

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 339 By: Loveless of the Senate
3 and
4 Grau of the House
5
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7 [Oklahoma Vehicle License and Registration Act -
8 certificate of title - title transfer be notarized -
effective date]
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11 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
12 entire bill and insert
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14 "An Act relating to the Oklahoma Vehicle License and
15 Registration Act; amending 47 O.S. 2011, Section
16 1107, which relates to certificate of title;
17 providing exception to requirement that certain
18 title transfer be notarized; and providing an
effective date.

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

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

22 Section 1107. A. In the event of the sale or transfer of the
23 ownership of a vehicle for which a certificate of title has been
24 issued as provided by Section 1105 of this title, the holder of such

1 certificate shall endorse on the back of same a complete assignment
2 thereof with warranty of title in form printed thereon with a
3 statement of all liens or encumbrances on the vehicle, sworn to
4 before a notary public or some other person authorized by law to
5 take acknowledgments, and deliver same to the purchaser or
6 transferee at the time of delivery to the purchaser or transferee of
7 the vehicle; provided, a transfer of the ownership of a vehicle to
8 an insurer resulting from the settlement of a total loss claim shall
9 not require a notarized signature on the certificate of title. The
10 purchaser or transferee, unless such person is a bona fide used
11 motor vehicle dealer licensed by this state, or a charitable
12 organization shall, within thirty (30) days from the time of
13 delivery to the purchaser or transferee of the vehicle, present the
14 assigned certificate of title and the insurance security
15 verification to the vehicle to the Oklahoma Tax Commission, or one
16 of its motor license agents, accompanied by a fee of Eleven Dollars
17 (\$11.00), together with any motor vehicle excise tax or license fee
18 that may be due, whereupon a new certificate of title, shall be
19 issued to the assignee. One Dollar (\$1.00) of each fee shall be
20 deposited in the Oklahoma Tax Commission Reimbursement Fund. Any
21 charitable organization utilizing the exemption authorized by this
22 subsection shall receive training as prescribed by the Oklahoma Used
23 Motor Vehicle and Parts Commission.

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1 B. A licensed dealer or charitable organization shall, on
2 selling or otherwise disposing of a vehicle, execute and deliver to
3 the purchaser thereof the certificate of title properly and
4 completely reassigned. Thereupon, the purchaser of the vehicle
5 shall present the reassigned certificate to the Commission, or a
6 motor license agent, accompanied by a fee of Eleven Dollars
7 (\$11.00), and any motor vehicle excise tax or license fee that may
8 be due, whereupon a new certificate of title will be issued to the
9 purchaser. One Dollar (\$1.00) of each fee shall be deposited in the
10 Oklahoma Tax Commission Reimbursement Fund. The certificate, when
11 so assigned and returned to the Commission, together with any
12 subsequent assignment or reissue thereof, shall be appropriately
13 filed and indexed so that at all times it will be possible to trace
14 title to the vehicle designated therein. Provided, when the
15 ownership of any motor vehicle shall pass by operation of law, the
16 person owning the vehicle may, upon furnishing satisfactory proof to
17 the Commission of ownership, procure a title to the motor vehicle,
18 regardless of whether a certificate of title has ever been issued.
19 The dealer shall execute and deliver to the purchaser bills of sale
20 on forms prescribed by the Commission for all new vehicles sold by
21 the dealer. On presentation of a bill of sale executed on forms
22 prescribed by the Commission, by a manufacturer or dealer for a new
23 vehicle sold in this state, accompanied by remittance in the sum of
24 Eleven Dollars (\$11.00), together with any motor vehicle excise tax

1 or license fee that may be due, a certificate of title shall be
2 issued in accordance with the provisions of the Oklahoma Vehicle
3 License and Registration Act. One Dollar (\$1.00) of each fee shall
4 be deposited in the Oklahoma Tax Commission Reimbursement Fund. For
5 purposes of this subsection, "charitable organization" shall mean
6 any organization which is exempt from taxation pursuant to the
7 provisions of the Internal Revenue Code, 26 U.S.C., Section
8 501(c)(3) and which is registered as a charitable organization with
9 the Oklahoma Secretary of State and the Oklahoma Attorney General's
10 office.

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

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

1 ENGROSSED SENATE
2 BILL NO. 339

By: Loveless of the Senate

3 and

4 Grau of the House

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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 3. 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
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15 or license fee that may be due, a certificate of title shall be
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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
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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 4. 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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