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STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3715

By: Davis of the House

and

**Bergstrom** of the Senate

## AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Sections 1135.4 and 1135.7, as amended by Sections 3 and 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2019, Sections 1135.4 and 1135.7), which relate to license plates; requiring that special and personalized plate be renewed at same time as regular plate; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 1135.4, as amended by Section 3, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2019, Section 1135.4), is amended to read as follows:

Section 1135.4 A. The Oklahoma Tax Commission is hereby authorized to design and issue personalized license plates. The personalized license plates shall be issued on a staggered system except for vintage decals.

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

6        Personalized special license plates shall be renewed each year  
7 by the Tax Commission or a motor license agent, unless authorized by  
8 the Tax Commission to be renewed for a period greater than one (1)  
9 year. The Tax Commission shall notify by mail all persons issued  
10 special license plates. Personalized license plates shall be  
11 scheduled to be renewed on the same month as any regular license  
12 plate that may belong to the same vehicle. The notice shall contain  
13 all necessary information and shall contain instructions for the  
14 renewal procedure upon presentation to a motor license agent or the  
15 Tax Commission. The motor license agent fees for renewals shall be  
16 paid out of the Oklahoma Tax Commission Reimbursement Fund.

17        B. Such plates shall be designed and issued for the following:

18        1. Any person in any combination of numbers or letters from one  
19 to a maximum of seven;

20        2. Persons eligible for two or more of the military decoration  
21 special license plates provided for in this title. Such plates may  
22 be issued in any combination of emblems. However, such plates shall  
23 only display up to three emblems and shall also display any  
24 combination of letters or numbers from one to a maximum of three;

1        3. Motorcycles in any combination of numbers or letters from  
2 one to a maximum of six;

3        4. Persons eligible for Korean War Veteran license plates  
4 provided for in this title. Such plates may display any combination  
5 of letters or numbers up to three on each side of the insignia or  
6 emblem;

7        5. Persons eligible for World War II Veteran license plates  
8 provided for in this title. Such plates may display any combination  
9 of letters or numbers up to three on each side of the insignia or  
10 emblem; and

11       6. Persons owning vehicles which are twenty-one (21) years and  
12 older are qualified to submit for approval by the Tax Commission or  
13 a motor license agent a vintage but expired official Oklahoma  
14 license plate which is twenty-one (21) years and older. Upon  
15 approval of such personalized plate, the owner shall be issued the  
16 annual registration decal which the Tax Commission or agent shall  
17 direct to be affixed.

18       C. The fee for such plates shall be Twenty Dollars (\$20.00) per  
19 year of renewal and shall be in addition to all other registration  
20 fees provided by the Oklahoma Vehicle License and Registration Act.  
21 Eight Dollars (\$8.00) per year of renewal of the personalized tag  
22 fee shall be deposited in the Oklahoma Tax Commission Reimbursement  
23 Fund to be used for the administration of the Oklahoma Vehicle  
24 License and Registration Act. Twelve Dollars (\$12.00) per year of

1 renewal of the personalized tag fee shall be apportioned as provided  
2 in Section 1104 of this title.

3 SECTION 2. AMENDATORY 47 O.S. 2011, Section 1135.7, as  
4 amended by Section 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2019,  
5 Section 1135.7), is amended to read as follows:

6 Section 1135.7 A. The Oklahoma Tax Commission or private  
7 vendor with whom the Commission has contracted is authorized to  
8 design and issue special license plates to any person that applies  
9 to the Tax Commission or private vendor for the creation of a  
10 special license plate and meets the minimum standards and  
11 qualifications specified in this section.

12 B. If the following standards and guidelines are satisfied, the  
13 Tax Commission shall authorize the issuance of a special license  
14 plate to the person making application for the special license  
15 plate:

16 1. The license plate is to:

17 a. show membership in or affiliation with an  
18 organization, or

19 b. demonstrate support for an organization, group or  
20 cause;

21 2. The license plate does not advertise or endorse a product,  
22 brand, or service that is provided for sale;

23 3. The license plate does not promote any philosophy based on  
24 prejudice or that is contrary to state civil rights laws; and

1        4. Two hundred prepaid applications for the special license  
2 plate are received by the Tax Commission or private vendor.

3        C. The fee for special license plates shall be determined in  
4 accordance with Section ~~4~~ 1135.9 of this ~~act~~ title. If the special  
5 license plate does not provide financial assistance the fee shall be  
6 no less than Fifteen Dollars (\$15.00) per year of renewal and shall  
7 be in addition to all other registration fees provided by the  
8 Oklahoma Vehicle License and Registration Act. Unless otherwise  
9 provided in this section, Fifteen Dollars (\$15.00) of the fee shall  
10 be apportioned as follows: Eight Dollars (\$8.00) of the special  
11 license plate fee shall be deposited in the Oklahoma Tax Commission  
12 Reimbursement Fund to be used for the administration of the Oklahoma  
13 Vehicle License and Registration Act and the remaining amounts of  
14 the special license plate fee shall be apportioned as provided in  
15 Section 1104 of this title.

16        D. The fee for special license plates that provide financial  
17 assistance shall be determined in accordance with Section 1 of this  
18 act. Provided, the fee shall be no less than Thirty-five Dollars  
19 (\$35.00) and shall be in addition to all other registration fees  
20 provided by the Oklahoma Vehicle License and Registration Act.  
21 Thirty-five Dollars (\$35.00) per year of renewal of the fee shall be  
22 apportioned as follows:

23        1. Twenty Dollars (\$20.00) of the fee shall be apportioned to  
24 the License Plate Special Program Assistance Revolving Fund created

1 in Section 1135.8 of this title to be used in the manner detailed in  
2 the application for the special license plate;

3 2. Eight Dollars (\$8.00) of the fee shall be deposited in the  
4 Oklahoma Tax Commission Reimbursement Fund to be used for the  
5 administration of the Oklahoma Vehicle License and Registration Act;  
6 and

7 3. Any remaining amounts of the fee shall be apportioned as  
8 provided in Section 1104 of this title.

9 E. If a person applies for a special license plate that  
10 provides financial assistance, the application shall designate a  
11 state agency to be responsible for expending the funds generated by  
12 the special license plate and the application shall designate a  
13 specific public purpose for which the funds are to be used. The  
14 application shall include an acknowledgment from the designated  
15 state agency of their agreement with acceptance of the designated  
16 funds.

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

22 Special license plates shall be renewed each year by the Tax  
23 Commission or a motor license agent, unless authorized by the Tax  
24 Commission to be renewed for a period greater than one (1) year.

1 The Tax Commission shall notify all persons issued special license  
2 plates of the renewal procedures prior to the expiration of the  
3 special license plate. Special license plates shall be scheduled to  
4 be renewed on the same month as any regular license plate that may  
5 belong to the same vehicle. The notice shall contain all necessary  
6 information and shall contain instructions for the renewal procedure  
7 upon presentation to a motor license agent or the Tax Commission.  
8 The license plates shall be issued on a staggered system.

9 The Tax Commission is hereby directed to develop and implement a  
10 system whereby motor license agents are permitted to accept  
11 applications for special license plates authorized under this  
12 section. The motor license agent shall confirm the applicant's  
13 eligibility, if applicable, collect and deposit any amount  
14 specifically authorized by law, accept and process the necessary  
15 information directly into such system and generate a receipt  
16 accordingly. For performance of these duties, motor license agents  
17 shall retain the fee provided in Section 1141.1 of this title for  
18 registration of a motor vehicle. The motor license agent fees for  
19 acceptance of applications and renewals shall be paid out of the  
20 Oklahoma Tax Commission Reimbursement Fund.

21 G. All special plates issued by the Tax Commission prior to the  
22 effective date of this act shall not be subject to the requirements  
23 and qualifications outlined in this section.

1 H. As used in this section, "person" includes an individual,  
2 group, organization or not-for-profit corporation that is recognized  
3 as such by the Internal Revenue Service.

4 SECTION 3. This act shall become effective November 1, 2020.  
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6 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/12/2020 -  
7 DO PASS, As Coauthored.  
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