An Act

ENROLLED HOUSE
BILL NO. 2492

By: Banz of the House

and

Fry of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1135.1, which relates to specialty license plates; authorizing Civil Air Patrol vehicles for nonprofit permanent license plates; providing qualification criteria; limiting vehicle uses; providing limitation to permanency upon transfer of vehicle; exempting from certain fees; establishing fee; and providing an effective date.

SUBJECT: Specialty license plates

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1135.1, is amended to read as follows:

Section 1135.1 A. The Oklahoma Tax Commission is hereby authorized to design and issue appropriate official special license plates to persons as provided by this section.

Special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year.

Except as provided in subsection B of this section, special license plates shall be renewed each year by the Tax Commission or a motor license agent. The Tax Commission shall annually notify by mail all persons issued special license plates. The notice shall

contain all necessary information and shall contain instructions for the renewal procedure upon presentation to a motor license agent or the Tax Commission. The license plates shall be issued on a staggered system. The motor license agent fees shall be paid out of the Oklahoma Tax Commission Reimbursement Fund.

B. The special license plates provided by this section are as follows:

1. Political Subdivision Plates - such plates shall be designed for any vehicle owned by any political subdivision of this state having obtained a proper Oklahoma certificate of title. Such political subdivisions shall file an annual report with the Tax Commission stating the agency where such vehicle is located. Such license plates shall be permanent in nature and designed in such a manner as to remain with the vehicle for the duration of the life span of the vehicle or until the title is transferred to an owner who is not a political subdivision.

The registration fee shall be Eight Dollars ($8.00) and shall be in addition to all other registration fees provided by law, except the registration fees levied by Section 1132 of this title;

2. Tax-Exempt or Nonprofit License Plates - such plates shall be designed for:

a. any motor bus, manufactured home, or mobile chapel and power unit owned and operated by a religious corporation or society of this state holding a valid exemption from taxation issued pursuant to Section 501(a) of the Internal Revenue Code, 26 U.S.C., Section 501(a), and listed as an exempt organization in Section 501(c)(3) of the Internal Revenue Code, as amended, 26 U.S.C., Section 501(c)(3), and that is used by the corporation or society solely for the furtherance of its religious functions,

b. any vehicle owned and operated only by nonprofit organizations devoted exclusively to youth programs including, but not limited to, the Girl Scouts and Boy Scouts of America,

c. any vehicle, except passenger automobiles, owned or operated by nonprofit organizations actually involved in programs for the employment of the handicapped and

used exclusively in the transportation of goods or materials for such organization,

d. any vehicle owned and operated by a nonprofit organization that provides older persons transportation to and from medical, dental and religious services and relief from business and social isolation,

e. any vehicle owned and operated by a private nonprofit organization that:

(1) warehouses and distributes surplus foods to other nonprofit agencies and organizations, and

(2) holds a valid exemption from taxation issued pursuant to Section 501(c) of the Internal Revenue Code, as amended, 26 U.S.C., Section 501(c), and listed as an exempt organization in Section 501(c)(3) of the Internal Revenue Code, as amended, and

(3) uses such vehicle exclusively for the transportation of such surplus foods, ~~or~~

f. any vehicle which:

(1) is owned and operated by a private, nonprofit organization which is exempt from taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), and which is primarily funded by a fraternal or civic service organization with at least one hundred local chapters or clubs, and

(2) is designed and used to provide mobile health screening services to the general public at no cost to the recipient, and for which no reimbursement of any kind is received from any health insurance provider, health maintenance organization or governmental program, or

g. any vehicle owned and operated by the Civil Air Patrol, a congressionally chartered corporation that also serves an auxiliary of the United States Air Force and

which is exempt from taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), and is used exclusively for its corporate missions of aerospace education, cadet programs and emergency services. Such license plates shall be permanent in nature and designed in such a manner as to remain with the vehicle for the duration of the life span of the vehicle or until the title to such vehicle is transferred to an owner who is not subject to this exemption. Such vehicles shall be exempt from the registration fees levied under Section 1132 of this title, except that an initial registration fee of Twenty-five Dollars ($25.00) shall apply to each vehicle.

Any person claiming to be eligible for a tax-exempt or nonprofit license plate under the provisions of this paragraph must have the name of the tax-exempt or nonprofit organization prominently displayed upon the outside of the vehicle, except those vehicles registered pursuant to the provisions of subparagraph b of this paragraph, unless such display is prohibited by federal or state law or by state agency rules. No vehicle shall be licensed as a tax-exempt or nonprofit vehicle unless the vehicle has affixed on each side thereof, in letters not less than two (2) inches high and two (2) inches wide, the name of the tax-exempt or nonprofit organization or the insignia or other symbol of such organization which shall be of sufficient size, shape and color as to be readily legible during daylight hours from a distance of fifty (50) feet while the vehicle is not in motion.

~~The~~ Except as provided in subparagraph g of this paragraph, the registration fee shall be Eight Dollars ($8.00) and shall be in addition to all other registration fees provided by law, except the registration fees levied by Section 1132 of this title;

3. Physically Disabled License Plates - such plates shall be designed for persons who are eligible for a physically disabled placard under the provisions of Section 15-112 of this title. It shall prominently display the international accessibility symbol, which is a stylized human figure in a wheelchair. The Tax Commission shall also design physically disabled license plates for motorcycles owned by persons who are eligible for a physically disabled placard pursuant to the provisions of Section 15-112 of this title. Upon the death of the physically disabled person, the disabled license plate shall be returned to the Tax Commission.

There shall be no fee for such plate in addition to the rate provided by the Oklahoma Vehicle License and Registration Act for the registration of the vehicle. For an additional fee of Ten Dollars ($10.00), a person eligible for a physically disabled license plate shall have the option of purchasing a duplicate physically disabled special license plate which shall be securely attached to the front of the vehicle. The original physically disabled special license plate shall be securely attached to the rear of the vehicle at all times.

Any person who is eligible for a physically disabled license plate and whose vehicle has had modifications because of the physical disability of the owner or of a family member within the second degree of consanguinity of the owner, may register the vehicle for a flat fee of Twenty-five Dollars ($25.00). This fee shall be in lieu of all other registration fees provided by the Oklahoma Vehicle License and Registration Act;

4. Indian Tribal License Plates - such plates shall be designed for any vehicle of a native American Indian Tribal Association exempted in Sections 201 through 204 of Public Law 97-473 and used by the tribal association exclusively for the furtherance of its tribal functions.

The registration fee shall be Eight Dollars ($8.00) and shall be in addition to all other registration fees provided by law, except the registration fees levied by Section 1132 of this title;

5. Hearing Impaired License Plates - such plates shall be designed for persons who are hearing impaired. Such persons may apply for a hearing-impaired license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon the presentment of an application on a form furnished by the Tax Commission and certified by a physician holding a valid license to practice pursuant to the licensing provisions of Title 59 of the Oklahoma Statutes, attesting that the person is hearing impaired. The license plate shall be designed so that such persons may be readily identified as being hearing impaired. There shall be no additional fee for the plate, but all other registration fees provided by the Oklahoma Vehicle License and Registration Act shall apply;

6. Antique or Classic ~~vehicles~~ Vehicles License Plates - such plates shall be designed and issued for any vehicle twenty-five (25) years of age or older, based upon the date of manufacture thereof

and which travels on the highways of this state primarily incidental to historical or exhibition purposes only.

The registration fee shall be Eight Dollars ($8.00) and shall be in addition to all other registration fees provided by law, except the registration fees levied by Section 1132 of this title. Any person registering an antique or classic vehicle may elect to have the vehicle registered for a ten-year period. The registration fee for the elected ten-year registration shall be Seventy-five Dollars ($75.00). The motor license agent registering the antique or classic vehicle for a ten-year period shall receive one hundred percent (100%) of the fees the motor license agent would have otherwise received pursuant to subsection A of Section 1141.1 of this title if the antique or classic vehicle had been registered on an annual basis; and

7. Honorary Consul License ~~Plate~~ Plates - such plates shall be designed to include the words "Honorary Consul" and issued to persons who are honorary consuls authorized by the United States to perform consular duties. Persons applying for such license plates must show proof of standing as an honorary consul. The fee for such plate shall be Eight Dollars ($8.00) and shall be in addition to all other registration fees required by the Oklahoma Vehicle License and Registration Act. The owner of the vehicle that possesses such license plates shall return the special license plates to the Oklahoma Tax Commission if the owner disposes of the vehicle during the registration year or ceases to be authorized to perform consular duties.

C. Special license plates provided by this section shall be designed in such a manner as to identify the use or ownership of the vehicle. Use of any vehicle possessing a special license plate provided by this section for any purpose not specified herein shall be grounds for revocation of the special license plate and registration certificate.

D. The fees provided by this section shall be deposited in the Oklahoma Tax Commission Reimbursement Fund.

SECTION 2. This act shall become effective November 1, 2016.

Passed the House of Representatives the 1st day of March, 2016.

Presiding Officer of the House
of Representatives

Passed the Senate the 4th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 5th

day of April, 2016, at 11:14 o'clock A M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 11th

day of April, 2016, at 4:29 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th

day of April, 2016, at 5:05 o'clock P. M.

By: Chris Benge