

1 **SENATE FLOOR VERSION**

2 February 23, 2021

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 169

By: Coleman of the Senate

and

Luttrell of the House

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8
9 [design and issuance of special license plates -
10 licensing agreements - licensing fees - effective
11 date]
12

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1135.7, as
15 amended by Section 5, Chapter 69, O.S.L. 2018 (47 O.S. Supp. 2020,
16 Section 1135.7), is amended to read as follows:

17 Section 1135.7. A. The Oklahoma Tax Commission or private
18 vendor with whom the Commission has contracted is authorized to
19 design and issue special license plates to any person that applies
20 to the Tax Commission or private vendor for the creation of a
21 special license plate and meets the minimum standards and
22 qualifications specified in this section.

23 B. If the following standards and guidelines are satisfied, the
24 Tax Commission shall authorize the issuance of a special license

1 plate to the person making application for the special license
2 plate:

3 1. The license plate is to:

4 a. show membership in or affiliation with an
5 organization, or

6 b. demonstrate support for an organization, group or
7 cause;

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

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

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

14 C. The fee for special license plates shall be determined in
15 accordance with Section ~~1 of this act~~ 1135.9 of this title. If the
16 special license plate does not provide financial assistance the fee
17 shall be no less than Fifteen Dollars (\$15.00) per year of renewal
18 and shall be in addition to all other registration fees provided by
19 the Oklahoma Vehicle License and Registration Act. Unless otherwise
20 provided in this section, Fifteen Dollars (\$15.00) of the fee shall
21 be apportioned as follows: Eight Dollars (\$8.00) of the special
22 license plate fee shall be deposited in the Oklahoma Tax Commission
23 Reimbursement Fund to be used for the administration of the Oklahoma
24 Vehicle License and Registration Act and the remaining amounts of

1 the special license plate fee shall be apportioned as provided in
2 Section 1104 of this title.

3 D. For special license plates that provide financial assistance
4 created pursuant to the provisions of this section, the Tax
5 Commission shall be authorized to enter into a licensing agreement
6 with an organization for any licensing fees that may be required to
7 use the organization's logo or design.

8 E. The fee for special license plates that provide financial
9 assistance shall be determined in accordance with Section ~~1~~ of this
10 ~~act~~ 1135.9 of this title. Provided, the fee shall be no less than
11 Thirty-five Dollars (\$35.00) and shall be in addition to all other
12 registration fees provided by the Oklahoma Vehicle License and
13 Registration Act. Thirty-five Dollars (\$35.00) per year of renewal
14 of the fee shall be apportioned as follows:

15 1. a. Twenty Dollars (\$20.00) of the fee shall be
16 apportioned to the License Plate Special Program
17 Assistance Revolving Fund created in Section 1135.8 of
18 this title to be used in the manner detailed in the
19 application for the special license plate, except as
20 provided in subparagraph b of this paragraph.

21 b. If the Tax Commission has entered into a licensing
22 agreement with an organization for the use of its
23 design or logo pursuant to Chapter 74 of Title 47 of
24 the Oklahoma Statutes, an amount to be determined in

1 the licensing agreement, but not to exceed twenty
2 (\$20) dollars per license plate issued, shall be
3 transferred monthly to that organization as payment of
4 licensing fees and no fee shall be apportioned to the
5 License Plate Special Program Assistance Revolving
6 Fund.

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

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

13 ~~E.~~ If F. Except as otherwise provided in subsection D and
14 subparagraph b of paragraph 1 of subsection E of this section, if a
15 person applies for a special license plate that provides financial
16 assistance, the application shall designate a state agency to be
17 responsible for expending the funds generated by the special license
18 plate and the application shall designate a specific public purpose
19 for which the funds are to be used. The application shall include
20 an acknowledgment from the designated state agency of their
21 agreement with acceptance of the designated funds.

22 ~~F.~~ G. Special license plates shall not be transferred to any
23 other person but shall be removed from the vehicle upon transfer of
24 ownership and retained. The special license plate may then be used

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, unless authorized by the Tax
5 Commission to be renewed for a period greater than one (1) year.
6 The Tax Commission shall notify all persons issued special license
7 plates of the renewal procedures prior to the expiration of the
8 special license plate. The notice shall contain all necessary
9 information and shall contain instructions for the renewal procedure
10 upon presentation to a motor license agent or the Tax Commission.
11 The license plates shall be issued on a staggered system.

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

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1 ~~G.~~ H. All special plates issued by the Tax Commission prior to
2 ~~the effective date of this act~~ November 1, 2005, shall not be
3 subject to the requirements and qualifications outlined in this
4 section.

5 ~~H.~~ I. As used in this section, "person" includes an individual,
6 group, organization or not-for-profit corporation that is recognized
7 as such by the Internal Revenue Service.

8 SECTION 2. This act shall become effective November 1, 2021.

9 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
10 February 23, 2021 - DO PASS AS AMENDED

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