

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 339

By: Loveless of the Senate

and

Grau of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma Vehicle License and
12 Registration Act; amending 47 O.S. 2011, Section
13 1107, which relates to certificate of title;
14 providing exception to requirement that certain title
15 transfer be notarized; and providing an effective
16 date.

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

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

19 Section 1107. A. In the event of the sale or transfer of the
20 ownership of a vehicle for which a certificate of title has been
21 issued as provided by Section 1105 of this title, the holder of such
22 certificate shall endorse on the back of same a complete assignment
23 thereof with warranty of title in form printed thereon with a
24 statement of all liens or encumbrances on the vehicle, sworn to

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

21 B. A licensed dealer or charitable organization shall, on
22 selling or otherwise disposing of a vehicle, execute and deliver to
23 the purchaser thereof the certificate of title properly and
24 completely reassigned. Thereupon, the purchaser of the vehicle

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

1 purposes of this subsection, "charitable organization" shall mean
2 any organization which is exempt from taxation pursuant to the
3 provisions of the Internal Revenue Code, 26 U.S.C., Section
4 501(c)(3) and which is registered as a charitable organization with
5 the Oklahoma Secretary of State and the Oklahoma Attorney General's
6 office.

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

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

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22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
23 03/30/2015 - DO PASS, As Amended.

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