An Act

ENROLLED HOUSE
BILL NO. 2011

By: Davis of the House

and

Hall of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2021, Section 1115, as amended by Section 132, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1115), which relates to vehicles required to be registered; providing for biennial registration for certain vehicles; requiring Service Oklahoma to promulgate certain rules and necessary procedures for biennial registration; and providing an effective date.

SUBJECT: Motor vehicles

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 1115, as amended by Section 132, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 1115), is amended to read as follows:

Section 1115. A. Unless provided otherwise by statute, the following vehicles shall be registered annually: manufactured homes, vehicles registered with a permanent nonexpiring license plate pursuant to Section 1113 of this title, and commercial vehicles registered pursuant to the installment plan provided in subsection H of Section 1133 of this title. The following schedule shall apply for such vehicle purchased in this state or brought into this state by residents of this state:

1. Between January 1 and March 31, the payment of the full annual fee shall be required;

2. Between April 1 and June 30, the payment of three-fourths (3/4) the annual fee shall be required;

3. Between July 1 and September 30, the payment of one-half (1/2) the annual fee shall be required; and

4. Between October 1 and November 30, one-fourth (1/4) the annual fee shall be required.

License plates or decals for each year shall be made available on December 1 of each preceding year for such vehicles. Any person who purchases such vehicle or manufactured home between December 1 and December 31 of any year shall register it within thirty (30) days from date of purchase and obtain a license plate or Manufactured Home License Registration Decal, as appropriate, for the following calendar year upon payment of the full annual fee. Unless provided otherwise by statute, all annual license, registration and other fees for such vehicles shall be due and payable on January 1 of each year and if not paid by February 1 shall be deemed delinquent.

B. 1. All vehicles, other than those required to be registered pursuant to the provisions of subsection A of this section, shall be registered on a staggered system of registration and licensing on a monthly series basis to distribute the work of registering such vehicles as uniformly and expeditiously as practicable throughout the calendar year unless otherwise provided in this section. After the end of the month following the expiration date, the license and registration fees for the new registration period shall become delinquent. <u>At the time of registration or renewal, the owner of the vehicle may choose either an annual or a biennial registration of the vehicle.</u>

2. All fleet vehicles registered pursuant to new applications approved pursuant to the provisions of Section 1120 of this title shall be registered on a staggered system monthly basis.

3. Applicants seeking to establish Oklahoma as the base jurisdiction for registering apportioned fleet vehicles shall have a one-time option of registering for a period of not less than six (6) months nor greater than eighteen (18) months. Subsequent renewals for these registrants will be for twelve (12) months, expiring on the last day of the month chosen by the registrant under the one-time option as provided herein. In addition, registrants with multiple fleets may designate a different registration month of expiration for each fleet.

As used in this section, "fleet" shall have the same meaning as set forth in the International Registration Plan.

4. Effective January 1, 2004, all motorcycles and mopeds shall be registered on a staggered system of registration. Service Oklahoma shall notify in writing, prior to December 1, 2003, all owners of motorcycles or mopeds registered as of such date, who shall have a one-time option of registering for a period of not less than three (3) months nor greater than fifteen (15) months. Subsequent renewals for these registrants will be for twelve (12) months, expiring on the last day of the month chosen by the registrant under the one-time option as provided herein. All motorcycles and mopeds registered pursuant to new applications received on or after December 1, 2003, shall also be registered pursuant to the provisions of this paragraph.

5. Any three or more commercial vehicles owned by the same person and previously registered in this state may be registered at the same time regardless of the month or months in which they were previously registered. The month in which the commercial vehicles are newly registered shall be the month in which their registration is renewed annually. If a commercial vehicle is registered pursuant to this paragraph in the same calendar year in which it was previously registered, license and registration fees shall be prorated to account for the difference between the previous renewal month and the new renewal month and those fees shall be due at the time of registration pursuant to this paragraph.

C. The following penalties shall apply for delinquent registration fees:

1. For fleet vehicles required to be registered pursuant to the provisions of Section 1120 of this title for which a properly completed application for registration has not been received by the Corporation Commission by the last day of the month following the registration expiration date, a penalty of thirty percent (30%) of the Oklahoma portion of the annual registration fee, or Two Hundred Dollars ($200.00), whichever is greater, shall be assessed. The license and registration cards issued by the Corporation Commission for each fleet vehicle shall be valid until two (2) months after the registration expiration date;

2. For commercial vehicles registered under the provisions of subsection B of this section, except those vehicles registered pursuant to Section 1133.1 of this title, a penalty shall be

assessed after the last day of the month following the registration expiration date. A penalty of twenty-five cents ($0.25) per day shall be added to the license fee of such vehicle and shall accrue for one (1) month. Thereafter, the penalty shall be thirty percent (30%) of the annual registration fee, or Two Hundred Dollars ($200.00), whichever is greater;

3. For new or used manufactured homes, not registered within thirty (30) days from date of purchase or date such manufactured home was brought into this state, a penalty equal to the registration fee shall be assessed; or

4. For all vehicles a penalty shall be assessed after the last day of the month following the expiration date and no penalty shall be waived by Service Oklahoma or any licensed operator except as provided for in subsection H of Section 1133, subsection C of Section 1127 of this title, or when the vehicle was stolen as certified by a police report or other documentation as required by Service Oklahoma. A penalty of One Dollar ($1.00) per day shall be added to the license fee of such vehicle, provided that the penalty shall not exceed One Hundred Dollars ($100.00). Of each dollar penalty collected pursuant to this subsection:

a. twenty-one cents ($0.21) shall be apportioned as provided in Section 1104 of this title,

b. twenty-one cents ($0.21) shall be retained by the licensed operator, and

c. fifty-eight cents ($0.58) shall be deposited in the General Revenue Fund.

D. In addition to all other penalties provided in the Oklahoma Vehicle License and Registration Act, the following penalties shall be imposed and collected by any Enforcement Officer of the Corporation Commission upon finding any commercial vehicle being operated in violation of the provisions of the Oklahoma Vehicle License and Registration Act.

The penalties shall apply to any commercial vehicle found to be operating in violation of the following provisions:

1. A penalty of not less than Fifty Dollars ($50.00) shall be imposed upon any person found to be operating a commercial vehicle sixty (60) days after the end of the month in which the license

plate or registration credentials expire without the current year license plate or registration credential displayed. Such penalty shall not exceed the amount established by the Corporation Commission pursuant to the provisions of subsection A of Section 1167 of this title. Revenue from such penalties shall be apportioned as provided in Section 1167 of this title;

2. A penalty of not less than Fifty Dollars ($50.00) shall be imposed for any person operating a commercial vehicle subject to the provisions of Section 1120 or Section 1133 of this title without the proper display of, or, carrying in such commercial vehicle, the identification credentials issued by the Corporation Commission as evidence of payment of the fee or tax as provided in Section 1120 or Section 1133 of this title. Such penalty shall not exceed the amount established by the Corporation Commission pursuant to the provisions of subsection A of Section 1167 of this title. Revenue from such penalties shall be apportioned as provided in Section 1167 of this title; and

3. A penalty of not less than One Hundred Dollars ($100.00) shall be imposed for any person that fails to register any commercial vehicle subject to the Oklahoma Vehicle License and Registration Act. Such penalty shall not exceed the amount established by the Corporation Commission pursuant to the provisions of subsection A of Section 1167 of this title. Revenue from such penalties shall be apportioned as provided in Section 1167 of this title.

E. Service Oklahoma, or the Corporation Commission with respect to vehicles registered under Section 1120 or Section 1133 of this title, shall assess the registration fees and penalties for the year or years a vehicle was not registered. For vehicles not registered for two (2) or more years, the registration fees and penalties shall be due only for the current year and one (1) previous year.

F. In addition to any other penalty prescribed by law, there shall be a penalty of not less than Twenty Dollars ($20.00) upon a finding by an enforcement officer that:

1. The registration of a vehicle registered pursuant to Section 1132 of this title is expired and it is sixty (60) or more days after the end of the month of expiration; or

2. The registration fees for a vehicle that is subject to the registration fees pursuant to Section 1132 of this title have not been paid.

Such penalty shall not exceed the amount established by the Corporation Commission pursuant to the provisions of subsection A of Section 1167 of this title. Revenue from such penalties shall be apportioned as provided in Section 1167 of this title.

G. If a vehicle is donated to a nonprofit charitable organization, the nonprofit charitable organization shall be exempt from paying any current or past due registration fees, excise tax, transfer fees, and penalties and interest. However, after the donation, if the person donating the vehicle, or someone on behalf of such person, purchases the same vehicle back from the nonprofit charitable organization to which the vehicle was donated, such person shall be liable for all current and past-due registration fees, excise tax, title or transfer fees, and penalties and interest on such vehicle.

H. Service Oklahoma shall promulgate rules and any necessary procedures to establish an option for a biennial registration for vehicles registered pursuant to paragraph 1 of subsection B of this section.

1. Regardless of whether the vehicle owner elects annual or biennial registration, the vehicle is still subject to all fees, fines, and penalties provided in the Oklahoma Vehicle License and Registration Act.

2. For vehicle owners who elect biennial registration, the annual registration fee shall be twice the annual registration fee provided in the Oklahoma Vehicle License and Registration Act.

3. When processing biennial registrations, licensed operators shall be entitled to retain twice the amounts provided in paragraphs 1 and 2 of subsection A of Section 1141.1 of this title and twice the amount provided in paragraph 14 of subsection A of Section 1141.1 of this title for processing insurance verification information.

SECTION 2. This act shall become effective November 1, 2023.

Passed the House of Representatives the 10th day of May, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 24th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 11th

day of May, 20 23, at 10:48 o'clock a. M.

By: [illegible]

Approved by the Governor of the State of Oklahoma this 15th

day of May, 20 23, at 10:46 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 15th

day of May, 20 23, at 1:53 o'clock p M.

By: [illegible]