (47 O.S. Supp.  
7 2016, Section 1105), is amended to read as follows:

8 Section 1105. A. As used in the Oklahoma Vehicle License and  
9 Registration Act:

10 1. "Salvage vehicle" means any vehicle which is within the last  
11 ten (10) model years and which has been damaged by collision or  
12 other occurrence to the extent that the cost of repairing the  
13 vehicle for safe operation on the highway exceeds sixty percent  
14 (60%) of its fair market value, as defined by Section 1111 of this  
15 title, immediately prior to the damage. For purposes of this  
16 section, actual repair costs shall only include labor and parts for  
17 actual damage to the suspension, motor, transmission, frame or  
18 unibody and designated structural components;

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

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

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

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

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

9 7. "Utility trailer" means a trailer or semi-trailer not  
10 otherwise defined in this section which is constructed and suitable  
11 for towing by a vehicle and designed only for carrying property.

12 B. The owner of every vehicle in this state shall possess a  
13 certificate of title as proof of ownership of such vehicle, except  
14 those vehicles registered pursuant to Section 1120 of this title and  
15 trailers registered pursuant to Section 1133 of this title,  
16 previously titled by anyone in another state and engaged in  
17 interstate commerce, and except as provided in subsection M of this  
18 section. Except for owners that possess an agricultural exemption  
19 permit pursuant to Section 1358.1 of Title 68 of the Oklahoma  
20 Statutes, the owner of an all-terrain vehicle or a motorcycle used  
21 exclusively off roads or highways in this state which is purchased  
22 or the ownership of which is transferred on or after July 1, 2005,  
23 and the owner of a utility vehicle used exclusively off roads and  
24 highways in this state which is purchased or the ownership of which

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

18 1. Original title for any motor vehicle which is not a  
19 remanufactured, salvage, unrecovered-theft, rebuilt, rebodied or  
20 junked vehicle;

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

24

1       3. Rebuilt title for any motor vehicle which is a rebuilt  
2 vehicle;

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

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

8       6. Remanufactured title for any vehicle which is a  
9 remanufactured vehicle;

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

12       8. Rebodyed title for any motor vehicle which is a rebodyed  
13 vehicle.

14       Application for a certificate of title, whether the initial  
15 certificate of title or a duplicate, may be made to the Tax  
16 Commission or any motor license agent. When application is made  
17 with a motor license agent, the application information shall be  
18 transmitted either electronically or by mail to the Tax Commission  
19 by the motor license agent. If the application information is  
20 transmitted electronically, the motor license agent shall forward  
21 the required application along with evidence of ownership, where  
22 required, by mail. Where the transmission of application  
23 information cannot be performed electronically, the Tax Commission  
24 is authorized to provide postage paid envelopes to motor license



1 agents for the purpose of mailing the application along with  
2 evidence of ownership, where required. The Tax Commission shall  
3 upon receipt of proper application information issue an Oklahoma  
4 certificate of title. The certificates may be mailed to the  
5 applicant. Upon issuance of a certificate of title, the Tax  
6 Commission shall provide the appropriate motor license agent with  
7 confirmation of such issuance.

8 C. 1. The application for certificate of title shall be upon a  
9 blank form furnished by the Tax Commission, containing:

- 10 a. a full description of the vehicle,
- 11 b. the manufacturer's serial or other identification  
12 number,
- 13 c. the motor number and the date on which first sold by  
14 the manufacturer or dealer to the owner,
- 15 d. any distinguishing marks,
- 16 e. a statement of the applicant's source of title,
- 17 f. any security interest upon the vehicle, and
- 18 g. such other information as the Tax Commission may  
19 require.

20 2. The application for a certificate of title for a vehicle  
21 which is within the last seven (7) model years shall require a  
22 declaration as to whether the vehicle has been damaged by collision  
23 or other occurrence and whether the vehicle has been recovered from  
24

1 theft and the extent of the damage to the vehicle. The declaration  
2 shall be made by the owner of a vehicle if:

- 3 a. the vehicle has been damaged or stolen,
- 4 b. the owner did or did not receive any payment for the  
5 loss from an insurer, or
- 6 c. the vehicle is titled or registered in a state that  
7 does not classify the vehicle or brand the title  
8 because of damage to or loss of the vehicle similar to  
9 the classifications or brands utilized by this state.

10 The declaration shall be based upon the best information and  
11 knowledge of the owner and shall be in addition to the requirements  
12 specified in paragraph 1 of this subsection. The Tax Commission  
13 shall not issue a certificate of title for a vehicle which is  
14 subject to the provisions of this paragraph without the required  
15 declaration, completed and signed by the owner of the vehicle. Upon  
16 receipt of an application without the properly completed  
17 declaration, the Tax Commission shall return the application to the  
18 applicant with notice that the title may not be issued without the  
19 required declaration. Nothing in this paragraph shall prohibit the  
20 Tax Commission from recognizing the type of or brand on a title or  
21 other ownership document issued by another state or the inspection  
22 conducted in another state and issuing the appropriate certificate  
23 of title for the vehicle.

24

1           3. The certificate of title shall have the following security  
2 features:

- 3           a. intaglio printing or security thread, with or without
- 4           watermark,
- 5           b. latent images,
- 6           c. fluorescent inks,
- 7           d. micro print,
- 8           e. void background, and
- 9           f. color coding.

10           4. Each title issued pursuant to the provisions of the Oklahoma  
11 Vehicle License and Registration Act shall be color coded as  
12 determined by the Tax Commission.

13           5. The certificate of title shall be of such size and design  
14 and color as the Tax Commission may direct pursuant to the  
15 provisions of this section. The title shall be on colored paper or  
16 other material as designated by the Tax Commission and be of such  
17 intensity or hue as will allow easy identification as to whether the  
18 title is an original title, a salvage title, a rebuilt title,  
19 remanufactured title, rebodied title or a junked title. The type of  
20 title shall be identified on the front of the certificate of title.  
21 The original title, rebuilt title, remanufactured title, an  
22 unrecovered-theft title, rebodied title or classic title shall be  
23 identified by the word "Original", "Rebuilt", "Remanufactured",  
24 "Unrecovered Theft", "Rebodied" or "Classic" printed in the upper

1 right quadrant of the certificate of title, in the space which is  
2 currently captioned "type of title". A rebodied title shall also  
3 identify on the front of the title the year, make and model of the  
4 originally manufactured vehicle which has been rebodied and display  
5 a notation that reads as follows: "This vehicle has been assembled  
6 with new major components licensed by the original manufacturer".

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

- 16 a. the manufacturer's serial or other identification  
17 number,
- 18 b. date on which first sold by the manufacturer to the  
19 dealer,
- 20 c. any distinguishing marks including model and the year  
21 same was made,
- 22 d. a statement of any security interests upon the  
23 vehicle, and

24

1 e. such other information as the Tax Commission may  
2 require.

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

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

11 E. In the absence of a dealer's or manufacturer's number, the  
12 Tax Commission may assign such identifying number to the vehicle,  
13 which shall be permanently stamped, burned or pressed or attached  
14 into the vehicle, and a certificate of title shall be delivered to  
15 the applicant upon payment of all fees and taxes, and the remaining  
16 copies shall be permanently filed and indexed by the Tax Commission.  
17 The Tax Commission shall assign an identifying number to any rebuilt  
18 vehicle if the vehicle identification number displayed on the  
19 rebuilt vehicle does not accurately describe the vehicle as rebuilt.  
20 The motor license agent, at the time of inspection of the rebuilt  
21 vehicle pursuant to Section 1111 of this title, shall identify the  
22 make, model, and year for the body to accurately describe the  
23 rebuilt vehicle. At the time of the inspection, an appropriate  
24 identifying number shall be permanently stamped, burned, pressed, or

1 attached on the rebuilt vehicle. The assigned identifying number  
2 shall be recorded on the certificate of title for the rebuilt  
3 vehicle. The dealer's or manufacturer's vehicle identification  
4 number on the rebuilt vehicle shall be preserved in the computer  
5 files of the Tax Commission for at least five (5) years.

6 F. When registering for the first time in this state a vehicle  
7 which was not originally manufactured for sale in the United States,  
8 to obtain a certificate of title, the Tax Commission shall require  
9 the applicant to deliver:

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

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

21 The Tax Commission shall not issue a certificate of title for a  
22 vehicle which is subject to the provisions of this paragraph without  
23 the required documentation from agencies of the United States and  
24 evidence of ownership. Upon receipt of an application without the

1 required documentation, the Tax Commission shall return the  
2 application to the applicant with notice that the certificate of  
3 title may not be issued without the required documentation. Nothing  
4 in this paragraph shall prohibit the Tax Commission from issuing  
5 certificates of title for antique or classic vehicles not driven  
6 upon the public streets, roads, or highways, for mini-trucks  
7 registered pursuant to Section 1151.3 of this title, or for medium-  
8 speed electric vehicles.

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

1 encumbrance shall be deemed continuously perfected as though it had  
2 been perfected pursuant to Section 1110 of this title. For  
3 completing the lien entry form and recording the security interest  
4 on the certificate of title, the Tax Commission or the motor license  
5 agent shall collect a fee of Three Dollars (\$3.00) which shall be in  
6 addition to other fees provided by the Oklahoma Vehicle License and  
7 Registration Act. The fee, if collected by the motor license agent  
8 pursuant to this subsection, shall be retained by the motor license  
9 agent.

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



1 certificate of title in the name of the vehicle owner. The fee  
2 shall be Twenty-two Dollars (\$22.00). Two Dollars (\$2.00) of this  
3 fee shall be deposited in the Oklahoma Tax Commission Reimbursement  
4 Fund.

5 I. The vehicle identification number of a junked vehicle shall  
6 be preserved in the computer files of the Tax Commission for a  
7 period of not less than five (5) years. The charge of junked titles  
8 as defined in paragraph 4 of subsection B of this section shall be  
9 Four Dollars (\$4.00). The fee remitted to the Tax Commission shall  
10 be deposited in the Oklahoma Tax Commission Reimbursement Fund.

11 J. If a vehicle is sold to a resident of another state  
12 destroyed, dismantled, or ceases to be used as a vehicle, the owner  
13 shall immediately notify the Tax Commission. Absent evidence to the  
14 contrary, failure to notify the Tax Commission shall be prima facie  
15 evidence that the vehicle has been in continuous operation in this  
16 state.

17 K. If a vehicle is stolen, the owner shall immediately notify  
18 the appropriate law enforcement agency. Immediately after receiving  
19 such notification, the law enforcement agency shall notify the Tax  
20 Commission.

21 L. Except for all-terrain vehicles, utility vehicles and  
22 motorcycles used exclusively for off-road use, no title for an out-  
23 of-state vehicle, except any commercial truck or truck-tractor  
24 registered pursuant to Section 1120 of this title which is engaged

1 in interstate commerce or any trailer or semitrailer registered  
2 pursuant to Section 1133 of this title which is engaged in  
3 interstate commerce, shall be issued without an inspection of such  
4 vehicle and payment of a fee of Four Dollars (\$4.00) for such  
5 inspection; provided, the Tax Commission may enter into reciprocal  
6 agreements with other states for such inspections to be performed at  
7 locations outside the boundaries of this state for vehicles which:

8 1. Are offered for sale at auction;

9 2. Have been solely used as vehicles for rent under the  
10 ownership of a licensed motor vehicle dealer or a person engaged in  
11 the business of renting motor vehicles; or

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

14 The inspection shall include a comparison of the vehicle  
15 identification number on the vehicle with the number recorded on the  
16 ownership records and the recording of the actual odometer reading  
17 on the vehicle. The four-dollar fee shall be collected by the motor  
18 license agent or Tax Commission when the title is issued. The motor  
19 license agent shall retain Two Dollars (\$2.00). The remaining Two  
20 Dollars (\$2.00) shall be deposited in the Oklahoma Tax Commission  
21 Reimbursement Fund.

22 The Tax Commission may allow the inspection to be performed at a  
23 location out-of-state by another state's department of motor  
24 vehicles or state police.

1 M. No title for any out-of-state vehicle offered for sale at  
2 salvage pools, salvage disposal sales, or an auction, or by a dealer  
3 or a licensed automotive dismantler and parts recycler, shall be  
4 issued without an inspection to compare the vehicle identification  
5 number on the vehicle with the number recorded on the ownership  
6 record and to record the actual odometer reading on the vehicle.  
7 Upon request of the seller, person or entity conducting an auction,  
8 dealer or licensed dismantler, the inspection shall be conducted at  
9 the location or place of business of the sale, auction, dealer, or  
10 the dismantler. The inspection shall be conducted by any motor  
11 license agent or a duly authorized employee thereof; provided, if  
12 the vehicle identification number on the vehicle offered for sale at  
13 salvage pools, salvage disposal sales or a classic or antique  
14 auction does not match the number recorded on the ownership record,  
15 the inspection may be conducted at the location of or place of  
16 business of such sale or auction by any state, county or city law  
17 enforcement officer. The Tax Commission may enter into reciprocal  
18 agreements with other states for such inspections to be performed at  
19 locations outside the boundaries of this state for vehicles which:  
20 1. Are offered for sale at auction;  
21 2. Have been solely used as vehicles for rent under the  
22 ownership of a licensed motor vehicle dealer or a person engaged in  
23 the business of renting motor vehicles; or  
24

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

3 The inspection shall be certified upon forms prescribed by the Tax  
4 Commission. The name and other identification of the authorized  
5 person conducting the inspection shall be legibly printed or typed  
6 on the form. Prior to any inspection by any employee of a motor  
7 license agent, the motor license agent shall notify the Tax  
8 Commission of the name and any other identification information  
9 requested by the Tax Commission of the authorized person. A  
10 signature specimen of the authorized person shall be submitted to  
11 the Tax Commission by the employing motor license agent. If the  
12 authorization to inspect vehicles is withdrawn or the employer-  
13 employee relationship is terminated, the motor license agent,  
14 immediately, shall notify the Tax Commission and return any  
15 remaining inspection forms to the Tax Commission. The fee for the  
16 inspection shall be Four Dollars (\$4.00). The motor license agent  
17 shall retain Three Dollars (\$3.00) of the fee. Fees received by a  
18 motor license agent or an authorized employee thereof shall be  
19 handled and accounted for in the manner as prescribed by law for any  
20 other fees paid to or received by a motor license agent. Out-of-  
21 state vehicles brought into this state by a person licensed in  
22 another state to sell new or used vehicles to be sold within this  
23 state at a motor vehicle auction which is limited to dealer-to-  
24 dealer transactions shall not be required to be inspected, unless

1 the vehicle is purchased by an Oklahoma dealer. Any person licensed  
2 in another state to sell new or used motor vehicles, who offers a  
3 motor vehicle for sale within this state at a motor vehicle auction  
4 which is limited to dealer-to-dealer transactions, shall not be  
5 within the definition of "owner" in Section 1102 of this title, for  
6 purposes of ~~Section 1101 et seq. of this title~~ the Oklahoma Vehicle  
7 License and Registration Act.

8 N. A licensed motor vehicle dealer, upon payment of a fee of  
9 Fifteen Dollars (\$15.00), may reassign an out-of-state certificate  
10 of title to a used motor vehicle provided such dealer obtains the  
11 appropriate inspection form required by either subsection L or M of  
12 this section and attaches the form to the out-of-state certificate  
13 of title. Motor license agents shall be allowed to retain Two  
14 Dollars and twenty-five cents (\$2.25) of the fee plus an additional  
15 Two Dollars (\$2.00) or Three Dollars (\$3.00) as provided in  
16 subsections L and M of this section for performance of the  
17 inspection. Two Dollars (\$2.00) of the fee shall be deposited in  
18 the Tax Commission Reimbursement Fund. An out-of-state vehicle  
19 which has been rebuilt shall be inspected pursuant to the provisions  
20 of Section 1111 of this title. The Tax Commission shall train motor  
21 license agents in interpreting vehicle identification numbers to  
22 assure that it accurately describes the vehicle and to detect  
23 rollback or alteration of the odometer. Failure of a motor license  
24 agent to inspect the vehicle and make the required notations shall

1 be a misdemeanor punishable by a fine of not more than One Thousand  
2 Dollars (\$1,000.00) for the first offense and Five Thousand Dollars  
3 (\$5,000.00) for the second offense or subsequent offense, or by  
4 imprisonment in the county jail for not more than six (6) months, or  
5 by both such fine and imprisonment.

6 O. The ownership of any unrecovered vehicle which has been  
7 declared a total loss by an insurer because of theft shall be  
8 transferred to the insurer by an unrecovered-theft vehicle title;  
9 provided, the ownership of any such vehicle which has been declared  
10 a total loss by an insurer licensed by the Insurance Department of  
11 the State of Oklahoma and maintaining a multi-state motor vehicle  
12 salvage processing center in this state shall be transferred to the  
13 insurer by a salvage or an unrecovered-theft title without the  
14 requirement of a visual inspection of the vehicle identification  
15 number by the insurer. Upon recovery of the vehicle, the ownership  
16 shall be transferred by an original title, salvage title, or junked  
17 title, as may be appropriate based upon an estimate of the amount of  
18 loss submitted by the insurer.

19 P. When an insurance company makes a total loss settlement on a  
20 total loss vehicle and the insurance company or a salvage pool  
21 authorized by the insurance company is unable to obtain the properly  
22 endorsed certificate of ownership or other evidence of ownership  
23 acceptable to the Oklahoma Tax Commission within thirty (30) days  
24 following acceptance by the owner of an offer of an amount in

1 settlement of a total loss, that insurance company or salvage pool,  
2 on a form provided by the ~~Oklahoma~~ Tax Commission and signed under  
3 penalty of perjury, may request the ~~Oklahoma~~ Tax Commission to issue  
4 the applicable salvage title for the vehicle. The request shall  
5 include information declaring that the requester has made at least  
6 two written attempts to obtain the certificate of ownership or other  
7 acceptable evidence of title.

8 Q. The owner of any vehicle which is incapable of operation or  
9 use on the public roads and has no resale value, except as parts,  
10 scrap or junk, may deliver the certificate of title to the vehicle  
11 to the Tax Commission for cancellation. Upon verification that any  
12 perfected lien against the vehicle has been released, the  
13 certificate of title shall be canceled without any fee, charge, or  
14 cost required from the owner. The vehicle identification numbers on  
15 the certificates of title shall be preserved in the computer files  
16 of the Tax Commission for at least five (5) years from the date of  
17 cancellation of the certificate of title. The Tax Commission shall  
18 prescribe and provide an affidavit form to be completed by the owner  
19 of any vehicle for which the certificate of title is canceled. No  
20 title or registration shall subsequently be issued for a vehicle for  
21 which the certificate of title has been surrendered pursuant to this  
22 subsection. The Tax Commission shall prescribe a form for the  
23 transfer of ownership of a vehicle for which the certificate of  
24 title has been canceled.

1 R. The owner of a vehicle which is not within the last ten (10)  
2 model years, not roadworthy and not capable of repair for operation  
3 or use on the roads and highways, or a vehicle which is being sold  
4 to a scrap metal dealer pursuant to Section 11-92 of Title 2 of the  
5 Oklahoma Statutes, shall transfer the vehicle only upon a  
6 certificate of ownership prescribed by the Tax Commission, if the  
7 certificate of title to the vehicle is lost, has been canceled, or  
8 otherwise not available. The prescribed ownership form shall  
9 include the names and addresses of the buyer and seller, the driver  
10 license number or social security number of the seller, the make and  
11 model of the vehicle, and the public vehicle identification number.  
12 If there is no public vehicle identification number, the vehicle  
13 shall be inspected by a law enforcement officer to verify the  
14 absence of the number on the vehicle and the prescribed ownership  
15 form shall include a signed statement, by such officer, verifying  
16 the absence of the number.

17 The certificate of ownership shall be completed in triplicate.  
18 The buyer and seller shall each retain a copy. Within thirty (30)  
19 days of the transaction, the seller shall submit one copy to the Tax  
20 Commission or a motor license agent accompanied with a fee of Four  
21 Dollars (\$4.00). One Dollar (\$1.00) shall be retained by the motor  
22 license agent and Three Dollars (\$3.00) shall be deposited in the  
23 Oklahoma Tax Commission Reimbursement Fund in the State Treasury.

24



1       Upon receipt of the certificate, the Tax Commission shall verify  
2 that any perfected lien upon the vehicle has been released. If the  
3 lien is not released, the Tax Commission shall mail notice of the  
4 transfer to the lienholder at the lienholder's last-known address.  
5 If a certificate of title has been issued, it shall be canceled and  
6 the vehicle identification number shall be preserved in the computer  
7 of the Tax Commission for at least five (5) years. The buyer of the  
8 vehicle may not be sued and shall not be liable for monetary damages  
9 to the lienholder, however, the vehicle shall be subject to a valid  
10 repossession by a lienholder.

11       S. The Tax Commission shall notify the chief administrative  
12 officer of the agency or department responsible for issuing motor  
13 vehicle certificates of title in each state in the United States of  
14 the types of motor vehicle certificate of title effective in  
15 Oklahoma on and after January 1, 1989.

16       T. When registering for the first time in this state a  
17 remanufactured vehicle which has not been registered in any other  
18 state since its remanufacture, before issuing a certificate of  
19 title, the Tax Commission shall require the applicant to deliver a  
20 statement of origin from the remanufacturer.

21       U. If a vehicle is sold to a foreign buyer pursuant to the  
22 provisions of the Automotive Dismantlers and Parts Recycler Act, the  
23 licensed seller shall stamp the title with: "EXPORT ONLY.  
24 NONTRANSFERABLE IN THE UNITED STATES." The licensed seller shall

1 supply the Tax Commission the title number, the vehicle  
2 identification number and the foreign buyer's bid identification  
3 number on a form prescribed by the Tax Commission. The Tax  
4 Commission shall cancel the title, and the vehicle identification  
5 number shall be preserved in the computer files of the Tax  
6 Commission for a period of not less than five (5) years.

7 V. The Tax Commission shall not be considered a necessary party  
8 to any lawsuit which is instigated for the purpose of determining  
9 ownership of a vehicle, wherein the Tax Commission's only  
10 involvement would be to issue title, and the court shall issue an  
11 order dismissing the Tax Commission from the pending action. In the  
12 event no other party or lienholder can be identified as to ownership  
13 or claim, the Tax Commission shall accept an affidavit of ownership  
14 from the party claiming ownership and issue proper title thereon.

15 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1132, as  
16 amended by Section 2, Chapter 337, O.S.L. 2012 (47 O.S. Supp. 2016,  
17 Section 1132), is amended to read as follows:

18 Section 1132. A. For all vehicles, unless otherwise  
19 specifically provided by the Oklahoma Vehicle License and  
20 Registration Act, a registration fee shall be assessed at the time  
21 of initial registration by the owner and annually thereafter, for  
22 the use of the avenues of public access within this state in the  
23 following amounts:

24

1 1. For the first through the fourth year of registration in  
2 this state or any other state, Eighty-five Dollars (\$85.00);

3 2. For the fifth through the eighth year of registration in  
4 this state or any other state, Seventy-five Dollars (\$75.00);

5 3. For the ninth through the twelfth year of registration in  
6 this state or any other state, Fifty-five Dollars (\$55.00);

7 4. For the thirteenth through the sixteenth year of  
8 registration in this state or any other state, Thirty-five Dollars  
9 (\$35.00); and

10 5. For the seventeenth and any following year of registration  
11 in this state or any other state, Fifteen Dollars (\$15.00).

12 The registration fee provided for in this subsection shall be in  
13 lieu of all other taxes, general or local, unless otherwise  
14 specifically provided.

15 B. For all-terrain vehicles and motorcycles used exclusively  
16 for use off roads or highways purchased on or after July 1, 2005,  
17 and for all-terrain vehicles and motorcycles used exclusively for  
18 use off roads or highways purchased prior to July 1, 2005, which the  
19 owner chooses to register pursuant to the provisions of Section  
20 1115.3 of this title, an initial and nonrecurring registration fee  
21 of Eleven Dollars (\$11.00) shall be assessed at the time of initial  
22 registration by the owner. Nine Dollars (\$9.00) of the registration  
23 fee shall be deposited in the Oklahoma Tax Commission Reimbursement  
24 Fund. Two Dollars (\$2.00) of the registration fee shall be retained

1 by the motor license agent. The fees required by subsection A of  
2 this section shall not be required for all-terrain vehicles or  
3 motorcycles used exclusively off roads and highways.

4 C. For utility vehicles used exclusively for use off roads or  
5 highways purchased on or after July 1, 2008, and for utility  
6 vehicles used exclusively for use off roads or highways purchased  
7 prior to July 1, 2008, which the owner chooses to register pursuant  
8 to the provisions of Section 1115.3 of this title, an initial and  
9 nonrecurring registration fee of Eleven Dollars (\$11.00) shall be  
10 assessed at the time of initial registration by the owner. Nine  
11 Dollars (\$9.00) of the registration fee shall be deposited in the  
12 Oklahoma Tax Commission Reimbursement Fund. Two Dollars (\$2.00) of  
13 the registration fee shall be retained by the motor license agent.  
14 The fees required by subsection A of this section shall not be  
15 required for utility vehicles used exclusively off roads and  
16 highways.

17 D. There shall be a credit allowed with respect to the fee for  
18 registration of a new vehicle which is a replacement for:

19 1. A new original vehicle which is stolen from the  
20 purchaser/registrant within ninety (90) days of the date of purchase  
21 of the original vehicle as certified by a police report or other  
22 documentation as required by the Oklahoma Tax Commission; or

23 2. A defective new original vehicle returned by the  
24 purchaser/registrant to the seller within six (6) months of the date

1 of purchase of the defective new original vehicle as certified by  
2 the manufacturer.

3 The credit shall be in the amount of the fee for registration  
4 which was paid for the new original vehicle and shall be applied to  
5 the registration fee for the replacement vehicle. In no event will  
6 the credit be refunded.

7 E. Upon every transfer or change of ownership of a vehicle, the  
8 new owner shall obtain title for and, except in the case of salvage  
9 vehicles and manufactured homes, register the vehicle within thirty  
10 (30) days of change of ownership and pay a transfer fee of Fifteen  
11 Dollars (\$15.00) in addition to any other fees provided for in this  
12 act. No new decal shall be issued to the registrant. Thereafter,  
13 the owner shall register the vehicle annually on the anniversary  
14 date of its initial registration in this state and shall pay the  
15 fees provided in subsection A of this section and receive a decal  
16 evidencing such payment. Provided, used motor vehicle dealers shall  
17 be exempt from the provisions of this section.

18 F. In the event a new or used vehicle is not registered, titled  
19 and tagged within thirty (30) days from the date of transfer of  
20 ownership or in the case of a vehicle which is a boat trailer, farm  
21 trailer or utility trailer which is not registered, titled and  
22 tagged within six (6) months from the effective date of this act or  
23 thirty (30) days from the date of transfer of ownership, whichever  
24 occurs later, the penalty for the failure of the owner of the

1 vehicle to register the vehicle within thirty (30) days shall be One  
2 Dollar (\$1.00) per day, provided that in no event shall the penalty  
3 exceed One Hundred Dollars (\$100.00). No penalty shall be waived by  
4 the ~~Oklahoma~~ Tax Commission or any motor license agent except as  
5 provided in subsection C of Section 1127 of this title. Of each  
6 dollar penalty collected pursuant to this subsection:

7 1. Twenty-one cents (\$0.21) shall be apportioned as provided in  
8 Section 1104 of this title;

9 2. Twenty-one cents (\$0.21) shall be retained by the motor  
10 license agent; and

11 3. Fifty-eight cents (\$0.58) shall be deposited in the General  
12 Revenue Fund.

13 SECTION 4. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1133.5 of Title 47, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. Notwithstanding any other provision in the Oklahoma Vehicle  
17 License and Registration Act, the Tax Commission shall register all  
18 boat trailers, farm trailers and utility trailers which are not  
19 subject to the requirements of subsection C of Section 1133 of Title  
20 47 of the Oklahoma Statutes. For purposes of this section, "farm  
21 trailer" shall mean a trailer or semitrailer constructed and  
22 suitable for towing used primarily for the purpose of transporting  
23 farm products.

24

1 B. Notwithstanding the fees otherwise provided for registration  
2 pursuant to the Oklahoma Vehicle License and Registration Act, the  
3 fee for registration required pursuant to subsection A of this  
4 section shall be Twenty Dollars (\$20.00) upon the first registration  
5 in this state of any boat trailer or utility trailer and One Dollar  
6 (\$1.00) for any farm trailer after the effective date of this act.  
7 Upon any subsequent registration due to transfer of ownership, the  
8 fee shall be Seven Dollars (\$7.00) for any boat trailer or utility  
9 trailer and One Dollar (\$1.00) for any farm trailer.

10 C. Upon the payment of the registration fee provided for in  
11 subsection B of this section, a nonexpiring registration certificate  
12 and license plate shall be issued for each boat trailer, farm  
13 trailer or utility trailer by the Tax Commission or a motor license  
14 agent and shall remain displayed on the trailer.

15 D. The monies collected each fiscal year from the fee provided  
16 for in this section shall be deposited in the General Revenue Fund.

17 E. For any boat trailer, farm trailer or utility trailer  
18 registered pursuant to this section, the following shall apply:

19 1. For registrations which occur before a date which is six (6)  
20 months from the effective date of this act, a factory-built trailer  
21 with a serial number must be accompanied by a statement of origin,  
22 or if previously titled in another state, a properly assigned  
23 certificate of title. If no statement of origin or title is  
24 available, a sworn statement of ownership shall be provided. For

1 registrations which occur on or after a date which is six (6) months  
2 from the effective date of this act, a factory-built trailer with a  
3 serial number shall be accompanied by a statement of origin or such  
4 other ownership documentation as the Tax Commission shall require;

5 2. For shop-built trailers, a photograph and such other  
6 construction documentation as deemed necessary by the Tax Commission  
7 shall be provided and the Tax Commission shall assign an identifying  
8 number, which shall be permanently stamped, burned, pressed or  
9 attached to the trailer in a manner and location designated by the  
10 Tax Commission;

11 3. All two-axle trailers must have brakes on at least one axle;

12 4. Tandem dual wheels on an axle shall be commercial and shall  
13 not be utility or livestock wheels; and

14 5. The license plate issued to the owner of the boat trailer,  
15 farm trailer or utility trailer shall be attached to the left fender  
16 or back of the trailer.

17 Notwithstanding any other requirements in Title 47 or Title 63  
18 of the Oklahoma Statutes, functioning tail and clearance lights  
19 shall be required equipment on any trailer subject to the  
20 requirements of this section; provided, no tag light shall be  
21 required.

22 SECTION 5. AMENDATORY 47 O.S. 2011, Section 1134, is  
23 amended to read as follows:

24



1 Section 1134. A. Upon each pickup, truck or truck-tractor  
2 owned and operated by one or more farmers and used primarily for  
3 farm use, and not for commercial or industrial purposes, the license  
4 fee shall be Thirty Dollars (\$30.00). As used in this section, the  
5 term "pickup" shall mean a small, light truck with an open back or  
6 box used for hauling and designed primarily for the carrying of  
7 property rather than people. The term "truck" shall mean a motor  
8 vehicle designed or converted primarily for carrying or hauling farm  
9 commodities, property, livestock, or equipment, rather than people.

10 B. The fees assessed pursuant to this section shall not apply  
11 to any trailers or semitrailers or combinations thereof ~~used~~  
12 ~~primarily for farm use and for the transportation of products of the~~  
13 ~~farm by the producer thereof. Such fee shall not apply to any~~  
14 ~~trailer or semitrailer or combinations thereof when used primarily~~  
15 ~~for the transportation of any article or articles owned by the~~  
16 ~~operator of the trailer or semitrailer or combinations thereof and~~  
17 ~~not used in the furtherance of or incident to any commercial or~~  
18 ~~industrial enterprise~~ which are subject to the provisions of Section  
19 1105 of this title. The provisions of Section 1134.2 of this title  
20 shall apply to any trailers or semitrailers when used primarily for  
21 the transportation of logs, ties, stave bolts and posts, direct from  
22 forest to sawmill.

23 C. ~~For the purpose of this section, a trailer or semitrailer or~~  
24 ~~combination thereof owned by a farmer and used primarily for the~~

1 ~~purpose of transporting farm products to market or for the purpose~~  
2 ~~of transporting to the farm material or things to be used thereon,~~  
3 ~~and not for commercial or industrial purposes, may be registered for~~  
4 ~~One Dollar (\$1.00); provided, any such trailer used by the holder of~~  
5 ~~a certificate of convenience and necessity issued by the Oklahoma~~  
6 ~~Corporation Commission or the Interstate Commerce Commission shall~~  
7 ~~be conclusively presumed to be used in and for a commercial use, and~~  
8 ~~must be licensed as such, paying the license fees provided in~~  
9 ~~Section 1133 of this title.~~

10 ~~D.~~ Before a party shall be allowed to purchase a license plate  
11 or claim an exception or exemption under this section, the party  
12 shall:

- 13 1. Show an income tax Schedule F for the preceding year; or
- 14 2. Present a valid exemption card issued pursuant to the  
15 provisions of Section 1358.1 of Title 68 of the Oklahoma Statutes.

16 A violation shall be grounds for revocation of driver's license.  
17 Any person who signs the affidavit as required by this section when  
18 the person does not believe that the information in the affidavit is  
19 true or knows it is not true, upon conviction, shall be guilty of  
20 perjury and shall be punished as provided for by law.

21 ~~E.~~ D. Any person owning a truck upon which the farm truck  
22 license fee has been paid in Oklahoma for the current year and whose  
23 truck may be needed during grain harvests or other seasonal farming  
24 activities for hauling farm products other than his or her own, or

1 for hauling gravel, shale or other road materials for rural roads,  
2 may make application with the ~~Oklahoma~~ Tax Commission for a short  
3 term commercial license for such truck for a period of time not to  
4 exceed ninety (90) days as provided for in subsection ~~F~~ E of this  
5 section, or may make application in accordance with the Motor  
6 Carrier Harvest Permit Act of 2006 if applicable.

7 ~~F~~ E. Upon such application, the Tax Commission shall issue a  
8 temporary commercial truck license and register the truck upon  
9 payment of the following fees:

10 1. For thirty (30) days a fee equal to one-eighth (1/8) of the  
11 annual commercial license fee required for such truck.

12 2. For sixty (60) days a fee equal to one-fourth (1/4) of the  
13 annual commercial license fee required for such truck.

14 3. For ninety (90) days a fee equal to three-eighths (3/8) of  
15 the annual commercial license fee required for such truck.

16 ~~G~~ F. Provided, however, the provisions of this section shall  
17 not apply to the transportation of persons or property for hire.

18 SECTION 6. REPEALER 47 O.S. 2011, Section 1133.3, is  
19 hereby repealed.

20 SECTION 7. This act shall become effective November 1, 2017.

21  
22 56-1-1023 JCR 1/17/2017 10:00:30 AM  
23  
24