

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1139

By: Fetgatter

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; defining term;
8 requiring certain registration; stating certain
license requirements; amending 47 O.S. 2011, Section
11-1116, as last amended by Section 2, Chapter 315,
9 O.S.L. 2019 (47 O.S. Supp. 2020, Section 11-1116),
which relates to self-propelled or motor-driven
10 vehicles; making certain exception for street-legal
utility vehicles; amending 47 O.S. 2011, Section
1102, as last amended by Section 1, Chapter 57,
11 O.S.L. 2016 (47 O.S. Supp. 2020, Section 1102), which
relates to definitions; defining term; amending 47
12 O.S. 2011, Section 1113, as last amended by Section
4, Chapter 208, O.S.L. 2018 (47 O.S. Supp. 2020,
13 Section 1113), which relates to issuance of
certificate of registration, license plates and
14 decals; providing for the issuance of license plates,
decals and registration for certain vehicles;
15 requiring the design and issue of certain temporary
tag; specifying certain tag details and requirements;
16 requiring proof of insurance; authorizing
promulgation of certain rules and procedures;
17 amending 47 O.S. 2011, Section 1115.3, which relates
to registration of all-terrain and utility vehicles;
18 requiring certain vehicles receive certificate of
registration, license plate and yearly issued decal
19 before certain operation; providing for codification;
20 and providing an effective date.

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22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-171.1 of Title 47, unless
3 there is created a duplication in numbering, reads as follows:

4 A. A "street-legal utility vehicle (UTV)" is any motor vehicle
5 having:

6 1. A bench seat or side-by-side seat for the use of each rider;

7 2. Four wheels in contact with the ground, but excluding a
8 tractor;

9 3. A combustion engine with a piston or rotor displacement of
10 one hundred fifty cubic centimeters (150 cu cm) or greater and
11 capable of maintaining speeds of forty-five (45) miles per hour or
12 greater;

13 4. For each occupant, safety belts or safety shoulder harnesses
14 which shall be of a type and shall be installed pursuant to 49
15 C.F.R., Section 571.208 et seq.; and

16 5. All equipment required by the provisions of Article II et
17 seq. of Chapter 12 of Title 47 of the Oklahoma Statutes, with
18 respect to equipment on vehicles.

19 B. A street-legal UTV operated on the streets and highways of
20 this state shall be registered as a motor vehicle.

21 C. The operator of a street-legal UTV shall not be required to
22 have an "M" endorsement on the Class D license pursuant to Section
23 6-110.1 of Title 47 of the Oklahoma Statutes. The operator shall be
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1 at least sixteen (16) years of age and hold a valid Oklahoma driver
2 license.

3 SECTION 2. AMENDATORY 47 O.S. 2011, Section 11-1116, as
4 last amended by Section 2, Chapter 315, O.S.L. 2019 (47 O.S. Supp.
5 2020, Section 11-1116), is amended to read as follows:

6 Section 11-1116. A. The self-propelled or motor-driven and
7 operated vehicles described in this section shall be prohibited from
8 operating or shall be limited in operation on the streets and
9 highways of this state.

10 B. Self-propelled or motor-driven cycles, known and commonly
11 referred to as "minibikes" and other similar trade names, shall be
12 prohibited from operating on the streets and highways of this state,
13 except:

14 1. When used in a parade; or

15 2. When registered, as required by subsection E of Section 1151
16 of this title, and operated in this state by food vendor services
17 upon streets having a speed limit of thirty (30) miles per hour or
18 less.

19 All minibikes offered for sale in this state shall bear the
20 following notice to the customer: "This machine is not manufactured
21 or sold for operation on the public streets or highways. Since it
22 is not provided with equipment required by law for street or highway
23 use, all persons are cautioned that any operation of this vehicle
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1 upon a public street or highway will be in violation of the motor
2 vehicle laws of this state and will subject the violator to arrest."

3 C. Golf carts and utility vehicles, as defined by Section 1102
4 of this title, shall not be operated on the streets and highways of
5 this state except:

6 1. Golf carts or utility vehicles owned by the Oklahoma Tourism
7 and Recreation Department, and operated by employees or agents of
8 the Department or employees of independent management companies
9 working on behalf of the Department, may be operated on the streets
10 and highways of this state during daylight hours or under rules
11 developed by the Oklahoma Tourism and Recreation Commission, when
12 the streets and highways are located within the boundaries of a
13 state park. The Department shall have warning signs placed at the
14 entrance and other locations at those state parks allowing golf
15 carts or utility vehicles to be operated on the streets and highways
16 of this state located within the boundaries of those state parks.
17 The warning signs shall state that golf carts and utility vehicles
18 may be operating on streets and highways and that motor vehicle
19 operators shall take special precautions to be alert for the
20 presence of golf carts or utility vehicles on the streets and
21 highways;

22 2. The municipal governing body has adopted an ordinance
23 governing the operation of golf carts and/or utility vehicles on
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1 city streets; provided, such ordinances shall include necessary
2 vehicle lighting and safety requirements;

3 3. Golf carts or utility vehicles may operate on state highways
4 only if making a perpendicular crossing of a state highway located
5 within the boundaries of a municipality which has adopted an
6 ordinance governing the operation of golf carts and/or utility
7 vehicles; ~~or~~

8 4. The board of county commissioners of a county has approved
9 the operation of golf cart and/or utility vehicle traffic on
10 roadways within the county, and:

11 a. the roadway has a posted speed limit of twenty-five
12 (25) miles per hour or less,

13 b. the roadway is located in an unincorporated area, and

14 c. appropriate signage, cautioning motorists of the
15 possibility of golf cart or utility vehicle traffic,
16 is erected by the board of county commissioners; or

17 5. Street-legal utility vehicles registered as a motor vehicle
18 pursuant to subsection B of Section 1 of this act. Provided,
19 however, street-legal utility vehicles shall not be operated on the
20 National System of Interstate and Defense Highways.

21 D. All-terrain vehicles shall not be operated on the streets
22 and highways of this state, except:

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1 1. On unpaved roads which are located within the boundaries of
2 any property of the Forest Service of the United States Department
3 of Agriculture;

4 2. On highways if:

5 a. the vehicle needs to make a direct crossing of the
6 highway while the vehicle is traveling upon a
7 regularly traveled trail and needs to continue travel
8 from one area of the trail to another and, if the
9 vehicle comes to a complete stop, yields the right-of-
10 way to all oncoming traffic that constitutes an
11 immediate hazard, and crosses the highway at an angle
12 of approximately ninety (90) degrees to the direction
13 of the street or highway. This exception shall not
14 apply to divided highways or highways with a posted
15 speed limit of more than thirty-five (35) miles per
16 hour in the area of the crossing,

17 b. the vehicle needs to travel on a highway in order to
18 cross a railroad track. In that event, the all-
19 terrain vehicle may travel for not more than three
20 hundred (300) feet on a highway to cross a railroad
21 track,

22 c. the operator of the all-terrain vehicle making the
23 crossing at a highway has a valid driver license, and
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1 d. the operator of the vehicle makes a crossing on a
2 highway during daylight hours only;

3 3. On streets and highways within a municipality if the
4 municipal governing body has adopted an ordinance governing the
5 operation of golf carts, utility vehicles or all-terrain vehicles on
6 streets and highways within the municipality; or

7 4. On roadways within unincorporated areas of a county if those
8 roadways are not part of the state highway system or the National
9 System of Interstate and Defense Highways; provided, however, that
10 the driver is a licensed driver.

11 E. Mopeds, as defined by Section 1-133.2 of this title, may be
12 operated on the streets and highways of this state if:

13 1. The municipal governing body has adopted an ordinance
14 governing the operation of mopeds on city streets; provided, such
15 ordinances shall include necessary vehicle lighting and safety
16 requirements; or

17 2. The board of county commissioners of a county has approved
18 the operation of mopeds on roadways within the county, not including
19 roadways within a municipality.

20 SECTION 3. AMENDATORY 47 O.S. 2011, Section 1102, as
21 last amended by Section 1, Chapter 57, O.S.L. 2016 (47 O.S. Supp.
22 2020, Section 1102), is amended to read as follows:

23 Section 1102. As used in the Oklahoma Vehicle License and
24 Registration Act:

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

4 2. "Carrying capacity" means the carrying capacity of a vehicle
5 as determined or declared in tons of cargo or payload by the owner;
6 provided, that such declared capacity shall not be less than the
7 minimum tonnage capacity fixed, listed or advertised by the
8 manufacturer of any vehicle;

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

12 4. "Chips and oil" or the term "road oil and crushed rock"
13 means, with respect to materials authorized for use in the surfacing
14 of roads or highways in this title or in any equivalent statute
15 pertaining to road or highway surfacing in the State of Oklahoma,
16 any asphaltic materials. Wherever chips and oil or road oil and
17 crushed rock are authorized for use in the surfacing of roads or
18 highways in this state, whether by the Department of Transportation,
19 or by the county commissioners, or other road building authority
20 subject to the Oklahoma Vehicle License and Registration Act,
21 asphaltic materials are also authorized for use in such surfacing
22 and construction;

23 5. "Combined laden weight" means the weight of a truck or
24 station wagon and its cargo or payload transported thereon, or the

1 weight of a truck or truck-tractor plus the weight of any trailers
2 or semitrailers together with the cargo or payload transported
3 thereon;

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

8 7. "Commercial trailer 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 commercial trailers;

11 8. "Commercial vehicle" means any vehicle over eight thousand
12 (8,000) pounds combined laden weight used primarily for business or
13 commercial purposes. Each motor vehicle being registered pursuant
14 to the provisions of this section shall have the name of the
15 commercial establishment or the words "Commercial Vehicle"
16 permanently and prominently displayed upon the outside of the
17 vehicle in letters not less than two (2) inches high. Such letters
18 shall be in sharp contrast to the background and shall be of
19 sufficient shape and color as to be readily legible during daylight
20 hours, from a distance of fifty (50) feet while the vehicle is not
21 in motion;

22 9. "Commission" or "Tax Commission" means the Oklahoma Tax
23 Commission;

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

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

13 12. "Mini-truck" means a foreign-manufactured import or
14 domestic-manufactured vehicle powered by an internal combustion
15 engine with a piston or rotor displacement of one thousand cubic
16 centimeters (1,000 cu cm) or less, which is sixty-seven (67) inches
17 or less in width, with an unladen dry weight of three thousand four
18 hundred (3,400) pounds or less, traveling on four or more tires,
19 having a top speed of approximately fifty-five (55) miles per hour,
20 equipped with a bed or compartment for hauling, and having an
21 enclosed passenger cab;

22 13. "Interstate commerce" means any commerce moving between any
23 place in a state and any place in another state or between places in
24 the same state through another state;

1 14. "Laden weight" means the combined weight of a vehicle when
2 fully equipped for use and the cargo or payload transported thereon;
3 provided, that in no event shall the laden weight be less than the
4 unladen weight of the vehicle fully equipped for use, plus the
5 manufacturer's rated carrying capacity;

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

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

17 17. "Manufactured home" means a residential dwelling built in
18 accordance with the National Manufactured Housing Construction and
19 Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq., and
20 rules promulgated pursuant thereto and the rules promulgated by the
21 Oklahoma Used Motor Vehicle and Parts Commission pursuant to Section
22 582 of this title. Manufactured home shall not mean a park model
23 recreational vehicle as defined in this section;

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

16 19. "Medium-speed electrical vehicle" means any self-propelled,
17 electrically powered four-wheeled motor vehicle, equipped with a
18 roll cage or crush-proof body design, whose speed attainable in one
19 (1) mile is more than thirty (30) miles per hour but not greater
20 than thirty-five (35) miles per hour;

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

1 21. "New vehicle" or "unused vehicle" means a vehicle which has
2 been in the possession of the manufacturer, distributor or
3 wholesaler or has been sold only by the manufacturer, distributor or
4 wholesaler to a dealer;

5 22. "Nonresident" means any person who is not a resident of
6 this state;

7 23. "Off-road motorcycle" means any motorcycle, as defined in
8 Section 1-135 of this title, when such motorcycle has been
9 manufactured for and used exclusively off roads, highways and any
10 other paved surfaces;

11 24. "Owner" means any person owning, operating or possessing
12 any vehicle herein defined;

13 25. "Park model recreational vehicle" means a vehicle that is:

- 14 a. designed and marketed as temporary living quarters for
15 camping, recreational, seasonal or travel use,
- 16 b. not permanently affixed to real property for use as a
17 permanent dwelling,
- 18 c. built on a single chassis mounted on wheels with a
19 gross trailer area not exceeding four hundred (400)
20 square feet in the setup mode, and
- 21 d. certified by the manufacturer as complying with
22 standard A119.5 of the American National Standards
23 Institute, Inc.;

1 26. "Person" means any individual, copartner, joint venture,
2 association, corporation, limited liability company, estate, trust,
3 business trust, syndicate, the State of Oklahoma, or any county,
4 city, municipality, school district or other political subdivision
5 thereof, or any group or combination acting as a unit, or any
6 receiver appointed by the state or federal court;

7 27. "Rebodied vehicle" means a vehicle:

- 8 a. which has been assembled using a new body or new major
9 component which is of the identical type as the
10 original vehicle and is licensed by the manufacturer
11 of the original vehicle and other original, new or
12 reconditioned parts. For purposes of this paragraph,
13 "new body or new major component" means a new body,
14 cab, frame, front end clip or rear end clip,
15 b. which is not a salvage, rebuilt, or junked vehicle as
16 defined by paragraph 1, 2, or 6 of subsection A of
17 Section 1105 of this title, and
18 c. for which the Tax Commission has assigned or will
19 assign a new identifying number;

20 28. "Recreational off-highway vehicle" means a vehicle
21 manufactured and used exclusively for off-highway use, traveling on
22 four or more non-highway tires, and being sixty-five (65) inches or
23 less in width;
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1 29. "Recreational vehicle" means every vehicle which is built
2 on or permanently attached to a self-propelled motor chassis or
3 chassis cab which becomes an integral part of the completed vehicle
4 and is capable of being operated on the highways. In order to
5 qualify as a recreational vehicle pursuant to this paragraph such
6 vehicle shall be permanently constructed and equipped for human
7 habitation, having its own sleeping and kitchen facilities,
8 including permanently affixed cooking facilities, water tanks and
9 holding tank with permanent toilet facilities. Recreational vehicle
10 shall not include manufactured homes or any vehicle with portable
11 sleeping, toilet and kitchen facilities which are designed to be
12 removed from such vehicle. Recreational vehicle shall include park
13 model recreational vehicles as defined in this section;

14 30. "Remanufactured vehicle" means a vehicle which has been
15 assembled by a vehicle remanufacturer using a new body and which may
16 include original, reconditioned, or remanufactured parts, and which
17 is not a salvage, rebuilt, or junked vehicle as defined by
18 paragraphs 1, 2, and 6, respectively, of subsection A of Section
19 1105 of this title;

20 31. "Rental trailer" means all small or utility trailers or
21 semitrailers constructed and suitable for towing by a passenger
22 automobile and designed only for carrying property, when the
23 trailers or semitrailers are owned by, or are in the possession of,
24 any person engaged in renting or leasing such trailers or

1 semitrailers for intrastate or interstate use or combined intrastate
2 and interstate use;

3 32. "Special mobilized machinery" means special purpose
4 machines or devices, either self-propelled or drawn as trailers or
5 semitrailers, which derive no revenue from the transportation of
6 persons or property, whose use of the highway is only incidental,
7 and whose useful revenue producing service is performed at
8 destinations in an area away from the traveled surface of an
9 established open highway;

10 33. "State" means the State of Oklahoma;

11 34. "Station wagon" means any passenger vehicle which does not
12 have a separate luggage compartment or trunk and which does not have
13 open beds, and has one or more rear seats readily lifted out or
14 folded, whether same is called a station wagon or ranch wagon;

15 35. "Street-legal utility vehicle (UTV)" means a vehicle
16 meeting the description and specifications of Section 1 of this act;

17 36. "Travel trailer" means any vehicular portable structure
18 built on a chassis, used as a temporary dwelling for travel,
19 recreational or vacation use, and, when factory-equipped for the
20 road, it shall have a body width not exceeding eight (8) feet and an
21 overall length not exceeding forty (40) feet, including the hitch or
22 coupling;

23 ~~36.~~ 37. "Travel trailer dealer" means any person, firm or
24 corporation engaged in the business of selling any new and unused,

1 or used, or both new and used travel trailers. Such information and
2 a valid franchise letter as proof of authorization to sell any such
3 new travel trailer product line or lines shall be attached to the
4 application for a dealer license to sell travel trailers. "Travel
5 trailer dealer" shall not include any person, firm or corporation
6 who sells or contracts for the sale of his or her own personally
7 titled travel trailer or trailers. No person, firm or corporation
8 shall be considered as a travel trailer dealer as to any travel
9 trailer purchased or acquired by such person, firm or corporation
10 for purposes other than resale;

11 ~~37.~~ 38. "Used motor vehicle dealer" means "used motor vehicle
12 dealer" as defined in Section 581 of this title;

13 ~~38.~~ 39. "Used vehicle" means any vehicle which has been sold,
14 bargained, exchanged or given away, or used to the extent that it
15 has become what is commonly known, and generally recognized, as a
16 "secondhand" vehicle. This shall also include any vehicle other
17 than a remanufactured vehicle, regardless of age, owned by any
18 person who is not a dealer;

19 ~~39.~~ 40. "Utility vehicle" means a vehicle powered by an
20 internal combustion engine, manufactured and used exclusively for
21 off-highway use, equipped with seating for two or more people and a
22 steering wheel, traveling on four or more wheels;

23 ~~40.~~ 41. "Vehicle" means any type of conveyance or device in,
24 upon or by which a person or property is or may be transported from

1 one location to another upon the avenues of public access within the
2 state. "Vehicle" does not include bicycles, trailers except travel
3 trailers and rental trailers, or implements of husbandry as defined
4 in Section 1-125 of this title. All implements of husbandry used as
5 conveyances shall be required to display the owner's driver license
6 number or license plate number of any vehicle owned by the owner of
7 the implement of husbandry on the rear of the implement in numbers
8 not less than two (2) inches in height. The use of the owner's
9 Social Security number on the rear of the implement of husbandry
10 shall not be required; and

11 ~~41.~~ 42. "Vehicle remanufacturer" means a commercial entity
12 which assembles remanufactured vehicles.

13 SECTION 4. AMENDATORY 47 O.S. 2011, Section 1113, as
14 last amended by Section 4, Chapter 208, O.S.L. 2018 (47 O.S. Supp.
15 2020, Section 1113), is amended to read as follows:

16 Section 1113. A. 1. Except for all-terrain vehicles, utility
17 vehicles and motorcycles used exclusively off roads and highways,
18 upon the filing of a registration application and the payment of the
19 fees provided for in the Oklahoma Vehicle License and Registration
20 Act, the Oklahoma Tax Commission or Corporation Commission, as
21 applicable, shall assign to the vehicle described in the application
22 a distinctive number, and issue to the owner of the vehicle a
23 certificate of registration, one license plate and a yearly decal.
24 The Oklahoma Tax Commission shall assign an all-terrain vehicle,

1 utility vehicle or motorcycle used exclusively off roads and
2 highways a distinctive number and issue to the owner a certificate
3 of registration and a decal but not a license plate. For each
4 subsequent registration year, the Tax Commission shall issue a
5 yearly decal to be affixed to the license plate, except for an all-
6 terrain vehicle, utility vehicle or motorcycle used exclusively off
7 roads and highways. The initial decal for an all-terrain vehicle,
8 utility vehicle or motorcycle shall be attached to the front of the
9 vehicle and shall be in clear view. The decal shall be on the front
10 or on the front fork of the motorcycle used exclusively off roads
11 and highways and the decal shall be in clear view. The yearly decal
12 shall have an identification number and the last two numbers of the
13 registration year for which it shall expire. Except as provided by
14 Section 1113A of this title, the license plate shall be affixed to
15 the exterior of the vehicle until a replacement license plate is
16 applied for. If the owner applies for a replacement license plate,
17 the Tax Commission shall charge the fee provided for in Section 1114
18 of this title. The yearly decal will validate the license plate for
19 each registration period other than the year the license plate is
20 issued. The license plate and decal shall be of such size, color,
21 design and numbering as the Tax Commission may direct. However,
22 yearly decals issued to the owner of a vehicle who has filed an
23 affidavit with the appropriate motor license agent in accordance
24 with Section 7-607 of this title shall be a separate and distinct

1 color from all other decals issued under this section. Before the
2 effective date of this act, the Tax Commission shall also issue a
3 monthly decal which shall include a two-letter abbreviation
4 corresponding to the county in which the vehicle is registered. The
5 Tax Commission shall issue all decals in the possession of the Tax
6 Commission on the effective date of this act before issuing any
7 decals which do not contain the county abbreviation.

8 2. a. The operation of a street-legal utility vehicle on the
9 streets and highways of this state requires the
10 vehicle be issued a certificate of registration and
11 license plate to be renewed annually. Upon the filing
12 of a registration application and the payment of the
13 fees provided for in the Oklahoma Vehicle License and
14 Registration Act, the Oklahoma Tax Commission or
15 Corporation Commission, as applicable, shall assign to
16 the vehicle described in the application a distinctive
17 number, and issue to the owner of the vehicle a
18 certificate of registration, one license plate and a
19 yearly decal. For each subsequent registration year,
20 the Tax Commission shall issue a yearly decal to be
21 affixed to the license plate. The initial decal for a
22 street-legal utility vehicle shall be attached to the
23 front of the vehicle and shall be in clear view. The
24 yearly decal shall have an identification number and

1 the last two numbers of the registration year for
2 which it shall expire. Except as provided by Section
3 1113A of this title, the license plate shall be
4 affixed to the exterior of the vehicle until a
5 replacement license plate is issued. If the owner
6 applies for a replacement license plate, the Tax
7 Commission shall charge the fee provided for in
8 Section 1114 of this title. The yearly decal will
9 validate the license plate for each registration
10 period other than the year the license plate is
11 issued. The license plate and decal shall be of such
12 size, color, design and numbering as the Tax
13 Commission may direct. However, yearly decals issued
14 to the owner of a vehicle who has filed an affidavit
15 with the appropriate motor license agent in accordance
16 with Section 7-607 of this title shall be a separate
17 and distinct color from all other decals issued under
18 this section.

19 b. The Oklahoma Tax Commission shall design and issue a
20 temporary tag to out-of-state owners of street-legal
21 utility vehicles. The temporary tag shall be
22 recognized in lieu of registration in this state. The
23 temporary tag shall clearly indicate the date of
24 issuance and the date of expiration, which shall be

1 five (5) days, including the day of issuance. Upon
2 application for a temporary tag, the out-of-state
3 owner shall show proof of insurance coverage that
4 satisfies the requirements of the Compulsory Insurance
5 Law pursuant Section 7-600 et seq. of this title. The
6 Oklahoma Tax Commission is authorized to promulgate
7 rules and procedures to implement the provisions of
8 this subdivision.

9 3. The license plate shall be securely attached to the rear of
10 the vehicle, except truck-tractor plates which shall be attached to
11 the front of the vehicle. The Tax Commission may, with the
12 concurrence of the Department of Public Safety, by Joint Rule,
13 change and direct the manner, place and location of display of any
14 vehicle license plate when such action is deemed in the public
15 interest. The license plate, decal and all letters and numbers
16 shall be clearly visible at all times. The operation of a vehicle
17 in this state, regardless of where such vehicle is registered, upon
18 which the license plate is covered, overlaid or otherwise screened
19 with any material, whether such material be clear, translucent,
20 tinted or opaque, shall be a violation of this paragraph.

21 ~~3.~~ 4. Upon payment of the annual registration fee provided in
22 Section 1133 of this title, the Tax Commission or Corporation
23 Commission, as applicable, or a motor license agent may issue a
24 permanent nonexpiring license plate to an owner of one hundred or

1 more commercial motor vehicles and for vehicles registered under the
2 provisions of Section 1120 of this title. Upon payment of the
3 annual registration fee, the Tax Commission or Corporation
4 Commission shall issue a certificate of registration that shall be
5 carried at all times in the vehicle for which it is issued.
6 Provided, if the registrant submits its application through
7 electronic means, such qualified owners of one hundred or more
8 commercial motor vehicles, properly registered pursuant to the
9 provisions of Section 1133 of this title, may elect to receive a
10 permanent certificate of registration that shall be carried at all
11 times in the vehicle for which it is issued.

12 ~~4.~~ 5. Every vehicle owned by an agency of this state shall be
13 exempt from the payment of registration fees required by this title.
14 Provided, such vehicle shall be registered and shall otherwise
15 comply with the provisions of the Oklahoma Vehicle License and
16 Registration Act.

17 B. The license plates required under the provisions of this
18 title shall conform to the requirements and specifications listed
19 hereinafter:

20 1. Each license plate shall have a space for the placement of
21 the yearly decals for each succeeding year of registration after the
22 initial issue;

23 2. The provisions of the Oklahoma Vehicle License and
24 Registration Act regarding the issuance of yearly decals shall not

1 apply to the issuance of apportioned license plates, including
2 license plates for state vehicles, and exempt plates for
3 governmental entities and fire departments organized pursuant to
4 Section 592 of Title 18 of the Oklahoma Statutes;

5 3. All license plates and decals shall be made with
6 reflectorized material as a background to the letters, numbers and
7 characters displayed thereon. The reflectorized material shall be
8 of such a nature as to provide effective and dependable brightness
9 during the service period for which the license plate or decal is
10 issued;

11 4. Except as otherwise provided in this subsection, the Tax
12 Commission shall design appropriate official license plates for all
13 state vehicles. Such license plates shall be permanent in nature
14 and designed in such manner as to remain with the vehicle for the
15 duration of the vehicle's life span or until the title is
16 transferred to a nongovernmental owner;

17 5. Within the limits prescribed in this section, the Tax
18 Commission shall design appropriate official license plates for
19 vehicles of the Oklahoma Highway Patrol. The license plates shall
20 have the legend "Oklahoma OK" and shall contain the letters "OHP"
21 followed by the state seal and the badge number of the Highway
22 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
23 Highway Patrol" shall also be included on such license plates;

24

1 6. Within the limits prescribed in this section, the Tax
2 Commission shall design appropriate official license plates for
3 vehicles of the Oklahoma Military Department. Such license plates
4 shall have the legend "Oklahoma OK" and shall contain the letters
5 "OMD" followed by the state seal and three numbers or letters as
6 designated by the Adjutant General. The words "Oklahoma Military
7 Department" shall also be included on such license plates;

8 7. Within the limits prescribed in this section, the Tax
9 Commission shall design appropriate official license plates for
10 vehicles of the Oklahoma Department of Corrections. Such license
11 plates shall contain the letters "DOC" followed by the Department of
12 Corrections badge and three numbers or letters or combination of
13 both as designated by the Director of the agency. The words
14 "Department of Corrections" shall also be included on such license
15 plates; and

16 8. Within the limits prescribed in this section, the Oklahoma
17 Tourism and Recreation Department shall design any license plates
18 required by the initiation of a license plate reissuance by the
19 Oklahoma Tax Commission at the request of the Department of Public
20 Safety pursuant to the provisions of Section 1113.2 of this title.
21 Any such new designs shall be submitted by the Oklahoma Tourism and
22 Recreation Department to the Department of Public Safety for its
23 approval prior to being issued by the Oklahoma Tax Commission.

24

1 C. Where the applicant has satisfactorily shown that the
2 applicant owns the vehicle sought to be registered but is unable to
3 produce documentary evidence of the ownership, a license plate may
4 be issued upon approval by the Tax Commission or Corporation
5 Commission, as applicable. In such instances the reason for not
6 issuing a certificate of title shall be indicated on the receipt
7 given to the applicant. It shall still be the duty of the applicant
8 to immediately take all necessary steps to obtain the Oklahoma
9 certificate of title and it shall be unlawful for the applicant to
10 sell the vehicle until the certificate has been obtained in the
11 applicant's name.

12 D. The certificate of registration provided for in this section
13 shall be in convenient form, and the certificate of registration, or
14 a certified copy or photostatic copy thereof, duly authenticated by
15 the Tax Commission or Corporation Commission, as applicable, shall
16 be carried at all times in or upon all vehicles so registered, in
17 such manner as to permit a ready examination thereof upon demand by
18 any peace officer of the state or duly authorized employee of the
19 Department of Public Safety. Any such officer or agent may seize
20 and hold such vehicle when the operator of the same does not have
21 the registration certificate in the operator's possession or when
22 any such officer or agent determines that the registration
23 certificate has been obtained by misrepresentation of any essential
24 or material fact or when any number or identifying information

1 appearing on such certificate has been changed, altered, obliterated
2 or concealed in any way, until the proper registration or
3 identification of such vehicle has been made or produced by the
4 owner thereof.

5 E. The purchaser of a new or used manufactured home shall,
6 within thirty (30) days of the date of purchase, register the home
7 with the Tax Commission or a motor license agent pursuant to the
8 provisions of Section 1117 of this title. For a new manufactured
9 home, it shall be the responsibility of the dealer selling the home
10 to place a temporary license plate on the home in the same manner as
11 provided in Section 1128 of this title for other new motor vehicles.
12 For the first year that any manufactured home is registered in this
13 state, the Tax Commission shall issue a metal license plate which
14 shall be affixed to the manufactured home. The temporary dealer
15 license plate or the metal license plate shall be displayed on the
16 manufactured home at all times when upon a public roadway; provided,
17 a repossession affidavit issued pursuant to Sections 1110 and 1126
18 of this title shall be permissible in lieu of a current license
19 plate and decal for the purposes of removing a repossessed
20 manufactured home to a secure location. Manufactured homes
21 previously registered and subject to ad valorem taxation as provided
22 by law shall have a decal affixed at the time ad valorem taxes are
23 paid for such manufactured home; provided, for a manufactured home
24 permanently affixed to real estate, no decal or license plate shall

1 be required to be affixed and the owner thereof shall be given a
2 receipt upon payment of ad valorem taxes due on the home. The Tax
3 Commission shall make sufficient plates and decals available to the
4 various motor license agents of the state in order for an owner of a
5 manufactured home to acquire the plate or decal. A one-dollar fee
6 shall be charged for issuance of any plate or decal. The fee shall
7 be apportioned each month to the General Revenue Fund of the State
8 Treasury.

9 F. The decal shall be easily visible for purposes of
10 verification by a county assessor that the manufactured home is
11 properly assessed for ad valorem taxation. In the first year of
12 registration, a decal shall be issued for placement on the license
13 plate indicating payment of applicable registration fees and excise
14 taxes. A duplicate manufactured home registration decal shall be
15 affixed inside the window nearest the front door of the manufactured
16 home. In the second and all subsequent years for which the
17 manufactured home is subject to ad valorem taxation, an annual decal
18 shall be affixed inside the window nearest the front door as
19 evidence of payment of ad valorem taxes. The Tax Commission shall
20 issue decals to the various county treasurers of the state in order
21 for a manufactured home owner to obtain such decal each year. Upon
22 presentation of a valid ad valorem tax receipt, the manufactured
23 home owner shall be issued the annual decal.

24

1 G. Upon the registration of a manufactured home in this state
2 for the first time or upon discovery of a manufactured home
3 previously registered within this state for which the information
4 required by this subsection is not known, the Tax Commission shall
5 obtain:

- 6 1. The name of the owner of the manufactured home;
- 7 2. The serial number or identification number of the
8 manufactured home;
- 9 3. A legal description or address of the location for the home;
- 10 4. The actual retail selling price of the manufactured home
11 excluding Oklahoma taxes;
- 12 5. The certificate of title number for the home; and
- 13 6. Any other information which the Tax Commission deems to be
14 necessary.

15 The application for registration shall also include the school
16 district in which the manufactured home is located or is to be
17 located. The information shall be entered into a computer data
18 system which shall be used by the Tax Commission to provide
19 information to county assessors upon request by the assessor. The
20 assessor may request any information from the system in order to
21 properly assess a manufactured home for ad valorem taxation.

22 SECTION 5. AMENDATORY 47 O.S. 2011, Section 1115.3, is
23 amended to read as follows:

24

1 Section 1115.3 A. Except as otherwise provided by this
2 section, all-terrain vehicles, utility vehicles and motorcycles used
3 exclusively off roads or highways shall be registered once with the
4 Oklahoma Tax Commission within thirty (30) days after purchase.

5 B. For all-terrain vehicles or motorcycles used exclusively off
6 roads or highways purchased prior to July 1, 2005, registration, as
7 otherwise required by Section 1115 of this title, shall not be
8 required, but shall be allowed at the option of the owner of the
9 all-terrain vehicle or motorcycle used exclusively off roads or
10 highways.

11 C. For utility vehicles used exclusively off roads or highways
12 purchased prior to July 1, 2008, registration, as otherwise required
13 by Section 1115 of this title, shall not be required but shall be
14 allowed at the option of the owner of the utility vehicle used
15 exclusively off roads or highways.

16 D. All-terrain vehicles, utility vehicles or motorcycles used
17 exclusively off roads or highways owned or purchased by a person
18 that possesses an agricultural exemption pursuant to Section 1358.1
19 of Title 68 of the Oklahoma Statutes may be registered as provided
20 by this section, but shall not require registration.

21 E. Vehicles meeting the specifications and description of a
22 street-legal utility vehicle as described in Section 1 of this act
23 shall be required to receive a certificate of registration, license
24

1 plate and yearly decal before operation on the streets and highways
2 of this state.

3 SECTION 6. This act shall become effective November 1, 2021.

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5 58-1-5663 JBH 12/22/20

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