

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

1 agency. If the applicant is assuming the location of an existing or
2 operating agency, the current agent may submit a letter of
3 resignation contingent upon the appointment of the applicant
4 regardless of the population of the municipality in which the agency
5 is located. The Tax Commission may, at its discretion, approve the
6 relocation of an existing agency within a three-mile radius of
7 another existing agency only if a naturally intervening geographic
8 barrier within that radius causes the locations to be separated by
9 not less than three (3) miles of roadway by the most direct route.

10 B. After the necessary information has been forwarded to the
11 Tax Commission, the Tax Commission or its designees may select
12 applicants to be interviewed and each item of information shall be
13 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 is authorized to make a
21 determination whether such person and such location meets the
22 qualifications and requirements prescribed herein and, if such be
23 the case, may appoint such person to serve as a motor license agent.

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1 D. A motor license agent, appointed pursuant to this
2 subsection, shall be permitted to operate a motor license agency at
3 a single location and shall be prohibited from operating subagencies
4 or branch agencies.

5 Motor license agents appointed pursuant to this section shall be
6 subject to all laws relating to motor license agents and shall be
7 subject to removal at the will of the Tax Commission.

8 The Tax Commission shall appoint as many motor license agents as
9 it deems necessary to carry out the provisions of the Motor Vehicle
10 License and Registration Act. There shall be no less than one (1)
11 motor license agent located in a county of this state. Provided,
12 that in counties with a population in excess of twenty-five thousand
13 (25,000) persons, according to the latest Federal Decennial Census,
14 having only one motor license agent serving the county, the Tax
15 Commission ~~shall~~ may establish at least one additional agency to
16 serve the county.

17 E. All motor license agents shall be self-employed independent
18 contractors and shall be under the supervision of the Tax
19 Commission; provided, any agent authorized to issue registrations
20 pursuant to the International Registration Plan shall also be under
21 the supervision of the Corporation Commission, subject to rules
22 promulgated by the Corporation Commission pursuant to the provisions
23 of subsection E of Section 1166 of this title. Any such agent, upon
24 being appointed, shall furnish and file with the Tax Commission a

1 bond in such amount as may be fixed by the Tax Commission. Such
2 agent shall be removable at the will of the Tax Commission. Such
3 agent shall perform all duties and do such things in the
4 administration of the laws of this state as shall be enjoined upon
5 and required by the Tax Commission or the Corporation Commission.
6 Provided, the Tax Commission may operate a motor license agency in
7 any county where a vacancy occurs.

8 F. In the event of a vacancy existing by reason of resignation,
9 removal, death or otherwise, in the position of any motor license
10 agent, the Tax Commission is hereby empowered and authorized to take
11 any and all actions it deems appropriate in order to provide for the
12 orderly transition and for the maintenance of operations of the
13 motor license agency including but not limited to the designation of
14 one of its regular employees to serve as "acting agent" without
15 bond, and to receive and expend all fees or charges authorized or
16 provided by law and exercise the same powers and authority as a
17 regularly appointed motor license agent. An acting agent may be
18 authorized by the Tax Commission equally as the preceding agent to
19 make disbursements from any balances in the preceding motor license
20 agent's operating account and the agent's operating funds for the
21 payment of expenses of operations and salaries and other overhead.
22 If such funds are insufficient, the Tax Commission is authorized to
23 expend from funds appropriated for the operation of the Tax
24 Commission such amounts as are necessary to maintain and continue

1 the operation of any such motor license agency until a successor
2 agent is appointed and qualified. The Tax Commission may require a
3 blanket fiduciary bond of the agency employees.

4 G. Any motor license agency operated by a motor license agent
5 who has been charged with a felony shall be closed immediately. The
6 Tax Commission shall determine whether the motor license agency
7 shall be reopened and operated by the motor license agent. The
8 determination shall be effected as soon as possible to prevent
9 additional inconvenience to the public.

10 H. When an application for registration is made with the Tax
11 Commission, Corporation Commission or a motor license agent, a
12 registration fee of One Dollar and seventy-five cents (\$1.75) shall
13 be collected for each license plate or decal issued. Such fees
14 shall be in addition to the registration fees on motor vehicles and
15 when an application for registration is made to the motor license
16 agent such motor license agent shall retain a fee as provided in
17 Section 1141.1 of this title. When the fee is paid by a person
18 making application directly with the Tax Commission or Corporation
19 Commission, as applicable, the registration fees shall be in the
20 same amount as provided for motor license agents and the fee
21 provided by Section 1141.1 of this title shall be deposited in the
22 Oklahoma Tax Commission Revolving Fund or as provided in Section
23 1167 of this title, as applicable. The Tax Commission shall prepare
24 schedules of registration fees and charges for titles which shall

1 include the fees for such agents and all fees and charges paid by a
2 person shall be listed separately on the application and
3 registration and totaled on the application and registration. The
4 motor license agents shall charge only such fees as are specifically
5 provided for by law, and all such authorized fees shall be posted in
6 such a manner that any person shall have notice of all fees that are
7 imposed by law.

8 I. No person shall be appointed as a motor license agent unless
9 the person has attested under oath that the person is not related by
10 affinity or consanguinity within the third degree to:

- 11 1. Any member of the Oklahoma Tax Commission; or
- 12 2. Any employee of the Tax Commission.

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

18 SECTION 2. This act shall become effective November 1, 2021.

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20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
21 04/15/2021 - DO PASS.

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