

1 ENGROSSED SENATE  
2 BILL NO. 339

By: Loveless of the Senate

3 and

4 Grau of the House

5  
6 [ Oklahoma Vehicle License and Registration Act -  
7 certificate of title - title transfer be notarized -  
8 effective date ]

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

11 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1107, is  
12 amended to read as follows:

13 Section 1107. A. In the event of the sale or transfer of the  
14 ownership of a vehicle for which a certificate of title has been  
15 issued as provided by Section 1105 of this title, the holder of such  
16 certificate shall endorse on the back of same a complete assignment  
17 thereof with warranty of title in form printed thereon with a  
18 statement of all liens or encumbrances on the vehicle, sworn to  
19 before a notary public or some other person authorized by law to  
20 take acknowledgments, and deliver same to the purchaser or  
21 transferee at the time of delivery to the purchaser or transferee of  
22 the vehicle; provided, a transfer of the ownership of a vehicle to  
23 an insurer resulting from the settlement of a total loss claim shall  
24 not require a notarized signature on the certificate of title. The

1 purchaser or transferee, unless such person is a bona fide used  
2 motor vehicle dealer licensed by this state, or a charitable  
3 organization shall, within thirty (30) days from the time of  
4 delivery to the purchaser or transferee of the vehicle, present the  
5 assigned certificate of title and the insurance security  
6 verification to the vehicle to the Oklahoma Tax Commission, or one  
7 of its motor license agents, accompanied by a fee of Eleven Dollars  
8 (\$11.00), together with any motor vehicle excise tax or license fee  
9 that may be due, whereupon a new certificate of title, shall be  
10 issued to the assignee. One Dollar (\$1.00) of each fee shall be  
11 deposited in the Oklahoma Tax Commission Reimbursement Fund. Any  
12 charitable organization utilizing the exemption authorized by this  
13 subsection shall receive training as prescribed by the Oklahoma Used  
14 Motor Vehicle and Parts Commission.

15 B. A licensed dealer or charitable organization shall, on  
16 selling or otherwise disposing of a vehicle, execute and deliver to  
17 the purchaser thereof the certificate of title properly and  
18 completely reassigned. Thereupon, the purchaser of the vehicle  
19 shall present the reassigned certificate to the Commission, or a  
20 motor license agent, accompanied by a fee of Eleven Dollars  
21 (\$11.00), and any motor vehicle excise tax or license fee that may  
22 be due, whereupon a new certificate of title will be issued to the  
23 purchaser. One Dollar (\$1.00) of each fee shall be deposited in the  
24 Oklahoma Tax Commission Reimbursement Fund. The certificate, when

1 so assigned and returned to the Commission, together with any  
2 subsequent assignment or reissue thereof, shall be appropriately  
3 filed and indexed so that at all times it will be possible to trace  
4 title to the vehicle designated therein. Provided, when the  
5 ownership of any motor vehicle shall pass by operation of law, the  
6 person owning the vehicle may, upon furnishing satisfactory proof to  
7 the Commission of ownership, procure a title to the motor vehicle,  
8 regardless of whether a certificate of title has ever been issued.  
9 The dealer shall execute and deliver to the purchaser bills of sale  
10 on forms prescribed by the Commission for all new vehicles sold by  
11 the dealer. On presentation of a bill of sale executed on forms  
12 prescribed by the Commission, by a manufacturer or dealer for a new  
13 vehicle sold in this state, accompanied by remittance in the sum of  
14 Eleven Dollars (\$11.00), together with any motor vehicle excise tax  
15 or license fee that may be due, a certificate of title shall be  
16 issued in accordance with the provisions of the Oklahoma Vehicle  
17 License and Registration Act. One Dollar (\$1.00) of each fee shall  
18 be deposited in the Oklahoma Tax Commission Reimbursement Fund. For  
19 purposes of this subsection, "charitable organization" shall mean  
20 any organization which is exempt from taxation pursuant to the  
21 provisions of the Internal Revenue Code, 26 U.S.C., Section  
22 501(c)(3) and which is registered as a charitable organization with  
23 the Oklahoma Secretary of State and the Oklahoma Attorney General's  
24 office.

1 C. Any person violating the provisions of this section shall be  
2 guilty of a misdemeanor and upon the first conviction thereof shall  
3 be punished by a fine not to exceed Five Hundred Dollars (\$500.00),  
4 with impoundment of the vehicle until all taxes and fees are paid.  
5 A second or subsequent conviction shall be punished by a fine not to  
6 exceed One Thousand Dollars (\$1,000.00), with impoundment of the  
7 vehicle until all taxes and fees are paid. If a vehicle is  
8 impounded pursuant to the provisions of this section, the vehicle  
9 shall not be released to the owner until the owner provides proof of  
10 security or an affidavit that the vehicle will not be used on public  
11 highways or public streets, as required pursuant to Section 7-600 et  
12 seq. of this title. Each vehicle involved in a violation of this  
13 section shall be considered a separate offense.

14 SECTION 2. This act shall become effective November 1, 2015.

15 Passed the Senate the 5th day of March, 2015.

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Presiding Officer of the Senate

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19 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

20 2015.

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Presiding Officer of the House  
of Representatives

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