

1 **SENATE FLOOR VERSION**

2 February 24, 2015

3 **AS AMENDED**

4 SENATE BILL NO. 339

By: Loveless of the Senate

and

Grau of the House

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8 **[Oklahoma Vehicle License and Registration Act -**
9 **certificate of title - title transfer be notarized -**
10 **effective date]**

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

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

15 Section 1107. A. In the event of the sale or transfer of the
16 ownership of a vehicle for which a certificate of title has been
17 issued as provided by Section 1105 of this title, the holder of such
18 certificate shall endorse on the back of same a complete assignment
19 thereof with warranty of title in form printed thereon with a
20 statement of all liens or encumbrances on the vehicle, sworn to
21 before a notary public or some other person authorized by law to
22 take acknowledgments, and deliver same to the purchaser or
23 transferee at the time of delivery to the purchaser or transferee of
24 the vehicle; provided, a transfer of the ownership of a vehicle to

1 an insurer resulting from the settlement of a total loss claim shall
2 not require a notarized signature on the certificate of title. The
3 purchaser or transferee, unless such person is a bona fide used
4 motor vehicle dealer licensed by this state, or a charitable
5 organization shall, within thirty (30) days from the time of
6 delivery to the purchaser or transferee of the vehicle, present the
7 assigned certificate of title and the insurance security
8 verification to the vehicle to the Oklahoma Tax Commission, or one
9 of its motor license agents, accompanied by a fee of Eleven Dollars
10 (\$11.00), together with any motor vehicle excise tax or license fee
11 that may be due, whereupon a new certificate of title, shall be
12 issued to the assignee. One Dollar (\$1.00) of each fee shall be
13 deposited in the Oklahoma Tax Commission Reimbursement Fund. Any
14 charitable organization utilizing the exemption authorized by this
15 subsection shall receive training as prescribed by the Oklahoma Used
16 Motor Vehicle and Parts Commission.

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

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

1 the Oklahoma Secretary of State and the Oklahoma Attorney General's
2 office.

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
18 February 24, 2015 - DO PASS AS AMENDED
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