

1 **SENATE FLOOR VERSION**

2 February 5, 2015

3 SENATE BILL NO. 453

By: Quinn

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6 An Act relating to motor vehicles; amending 47 O.S.
7 2011, Section 4-105, as amended by Section 1, Chapter
8 197, O.S.L. 2012 (47 O.S. Supp. 2014, Section 4-105),
9 which relates to stolen or converted vehicles;
10 deleting provision allowing Department of Public
11 Safety to disregard report; specifying circumstances
12 under which vehicle considered stolen or converted;
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 4-105, as
16 amended by Section 1, Chapter 197, O.S.L. 2012 (47 O.S. Supp. 2014,
17 Section 4-105), is amended to read as follows:

18 Section 4-105. A. It shall be the duty of every sheriff, chief
19 of police or peace officer to make immediate report to the
20 Department of Public Safety of all vehicles reported to their
21 respective jurisdictions as being stolen or recovered. Such report
22 shall be made as prescribed by the Department.

23 B. An owner or a lienholder may report the theft of a vehicle,
24 or its conversion if a crime, to the Department, ~~but the Department~~
~~may disregard the report of a conversion unless a warrant has been~~
~~issued for the arrest of a person charged with the conversion.~~ A

1 person who has so reported the theft or conversion of a vehicle
2 shall, forthwith after learning of its recovery, report the recovery
3 to the Department. The Department shall consider the vehicle to be
4 stolen or converted if the person last known to be in possession of
5 the vehicle fails, refuses or neglects to return the vehicle to the
6 owner or lienholder in violation of any lawful court order.

7 C. An operator of a place of business for garaging, repairing,
8 parking or storing vehicles for the public, in which a vehicle
9 remains unclaimed for a period of thirty (30) days, shall, within
10 five (5) days after the expiration of that period, report the
11 vehicle as unclaimed to the Department. Such report shall be on a
12 form prescribed by the Department.

13 A vehicle left by its owner whose name and address are known to
14 the operator or employee of the operator is not considered
15 unclaimed. A person who fails to report a vehicle as unclaimed in
16 accordance with this subsection forfeits all claims and liens for
17 its garaging, parking or storing and is guilty of a misdemeanor
18 punishable by a fine or not more than Twenty-five Dollars (\$25.00)
19 for each day the failure to report continues.

20 D. The Department shall maintain and appropriately index
21 cumulative public records of stolen, converted, recovered and
22 unclaimed vehicles reported to it pursuant to this section. The
23 Department may make and distribute weekly lists of such vehicles so
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1 reported to it to peace officers upon request without fee and to
2 others for the fee, if any, the Department prescribes.

3 E. Any peace officer who has reason to believe or upon
4 receiving information that a motor vehicle has been stolen shall
5 have and is hereby vested with authority to confiscate and hold such
6 vehicle until satisfactory proof of ownership is established.

7 Provided, any vehicle that is towed by a licensed wrecker operator
8 pursuant to the provisions of Section 954A of this title shall be
9 returned to the licensed wrecker operator prior to any other claim
10 or assertion of ownership.

11 SECTION 2. This act shall become effective November 1, 2015.

12 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
13 February 5, 2015 - DO PASS

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