

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1461

By: David

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5
6 AS INTRODUCED

7 An Act relating to motor vehicle taxes and fees;
8 amending 47 O.S. 2011, Section 1135.7, which relates
9 to special license plates; modifying certain
10 requirement for administratively-created special
11 license plates; providing for codification; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1135.7, is
15 amended to read as follows:

16 Section 1135.7. A. ~~Beginning January 1, 2006, the~~ The Oklahoma
17 Tax Commission is authorized to design and issue special license
18 plates to any person that applies to the Tax Commission for the
19 creation of a special license plate and meets the minimum standards
20 and qualifications specified in this section.

21 B. If the following standards and guidelines are satisfied, the
22 Tax Commission shall issue a special license plate to the person
23 making application for the special license plate:

24 1. The license plate is to:

1 a. show membership in or affiliation with an
2 organization, or

3 b. demonstrate support for an organization, group or
4 cause;

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

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

9 4. Five hundred prepaid applications for the special license
10 plate are received by the Tax Commission; provided, one hundred
11 prepaid applications shall be required for applications for a
12 special license plate which is in support of a university alumni
13 association.

14 C. The fee for special license plates that do not provide
15 financial assistance shall be Fifteen Dollars (\$15.00) and shall be
16 in addition to all other registration fees provided by the Oklahoma
17 Vehicle License and Registration Act. Unless otherwise provided in
18 this section, the fee shall be apportioned as follows: Eight
19 Dollars (\$8.00) of the special license plate fee shall be deposited
20 in the Oklahoma Tax Commission Reimbursement Fund to be used for the
21 administration of the Oklahoma Vehicle License and Registration Act
22 and the remaining Seven Dollars (\$7.00) of the special license plate
23 fee shall be apportioned as provided in Section 1104 of Title 47 of
24 the Oklahoma Statutes.

1 D. The fee for special license plates that provide financial
2 assistance shall be Thirty-five Dollars (\$35.00) and shall be in
3 addition to all other registration fees provided by the Oklahoma
4 Vehicle License and Registration Act. The fee shall be apportioned
5 as follows:

6 1. Twenty Dollars (\$20.00) of the fee shall be apportioned to
7 the License Plate Special Program Assistance Revolving Fund created
8 in Section 7 of this act to be used in the manner detailed in the
9 application for the special license plate;

10 2. Eight Dollars (\$8.00) of the fee shall be deposited in the
11 Oklahoma Tax Commission Reimbursement Fund to be used for the
12 administration of the Oklahoma Vehicle License and Registration Act;
13 and

14 3. Seven Dollars (\$7.00) of the fee shall be apportioned as
15 provided in Section 1104 of Title 47 of the Oklahoma Statutes.

16 E. If a person applies for a special license plate that
17 provides financial assistance, the application shall designate a
18 state agency to be responsible for expending the funds generated by
19 the special license plate and the application shall designate a
20 specific public purpose for which the funds are to be used.

21 F. 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
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1 on another vehicle but only after such other vehicle has been
2 registered for the current year.

3 Special license plates shall be renewed each year by the Tax
4 Commission or a motor license agent. The Tax Commission shall
5 annually notify by mail all persons issued special license plates.
6 The notice shall contain all necessary information and shall contain
7 instructions for the renewal procedure upon presentation to a motor
8 license agent or the Tax Commission. The license plates shall be
9 issued on a staggered system.

10 The Tax Commission is hereby directed to develop and implement a
11 system whereby motor license agents are permitted to accept
12 applications for special license plates authorized under this
13 section. The motor license agent shall confirm the applicant's
14 eligibility, if applicable, collect and deposit any amount
15 specifically authorized by law, accept and process the necessary
16 information directly into such system and generate a receipt
17 accordingly. For performance of these duties, motor license agents
18 shall retain the fee provided in Section 1141.1 of Title 47 of the
19 Oklahoma Statutes for registration of a motor vehicle. The motor
20 license agent fees for acceptance of applications and renewals shall
21 be paid out of the Oklahoma Tax Commission Reimbursement Fund.

22 G. All special plates issued by the Tax Commission prior to ~~the~~
23 ~~effective date of this act~~ November 1, 2005, shall not be subject to
24 the requirements 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 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1104.28 of Title 47, unless
6 there is created a duplication in numbering, reads as follows:

7 A. Twenty Dollars (\$20.00) of the fee authorized by Section
8 1135.5 of this title for the Kansas State University License Plate
9 shall be deposited in the Kansas State University License Plate
10 Revolving Fund created in subsection B of this section.

11 B. There is hereby created in the State Treasury a revolving
12 fund for the Office of Management and Enterprise Services to be
13 designated the "Kansas State University License Plate Revolving
14 Fund". The fund shall be a continuing fund, not subject to fiscal
15 year limitations, and shall consist of all monies received by the
16 Office of Management and Enterprise Services pursuant to the
17 provisions of subsection A of this section. All monies accruing to
18 the credit of the fund are hereby appropriated and shall be budgeted
19 and expended by the Office of Management and Enterprise Services for
20 grants to the Kansas State University Alumni Association for the
21 purpose of providing scholarships. Expenditures from the fund shall
22 be made upon warrants issued by the State Treasurer against claims
23 filed as prescribed by law with the Director of the Office of
24 Management and Enterprise Services for approval and payment.

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SECTION 3. This act shall become effective November 1, 2016.

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