

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2492

By: Banz

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 1135.1, which relates to specialty  
9 license plates; authorizing Civil Air Patrol vehicles  
10 for nonprofit permanent license plates; providing  
11 qualification criteria; limiting vehicle uses;  
12 providing limitation to permanency upon transfer of  
13 vehicle; exempting from certain fees; establishing  
14 fee; and providing an effective date.

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

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

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

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

1 Except as provided in subsection B of this section, special  
2 license plates shall be renewed each year by the Tax Commission or a  
3 motor license agent. The Tax Commission shall annually notify by  
4 mail all persons issued special license plates. The notice shall  
5 contain all necessary information and shall contain instructions for  
6 the renewal procedure upon presentation to a motor license agent or  
7 the Tax Commission. The license plates shall be issued on a  
8 staggered system. The motor license agent fees shall be paid out of  
9 the Oklahoma Tax Commission Reimbursement Fund.

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

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

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

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

3            a. any motor bus, manufactured home, or mobile chapel and  
4 power unit owned and operated by a religious  
5 corporation or society of this state holding a valid  
6 exemption from taxation issued pursuant to Section  
7 501(a) of the Internal Revenue Code, 26 U.S.C.,  
8 Section 501(a), and listed as an exempt organization  
9 in Section 501(c) (3) of the Internal Revenue Code, as  
10 amended, 26 U.S.C., Section 501(c) (3), and that is  
11 used by the corporation or society solely for the  
12 furtherance of its religious functions,

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

17            c. any vehicle, except passenger automobiles, owned or  
18 operated by nonprofit organizations actually involved  
19 in programs for the employment of the handicapped and  
20 used exclusively in the transportation of goods or  
21 materials for such organization,

22            d. any vehicle owned and operated by a nonprofit  
23 organization that provides older persons  
24 transportation to and from medical, dental and

1 religious services and relief from business and social  
2 isolation,

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

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

7 (2) holds a valid exemption from taxation issued  
8 pursuant to Section 501(c) of the Internal  
9 Revenue Code, as amended, 26 U.S.C., Section  
10 501(c), and listed as an exempt organization in  
11 Section 501(c)(3) of the Internal Revenue Code,  
12 as amended, and

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

15 f. any vehicle which:

16 (1) is owned and operated by a private, nonprofit  
17 organization which is exempt from taxation  
18 pursuant to the provisions of Section 501(c)(3)  
19 of the Internal Revenue Code, 26 U.S.C., Section  
20 501(c)(3), and which is primarily funded by a  
21 fraternal or civic service organization with at  
22 least one hundred local chapters or clubs, and  
23 (2) is designed and used to provide mobile health  
24 screening services to the general public at no

1 cost to the recipient, and for which no  
2 reimbursement of any kind is received from any  
3 health insurance provider, health maintenance  
4 organization or governmental program, or  
5 g. any vehicle owned and operated by the Civil Air Patrol,  
6 a congressionally chartered corporation that also  
7 serves an auxiliary of the United States Air Force and  
8 which is exempt from taxation pursuant to the  
9 provisions of Section 501(c)(3) of the Internal Revenue  
10 Code, 26 U.S.C., Section 501(c)(3), and is used  
11 exclusively for its corporate missions of aerospace  
12 education, cadet programs and emergency services. Such  
13 license plates shall be permanent in nature and  
14 designed in such a manner as to remain with the vehicle  
15 for the duration of the life span of the vehicle or  
16 until the title to such vehicle is transferred to an  
17 owner who is not subject to this exemption. Such  
18 vehicles shall be exempt from the registration fees  
19 levied under Section 1132 of this title, except that an  
20 initial registration fee of Twenty-five Dollars  
21 (\$25.00) shall apply to each vehicle.

22 Any person claiming to be eligible for a tax-exempt or nonprofit  
23 license plate under the provisions of this paragraph must have the  
24 name of the tax-exempt or nonprofit organization prominently

1 displayed upon the outside of the vehicle, except those vehicles  
2 registered pursuant to the provisions of subparagraph b of this  
3 paragraph, unless such display is prohibited by federal or state law  
4 or by state agency rules. No vehicle shall be licensed as a tax-  
5 exempt or nonprofit vehicle unless the vehicle has affixed on each  
6 side thereof, in letters not less than two (2) inches high and two  
7 (2) inches wide, the name of the tax-exempt or nonprofit  
8 organization or the insignia or other symbol of such organization  
9 which shall be of sufficient size, shape and color as to be readily  
10 legible during daylight hours from a distance of fifty (50) feet  
11 while the vehicle is not in motion.

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

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

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

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

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

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

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

16 6. Antique or Classic ~~vehicles~~ Vehicles License Plates - such  
17 plates shall be designed and issued for any vehicle twenty-five (25)  
18 years of age or older, based upon the date of manufacture thereof  
19 and which travels on the highways of this state primarily incidental  
20 to historical or exhibition purposes only.

21 The registration fee shall be Eight Dollars (\$8.00) and shall be  
22 in addition to all other registration fees provided by law, except  
23 the registration fees levied by Section 1132 of this title. Any  
24 person registering an antique or classic vehicle may elect to have



1 the vehicle registered for a ten-year period. The registration fee  
2 for the elected ten-year registration shall be Seventy-five Dollars  
3 (\$75.00). The motor license agent registering the antique or  
4 classic vehicle for a ten-year period shall receive one hundred  
5 percent (100%) of the fees the motor license agent would have  
6 otherwise received pursuant to subsection A of Section 1141.1 of  
7 this title if the antique or classic vehicle had been registered on  
8 an annual basis; and

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

21 C. Special license plates provided by this section shall be  
22 designed in such a manner as to identify the use or ownership of the  
23 vehicle. Use of any vehicle possessing a special license plate  
24 provided by this section for any purpose not specified herein shall

1 be grounds for revocation of the special license plate and  
2 registration certificate.

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

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

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