

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 60. MOTOR VEHICLES**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking.

PROPOSED RULES:

Chapter 60. Motor Vehicles [AMENDED]

SUMMARY:

As part of the Commission's ongoing review of its rules, proposed amendments to the existing Motor Vehicle rules have been made. All legislative references are to the First Regular Session of the 55th Legislature (2015) unless otherwise indicated.

Section **710:60-3-10** has been amended consistent with existing policy regarding when a vehicle registration may be renewed. [47:1112]

Section **710:60-3-17** has been amended to implement the provisions of Senate Bill 246 which modified the procedures for substantiating insurance coverage when registering a motor vehicle. [47:7-602].

Section **710:60-3-27** has been amended consistent with the Commission's anticipated change from a postcard to a letter for purposes of motor vehicle registration renewal notification. [47:1131].

Section **710:60-3-70** has been amended consistent with the provisions of Senate Bill 255 which provided a definition of "*Autocycle*". The definition of "*Moped*" was also added in accordance with current statutory provisions. [47:1-103.2 & 1-133.2].

Section **710:60-3-111** has been revised to administer the provisions of Senate Bill 331 relating to the payment of certain license fees for intercity and intracity motor buses. This Section has also been amended to outline Commission policy relating to the excise tax treatment of and registration requirements for amphibious vehicles. [47:1134.1].

Section **710:60-3-113** has been amended to set forth Commission policy relating to the registration mark for former military vehicles. [47:1136.2].

Section **710:60-5-2** has been amended to set forth the title numbering system implemented pursuant to utilization by the Tax Commission of a new integrated computer system effective March 16, 2015. [47:1105].

Section **710:60-5-71** has been amended in accordance with Senate Bill 339 which provides an exception to the requirement for a notarized signature on a certificate of title when there is a transfer of the ownership of a vehicle to an insurer resulting from the settlement of a total loss claim. [47:1107]

Section **710:60-5-77** has been amended to clarify provisions regarding vehicle transfers utilizing a Small Estate Affidavit. [58:393]

Section **710:60-5-91** has been updated to provide for the new vehicle make designation for an assembled vehicle on a certificate of title. [47:1105]

Section **710:60-5-95** has been amended to clarify the documentation required for purposes of a repossession affidavit. [47:1110]

Section **710:60-5-117** has been amended to strike outdated language consistent with current policy and practice regarding acceptance of lien release documents.

Section **710:60-7-5** has been amended to update provisions regarding status designation on titles for new dealer vehicles temporarily registered for personal use by an individual. [47:1116.1]

New Section **710:60-7-9** has been added to implement the provisions of Senate Bill 451 which exempts a retail implement dealer from the title and excise tax payment requirements relating to the purchase or transfer of off-road vehicles. [47:581 & 1107]

Section **710:60-9-14** has been amended to provide for expedited payment procedures relating to motor license agents owing amounts determined to be due pursuant to a field audit conducted by the Tax Commission and to state the actions that may be taken by the Commission as a result of audit discrepancies. The Section has also been amended in relation to the application of the penalty imposed in accordance with Section 1142 of Title 47 for the underpayment by motor license agents of taxes and fees to the Commission. [47:1142]

Section **710:60-9-54** has been amended to set forth the revised motor license agent procedures for ordering OTC supplied inventory items and inventory accountability. [47:1149]

Section **710:60-9-55** has been amended to revise the period in which motor license agents must respond to a notification regarding missing inventory items. [47:1149]

Section **710:60-9-70** has been revoked and Section **710:60-9-72** has been amended to revise the current procedures for semimonthly reporting by motor license agents. [47:1142]

Sections **710:60-9-90** and **710:60-9-91** have been amended to update the provisions regarding the requirement imposed upon motor license agents to enter deposit information into their respective OTC depository accounts. [47:1142]

Section **710:60-9-92** has been amended to delete outdated language consistent with existing policy. [47:1142]

Section **710:60-9-94** has been amended to state the time frame in which required documentation must be sent to the OTC by a motor license agent in relation to a dishonored check accepted by the agent in payment of motor vehicle taxes and fees. The Section has also been amended to revise the parameters under which a credit may be allowed motor license agents for dishonored checks. [47:1142]

Section **710:60-9-120** which consists of a summary of operation requirements for motor license agents has been amended consistent with the proposed changes outlined above.

In addition, other rule changes may be made to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update statutory citation, and ensure accurate internal cross-references.

AUTHORITY:-

47 O.S. §§ 1140 and 1149; 68 O.S. § 203; Oklahoma Tax Commission

COMMENT PERIOD:

Persons wishing to make written submissions may do so by **4:30 p.m., March 2, 2016**, to the Oklahoma Tax Commission, Tax Policy and Research Division, 2501 North Lincoln Boulevard, Oklahoma City, Oklahoma 73194.

PUBLIC HEARING:

A public hearing will be held to provide an additional means by which suggestions may be offered on the content of the proposed rules. Time, date and place of the hearing are as follows: **March 4, 2016 at 2:30 p.m.** in the 4th floor hearing room at the Oklahoma Tax Commission, 2501 Lincoln Blvd., Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Kali Walker at (405) 521-3133.

In order to facilitate entry into the building, those wishing to appear should contact Kali Walker at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. Entry to the M.C. Connors' building must be made through the doors located on the east side of the building. In order to gain access to the 4th floor hearing room, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification. A name badge and floor access card will be issued once registration is completed.

Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:

Interested persons may inspect proposed rules at the offices of the Oklahoma Tax Commission, Tax Policy Division, 5th floor, M. C. Connors Building, 2501 North Lincoln Boulevard, Oklahoma City, Oklahoma. Copies of proposed rules may be viewed online at www.tax.ok.gov.

RULE IMPACT STATEMENT:

A Rule Impact Statement will be prepared and will be available for review from and after **February 1, 2016**, from the same source listed above for obtaining copies of proposed rules.

CONTACT PERSON:

Christy Caesar, Agency Liaison. Phone: 405-521-3133; FAX: 405-522-0063; Email: ccaesar@tax.ok.gov

CHAPTER 60. MOTOR VEHICLES

SUBCHAPTER 3. REGISTRATION AND LICENSING

PART 1. GENERAL PROVISIONS

710:60-3-10. General registration information

(a) **Motor vehicles to be registered; license tag required; title.** Every motor vehicle, except salvage and junked vehicles, vehicles on used car dealer's lots for sale and vehicles assigned to charitable organizations licensed through the Oklahoma Secretary of State's office, is required to be registered and a license tag displayed on the rear bumper. In most cases, the tag is designed to remain on the vehicle until the Oklahoma Tax Commission authorizes a replacement and is renewed each year by means of a registration decal. The type of registration required depends on the type of vehicle and, in some cases, its use. A vehicle cannot be registered without an Oklahoma title or proof that such Oklahoma title exists and is in the name of the registrant. Proof of previous year's registration must be obtained before renewing registration on any non salvaged vehicle. A current mail-out registration notice is considered proof for either purpose.

(b) **Expiration; renewal; early renewal.** Registration may not be renewed before the first day of the month of preceding expiration.

(c) **Registration and licensing of leased vehicle.** An individual leasing a vehicle may make application for any special tag or registration rate that he or she is entitled to. A copy of the lease agreement, listing the applicant as lessee, must be submitted and attached to the Oklahoma Tax Commission's copy of the paperwork.

(d) **Information required from registrant.** Upon every application for registration of a vehicle in this state, the vehicle owner shall provide to the registering motor license agent the following information:

- (1) The driver license number of the vehicle owner, if the owner is an individual; or
- (2) The Federal Employer Identification Number of the owner if such owner is not an individual.

(e) **Proper entry of required information.** It shall be the duty of the registering motor license agent to properly enter the driver license number or Federal Employer Identification Number of the vehicle owner in the Motor Vehicle computer file record at time of registration of the vehicle.

710:60-3-17. Liability insurance

(a) **Insurance information.** The owner of a motor vehicle to be registered or titled in this state must provide current liability insurance information ~~to the tag agent~~ prior to the processing of his registration, unless otherwise provided. When registering a motor vehicle, the owner must certify the existence of insurance coverage for the vehicle by providing a motor license agent or other registering agency necessary information from the current owner's insurance verification to allow confirmation of coverage through the online verification system. The information shall include the name of the insurance carrier or identification number issued by the National Association of Insurance Commissioners to the current insurance carrier authorized to do business in this state and the policy number applicable to the vehicle being registered.

(b) **Electronic insurance verification.** In cooperation with the Oklahoma Department of Public Safety and the Oklahoma Insurance Department, the Commission shall provide an online electronic liability insurance verification system and instruct motor license agents in its use. No vehicle subject to electronic liability insurance verification shall be registered in this state without current insurance coverage having been verified by that electronic system, unless an

exception is warranted per guidelines established by the Commission. Whenever a motor license agent grants an exception to electronic verification, the agent shall maintain in his or her files, for a period of no less than two (2) years, a full record of the reason for that exception and make available for inspection by the Commission, or any other qualified requestor, documentation sufficient to justify that exception.

(c) **Applicable only to motor vehicles; vehicles not in use.** Only motor vehicles are subject to the liability insurance verification process described herein. Owners of vehicles not in use at the time of registration may register their vehicle upon filing a Non-Use Affidavit in a manner prescribed by the Commission.

(1) The yearly validation decal issued to the owner of a vehicle who has filed a Non-Use Affidavit in lieu of liability insurance verification will be a decal of a separate and distinct color from all other yearly decal types. It shall be the owner's responsibility to obtain insurance if such vehicle is put into service at a later time.

(2) The owner of the vehicle is not required, upon putting the vehicle back in service, to purchase another registration decal indicative of liability insurance coverage. If the owner chooses to purchase another registration decal, insurance verification will be required, as well as payment of a replacement tag/decal fee, and the insurance verification fee.

(d) **Exceptions to insurance verification requirements.** The following shall not be subject to insurance verification at time of registration.

(1) Any vehicle owned or leased by the Federal or State Government or any agency or political subdivision thereof.

(2) Any vehicle bearing the name, symbol, or logo of a business, corporation or utility on the exterior and which is in compliance with the provisions of the Compulsory Insurance Law according to records of the Corporation Commission which reflect a deposit or fleet policy.

(3) Any vehicle authorized for operation under a permit number from the Interstate Commerce Commission or the Oklahoma Corporation Commission.

(4) Any licensed taxicab.

(5) Any vehicle held for sale by a licensed Used Car Dealer.

(6) Applicant for a duplicate Oklahoma title, provided registration renewal is not required.

(7) Applicant for title (only) to a vehicle to be later registered under the International Registration Plan.

(8) All-terrain vehicles, utility vehicles and off-road motorcycles.

(e) **Exceptions to electronic insurance verification.** The following are subject to insurance verification at time of registration, but exempt from the electronic verification process:

(1) Vehicles covered by commercial or fleet insurance policies.

(2) Vehicles owned by active duty military personnel who are either Oklahoma residents stationed out of state, or out-of-state residents stationed in Oklahoma.

(f) **Processing fee authorized.** The motor license agent is authorized to charge a fee for processing insurance verification or a Non Use Affidavit upon registration of a motor vehicle.

(g) **Military personnel insurance verification.** Members of the United States Armed Forces may furnish a vehicle insurance policy or bond from an out-of-state insurance company indicating compliance with the liability insurance requirements of the Oklahoma Vehicle License and Registration Act. If the service person is an out-of-state resident who is stationed in Oklahoma, the form must be from Oklahoma or from the service person's state of residence, as indicated on the Armed Forces Affidavit (OTC Form 779). If the service person is a resident of Oklahoma, the form must be either an Oklahoma form, or a form from the state in which the service person is currently stationed.

710:60-3-27. Registration renewal notification

(a) **Notification options.** Vehicle registrants may choose from the following two (2) registration expiration notification methods. Failure to receive either type of notification shall not relieve the taxpayer from their responsibility to timely renew their registration(s).

(1) **Mail notification.** Registrants may choose to receive mailed renewal notices.

(2) **Email notification.** Registrants may choose to receive an email renewal notification by either registering via the Commission online renewal website; advising the registering tag agency of their choice and providing to the agent an email address to which the notification is to be sent; or indicating the email option and providing an email address to which the notification is to be sent on the mail-in registration renewal ~~postcard~~ notice. Renewing a registration via the Commission's online renewal process will automatically result in an email notification being sent out upon that registration's expiration. Email notification will supersede any other type of registration expiration notification.

(b) **Motor license agent responsibility.** It shall be the duty of motor license agents to advise all in-person registrants of their renewal notification options and process the chosen options per Commission guidelines. When the taxpayer chooses the email reminder notification option, the agent shall obtain the taxpayer's email address to which the notification is to be sent and enter that email address into the Commission's registration system in the manner prescribed by the Commission.

PART 7. NONCOMMERCIAL VEHICLES

710:60-3-70. Noncommercial vehicles

Annual registration rates are based on the number of years the vehicle has been registered pursuant to a five-tiered registration scheme approved by popular vote on August 22, 2000. The following vehicles are registered using this method.

(1) **Automobiles.** "Automobiles" includes noncommercial trucks and vans and nonagricultural trucks.

(2) **Travel trailers.** Travel trailers are any vehicular portable structure built on a chassis and used as a temporary dwelling for travel, recreational or vacation use. The dimensions of a travel trailer cannot exceed 40 feet in length (including hitch or coupling) or 8 feet in width.

(3) **Motorcycles.** Motorcycles are defined as those vehicles designed and constructed to travel on not more than three (3) wheels, having a saddle or a single seat for the use of the rider.

(4) **Recreational vehicles.** "Recreational vehicle" means every vehicle which is built on or permanently attached to a self-propelled motor chassis or chassis cab which becomes an integral part of the completed vehicle and is capable of being operated on the highways. In order to qualify as a recreational vehicle pursuant to this subsection such vehicle shall be permanently constructed and equipped for human habitation, having its own sleeping and kitchen facilities, including permanently affixed cooking facilities, water tanks and holding tank with permanent toilet facilities. Recreational vehicle shall not include manufactured homes or any vehicle with portable sleeping, toilet and kitchen facilities which are designed to be removed from such vehicle.

(5) **Moped.** ~~A moped is a motorized bicycle having pedals for aid in propulsion. Mopeds are banned from limited access and interstate highways. A "moped" is any motor-driven cycle with a motor producing no more than two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty (30) miles per hour on level ground. If an internal combustion engine is used, the displacement shall not exceed fifty (50) cubic centimeters, and the moped shall have a power drive system that functions directly or~~

automatically without clutching or shifting by the operator after the drive system is engaged. Motorized bicycles Mopeds are subject to all the provisions of the Motor Vehicle License and Registration Act. No dealer's license is required to sell them. If sales tax was paid upon purchase, no excise tax should be assessed when titling.

(6) **Dirt bikes, minibikes, all-terrain vehicles (3 & 4 wheelers), and golf carts.** Dirt bikes, minibikes, all-terrain vehicles (3 & 4 wheelers), and golf carts are not street legal and are not to be titled and tagged for street or highway use in Oklahoma. All-terrain vehicles and off-road motorcycles meeting the criteria outlined in *OAC 710:60-3-140* are subject to titling and registration, as therein specified. Golf carts owned by the Tourism and Recreation Department may be operated on streets and highways located within the boundaries of a state park by employees of the Department, or by employees of an independent management company on behalf of the Department.

(7) **Autocycle.** An autocycle, which is to be issued a standard vehicle license plate, means any motor vehicle with the following:

(A) A seat or saddle for the use of each rider;

(B) Three wheels in contact with the ground, but excluding a tractor;

(C) A combustion engine with a piston or rotor displacement of one hundred fifty cubic centimeters (150 cu cm) or greater;

(D) A fully enclosed compartment for the driver and any passenger;

(E) For each occupant, safety belts or safety shoulder harnesses which shall be of a type and shall be installed pursuant to 49 C. F. R., Section 571.208 et seq.;

(F) All equipment required by the provisions of Article II et seq. of Chapter 12 of Title 47 of the Oklahoma statutes, with respect to equipment on vehicles.

PART 11. OTHER VEHICLES

710:60-3-111. Miscellaneous vehicles; definitions

(a) **Farm trucks.** "Farm truck" means pickup, truck, or truck tractor used primarily for agricultural purposes. For purposes of farm truck registration eligibility "**pickup**" means a **small, light truck with an open back or box used for hauling and designed primarily for the carrying of property, rather than people** and "**truck**" means a **motor vehicle designed or converted primarily for carrying or hauling farm commodities, property, livestock, or equipment, rather than people.** To qualify for farm truck registration, the applicant must provide either a copy of Schedule F (or comparable form) of the previous year's Federal Income Tax Return, or an agricultural exemption permit (SMX number) assigned by the Oklahoma Tax Commission. The permit must be in the name of the vehicle owner, with the following exceptions: An agriculture exemption permit may be utilized by any family member or employee of the permit holder, who uses his/her vehicle primarily for agricultural purposes on behalf of the permit holder to qualify for farm truck registration. If the permit holder is not reflected as a vehicle owner on the title record, a statement from the permit holder that the vehicle is utilized primarily for agricultural purposes on the permit holder's behalf is to be submitted. Any person registering a farm truck, other than a pickup, must also complete and submit a "Declaration of Gross Vehicle Weight for Vehicle Registered with a Farm Tag" (OTC Form 786). If a laden weight of 55,000 pounds or more is listed, the owner must provide I.R.S. Form 2290 and a Schedule 1.

(b) **Farm trailers.** Farm trailers are not required to be registered. An optional farm trailer tag is available. This is an optional registration only transaction and no certificate of title may be issued. If a serial number is stamped on the trailer, it will be used for the vehicle identification number (VIN) on the registration record. Otherwise, the driver license number of the owner will be utilized. The registration will expire one year from date of issuance. As registration is optional, no

delinquent registration fees or penalties are to be assessed. Upon initial issuance of a farm trailer tag, the applicant will be required to complete a Registration Application form, affirming their ownership of the trailer and providing copies of available acquisition documentation.

(c) **Buses.** Buses transporting passengers in a commercial capacity are classified as either Inter-City or Intra-City. The Inter-City buses operate between ~~different~~ cities. The Intra-City buses operate within a given city. ~~The rates~~ Registration fees for such vehicles are based on ~~the~~ seating capacity. With the exception of inter-city buses registered under the International Registration Plan, ~~All buses in these classifications must be licensed by the Oklahoma Corporation~~ are registered by the Oklahoma Tax Commission.

(d) **Private school buses.** Private school buses are those privately owned buses used exclusively to transport school children.

(e) **Taxicabs.** Taxicabs are motor vehicles for hire, designed to carry ten (10) persons or less, operated upon any street or highway, or on call or demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along streets or highways as may be directed by the passenger or passengers so being transported. In order to register as a taxicab, the owner shall be required to validate proper taxicab operating authority. Validation shall normally constitute presentation of a photocopy of the license issued by the applicable municipality in which the taxicab operates, or a photocopy of the For Hire Carrier License issued by the Oklahoma Corporation Commission.

(f) **Rental vehicles.** Rental vehicles are vehicles acquired by rental companies not to be rented for more than ninety (90) days at a time. Rental passenger vehicles and light trucks (pickups, vans, sport utility vehicles) are entitled to special registration fees as set forth by statute. Larger trucks utilized in a rental capacity are to be registered commercially.

(g) **Private trailers.** Private trailers are not required to be registered. An optional private trailer registration and license plate is available to owners of noncommercial boat and utility type trailers not being utilized in a commercial capacity. This is an optional registration only transaction and no certificate of title may be issued. If a serial number is stamped on the trailer, it will be used for the vehicle identification number (VIN) on the registration record. Otherwise, the driver license number of the owner will be utilized. The registration will expire one year from date of issuance. As registration is optional, no delinquent registration fees or penalties are to be assessed. Upon initial issuance of a private trailer tag, the applicant will be required to complete a Registration Application form, affirming their ownership of the trailer and providing copies of available acquisition documentation.

(h) **Mini-truck.** "Mini-truck" means a foreign-manufactured import or domestic-manufactured vehicle powered by an internal combustion engine with a piston or rotor displacement of one thousand cubic centimeters (1,000 cu cm) or less, which is sixty-seven (67) inches or less in width, with an unladen dry weight of three thousand four hundred (3,400) pounds or less, traveling on four or more tires, having a top speed of approximately fifty-five (55) miles per hour, equipped with a bed or compartment for hauling, and having an enclosed passenger cab. Any vehicle meeting that description is required to be titled and registered, as of November 1, 2008. Excise tax is not assessed on mini-trucks purchased prior to November 1, 2008.

(i) **Registration and titling guidelines.** Mini-trucks may be registered in the same manner and under the same classification guidelines as any other light truck. Mini-trucks are subject to the same titling and lien filing guidelines as other light trucks, with the exception of required documentation at time of initial titling. Those general titling documentary guidelines are as follows:

(A) **New mini-trucks purchased on or after November 1, 2008.** A properly assigned Manufacturer's Statement of Origin (MSO) and dealer's invoice (to establish purchase price) is required to apply for an Oklahoma title.

(B) **All other mini-trucks.** A properly assigned certificate of title or Manufacturer's Statement of Origin (MSO) is to be submitted, if available. If not available, the Commission may accept a notarized bill of sale, or other similar ownership instrument, as an alternative.

(j) Amphibious vehicles. Amphibious vehicles are vehicles designed, manufactured and capable of operating on the roadways and waterways of this state. Such vehicles are to be issued two (2) certificates of title, both vehicle and vessel, and are to be concurrently registered as both vehicle and vessel. Vehicle excise tax is to be assessed. Both titles are to be assigned and provided to any subsequent owner.

710:60-3-113. Former military vehicle registration

(a) **Definition.** "**Former military vehicle**", when used in this Section, means a vehicle which has been, and is no longer, used by the armed forces of a national government, and which displays official markings so indicating.

(b) **Use of vehicle.** A former military vehicle which is used only for exhibition, club activities, and parades may be registered at a reduced annual registration rate, so long as it is not utilized for regular transportation.

(c) **Application and renewal.** Former military vehicle registration may be ~~approved and~~ issued upon initial submission of a properly completed affidavit form (OTC Form 740) ~~to the Oklahoma Tax Commission Motor Vehicle Division,~~ along with insurance verification and the fee prescribed by statute. ~~Thereafter, renewals may be issued by the Commission or by a Motor License Agent.~~

(d) **Identifying mark.** The unique identifying mark, similar to the mark assigned that vehicle by the armed forces branch in which the vehicle was used, will be designated as the registration mark for the vehicle. If no such mark exists, or if the registration mark number conflicts with any existing license plate format, OTC shall designate the mark to be utilized.

~~(d)~~ (e) **Proof of registration.** A former military vehicle which is not used for regular transportation is not required to display a license plate, but must carry proof of the annual registration in the vehicle at all times.

(e) (f) **Change in use of the vehicle.** If the former military vehicle is to be used for any other purpose than exhibition, club activities, or parades, a regular license plate must be obtained, at the appropriate rate.

SUBCHAPTER 5. MOTOR VEHICLE TITLES

PART 1. GENERAL PROVISIONS

710:60-5-2. Types of certificates

(a) **Title certificate color designation.** Oklahoma utilizes several different colors in designating vehicle types. The title types and corresponding certificate colors are as follows:

- (1) Standard Title (Green)
- (2) Salvage Title (Red)
- (3) Rebuilt Title (Orange)
- (4) Junked Title (Blue)
- (5) Classic Title (Green)
- (6) Remanufactured Title (No color designation at this time)
- (7) Unrecovered Theft Title (Purple)
- (8) Rebodyed Vehicle Title (Yellow)

(b) **Title suffix designation.** On certificates of title issued prior to March 16, 2015, Letter letter suffixes are were utilized to designate the sequence of Oklahoma certificates of title issued to a specific vehicle. The original Oklahoma title issued ~~will have~~ had no suffix following the designated title number. All subsequent Oklahoma titles, regardless of type, issued to that vehicle ~~will be~~ were designated by a letter suffix. The letter "a" ~~will be~~ was assigned as a suffix to the first Oklahoma title issued following the original title, "b" to the next title issued, etc. Effective March 16, 2015, every title certificate issued will reflect a unique title number. Only the most recent Oklahoma certificate of title issued is considered valid.

PART 7. TRANSFER OF TITLE

710:60-5-71. General provisions; assignments; liens; registration; notice of transfer

(a) **Transfer of title.** In most instances, an Oklahoma transfer title is issued upon receipt of a properly assigned and notarized Oklahoma title and proof of liability insurance. Assignments of Oklahoma certificates of title to, or by, out of state dealers located in non-notary states are not required to be notarized. No notarization is required on an assignment of ownership to an insurer resulting from the settlement of a total loss claim. Other instances where a transfer title may be issued are covered in the following subsections.

(b) **Use of assignment space provided on title document.** The first assignment space on an Oklahoma title is to be used by the owner on the face of the title to assign ownership. The subsequent reassignment spaces may be used by appropriately licensed Oklahoma dealers only. Retail implement dealers may reassign ownership on Oklahoma certificates of title for all terrain vehicles, utility vehicles and off-road motorcycles. Should an assigned Oklahoma certificate of title be presented in application for an Oklahoma title and that certificate reflects a previous ownership assignment that was never completed via issuance of an Oklahoma title, the Motor Vehicle Division may approve a certificate of title to be issued directly to the most recent assignee; provided both assignments are properly completed and all taxes, fees and delinquent penalties due in regard to the previous assignment are collected, in addition to those due on the most recent assignment.

(c) **Liens transfer.** Any active liens indicated on the face of an assigned Oklahoma title will be carried forward to the transfer title being issued unless a lien release is presented.

(d) **Current registration required; exceptions.** Registration must be current on a vehicle before a transfer title may be issued, unless the vehicle is in a salvage or junked status. Licensed used motor vehicle dealers are exempt from this requirement when transferring to other licensed dealers, provided the vehicle was currently registered, or in the registration expiration grace month, when it was assigned to the first dealer. Salvage dealers are exempt from registration requirements when obtaining salvage or junked titles.

(e) **Actual sales price documentation.** The actual sales price is required for any vehicle on which an Oklahoma title is to be issued and excise tax collected. The actual sales price is commonly referred to as the "purchase price". One of the following documents is required to establish the actual sales price:

- (1) A purchase contract;
- (2) A bill of sale;
- (3) A "Declaration of Vehicle Purchase Price" (OTC Form 722-1); or
- (4) Oklahoma title certificate, with a purchase price entry listing where indicated;
- (5) A purchase contract or bill of sale offered only to establish purchase price pursuant to this subsection, and not to convey ownership, need not be notarized.

(f) **Notice of Transfer of Ownership of a Vehicle.** The seller or buyer of a motor vehicle may file a Notice of Transfer of Ownership of a Vehicle (OTC Form 773) to record the assignment of

ownership in the Oklahoma Tax Commission Motor Vehicle Division computer system. The filing of Notices of Transfer is optional. The filing of the Notice of Transfer does not constitute a transfer of ownership and does not alleviate the buyer/new owner of the responsibility of properly and timely transferring title and paying all applicable taxes and fees. To be acceptable, notices must be submitted containing all required information. Incomplete forms will not be filed. There are two (2) acceptable types of notice:

- (1) Seller or buyers may submit a **Notice of Transfer of Ownership of a Vehicle (OTC form 733)** and the appropriate statutory filing fee to the Oklahoma Tax Commission or a motor license agent.
- (2) Effective January 2006, a removable tear-off tab, **Oklahoma Certificate of Title Tear-Off Notice of Transfer Tab**, was incorporated on Oklahoma vehicle title certificates. This tab, properly completed, is to be accepted and processed in the same manner as the Notice of Transfer of Ownership of a Vehicle Form (OTC form 733).

710:60-5-77. Transfer of title upon death

(a) **Intestacy; transfer to surviving spouse.** When a person dies intestate leaving a vehicle, that vehicle becomes the property of the surviving spouse, if any. If the decedent held title to more than one (1) vehicle, the surviving spouse may choose one (1) vehicle. If there are additional vehicles, or there is no surviving spouse, the vehicles may be distributed by the law of descent, upon submission of a properly completed **No Administrator Affidavit** (OTC Form 798) and the death certificate of the deceased vehicle owner. 84 O.S. § 232.

(b) **Transfer by third party; required authorization.** An assigned title which has been assigned by some person other than the person shown on the face of the title must be accompanied by some form of authorization for assignment. This may be a Power of Attorney, Court Order or authorization by an Executor or an Administrator of an estate.

(1) **Transfer by power of attorney.** When transferring a title where assignment has been made by Power of Attorney, the Power of Attorney (POA) must be surrendered with the assigned title.

(A) An original copy must be presented. Faxes or photocopies are unacceptable.

(B) The POA must be notarized, if from a notary state

(C) If a general POA (not restricted to a specific vehicle or transaction), the original, or a certified copy of the original, must be presented to the motor license agent. The motor license agent may make a photocopy of the original for submission to OTC.

(D) If a specific POA (restricted to a specific vehicle or transaction), the original, or a certified copy of the original, must be surrendered and submitted to OTC.

(E) A POA may not be utilized if the grantor is deceased.

(2) **Transfer by court order.** When transferring a title when assignment is completed by the administrator or executrix of an estate, a Court Order must be presented authorizing the sale of the motor vehicle being transferred.

(c) **Estate valued at no more than \$20,000.00.** When a decedent has left a will, but the value of the estate does not exceed Twenty Thousand Dollars (\$20,000.00), ~~no probate is required before transferring~~ ownership of any vehicle(s) bequeathed in the decedent's will. ~~Ownership may be transferred to the successor of interest by completing a Small Estate Affidavit.~~ 58 O.S. § 393

In addition to the Affidavit, the following must be submitted:

(1) A copy of the decedent's death certificate.

(2) A copy of the decedent's unprobated will, naming the applicant as beneficiary of the vehicle.

(3) Either the title certificate in the decedent's name, or evidence from the Tax Commission vehicle title files that such a title record exists.

PART 9. AFFIDAVITS FOR USE IN TITLES

710:60-5-91. Affidavit of assembly and ownership

(a) **When Affidavit of Assembly and Ownership is required.** An Affidavit of Assembly and Ownership is required:

- (1) When major components from two or more vehicles or motorcycles are being incorporated into a single unit.
- (2) In applying for an Oklahoma title for a kit car that comes with a Manufacturer's Statement of Origin and an invoice.
- (3) When a combination of new components with original (notarized) Manufacturer's Statements of Origin and used components with bills of sale, invoices or receipts are used to make one vehicle or motorcycle.

(b) **Documentation required.** Documentation required to support application for Oklahoma title using an Affidavit of Assembly and Ownership includes:

- (1) **A completed Affidavit of Assembly and Ownership (OTC Form 761 or 761MC).** The applicant must complete the Affidavit of Assembly and Ownership (OTC Form 761 or 761MC) and supporting documentation. Title or notarized bills of sale for all major components included on the Affidavit must be submitted, listing the vehicle identification number (VIN) of the vehicle from which the part was removed.
- (2) **A completed Application for Oklahoma Certificate of Title (OTC Form 701-6).** The applicant must complete the Application for Oklahoma Certificate of Title (OTC Form 701-6), as follows:

(A) The **year** to be listed on the certificate of title will be the year of the body or cab of the vehicle which is reconstructed.

(B) The **make** of the vehicle will be noted as: "AV ASVE", ~~followed by a two (2) character year designation and two (2) character make designation.~~

(C) The **model** of the vehicle will be the three (3) or (4)-letter code reflected on the Oklahoma Certificate of Title of the appropriate component vehicle.

(D) The **body type** of the vehicle will reflect the current body type of the vehicle.
Example: 2DR

(E) The Total Purchase Price will be the combined purchase price for all components, less those parts on which sales tax was paid.

(F) Excise **taxes due** on the assembled vehicle will be determined as follows:

- (i) Excise tax will not be collected if the title was in the registrant's name on each of the major components used to build the current vehicle.
- (ii) Excise tax will be due upon transfer if the title was not in the registrant's name on each of the major components used to build the current vehicle.

(G) The **year** of an assembled motorcycle is the current year (completion date).

(H) The **make** of the Assembled Motorcycle will be "ASVE".

(I) The **model** will be "O".

(J) The **body type** will reflect "MC".

(c) **Approval required.** Any application for title using the Affidavit of Assembly and Ownership must be approved by the Motor Vehicle Division. Such approval relates only to the issuance of an Oklahoma title and registration to the assembled vehicle. No attestation or confirmation of the roadworthiness of the vehicle is expressed or implied by the Division's approval.

(d) **Inspection required.** Following approval of the application for title by the Motor Vehicle Division, the assembled vehicle or motorcycle must be inspected by a motor license agent to confirm the vehicle identification number (VIN).

(e) **Oklahoma assigned identification number required.** An Oklahoma assigned identification number, when required for an assembled vehicle or motorcycle, shall be assigned by the Motor Vehicle Division.

(f) **Active liens.** If an active lien is reflected on any vehicle identification number (VIN) of a component used to build a vehicle or motorcycle on which an Oklahoma assigned identification number has been, or will be, assigned, or on which an identification number from a major component has been, or will be, approved by the Commission to be assigned to the completed vehicle, the following will apply:

(1) The applicant must provide either a proper lien release(s), or written acknowledgement from the active lienholder(s) of their knowledge of the application for an assembled vehicle which will display a newly assigned VIN and their understanding that any other liens reflected on other components of the assembled vehicle will also be reflected on the vehicle record, listed in order of original perfection date.

(2) Upon receipt of the lienholder acknowledgement, the Motor Vehicle Division will issue a revised Lien Entry Form, reflecting the newly assigned vehicle identification number and will forward the forms and written notification of the new vehicle identification number (VIN) to any lienholder of record.

(g) **No active liens.** If no liens are active on any vehicle identification number (VIN) used to build the vehicle or motorcycle, the approved Oklahoma Tax Commission Application for Title (OTC Form 701-6), Assembly and Ownership Affidavit (OTC Form 761 or 761 MC), all original receipts and notarized bills of sale associated with the transaction may be submitted to an Oklahoma Motor License Agency for processing.

(h) **Issuance of title; tag and decal, if applicable.** At the time the Oklahoma Certificate of Title is issued, a current tag and decal will be issued also, if applicable. All plates and/or registration decals issued to any original vehicle or motorcycle used as a component for the rebuilt vehicle become invalid.

(i) **Major component.** For purposes of this Section, "**major component**" for a vehicle means a body, cab, frame, front end clip, or rear end clip. "Major component" for a motorcycle means a frame or front fork assembly.

710:60-5-95. Repossession affidavit (OTC Form 737)

(a) **Documentation required.** An applicant for a repossession title must submit:

- (1) The actual or certified copy of the mortgage instrument;
- (2) A completed Repossession Affidavit (OTC Form 737);
- (3) A copy of the certified letter of notice to other lienholders, if applicable; and
- (4) ~~Lien Release numbers three (3) and four (4)~~ A properly executed lien release.

(b) **Approval required.** All repossessions must be approved by the Motor Vehicle Division of the Oklahoma Tax Commission or a motor license agent.

(c) **Fees.** The mortgagee shall be required to pay statutory repossession and title fees. If the vehicle is not currently registered, the mortgagee shall be issued an initial license plate or decal bearing an expiration date of the month of repossession.

PART 11. LIENS

710:60-5-117. Releasing liens

(a) Perfected liens may ordinarily be released by submission of one (1) of the following to the Oklahoma Tax Commission Motor Vehicle Division or a motor license agent:

- (1) Copy #4 (if unavailable, a **certified duplicate** copy of Copy #3 or #4, or an **original** or **certified** copy of Copy #1 is acceptable) of the six (6) part lien entry Form 21, with the release signed and dated.
 - (2) Any of the ~~four~~ (4) lien release receipts, original or certified copy, generated when the lien was perfected by the Oklahoma Tax Commission or a motor license agent, signed and dated.
 - (3) Should a standard lien release as outlined above be unavailable, the lien may be released by submission of a typed, notarized release statement from the secured party. The statement must include the notarized signature of a representative of the secured party, the name of the secured party, name of the debtor, and vehicle identification number/serial number of the vehicle.
- (b) If the lender is out of business and no longer available, their lien may be released by the following procedure:
- (1) A certified letter, restricted delivery, requesting a lien release and listing the year, make, and vehicle identification number is to be sent to the lender's address listed on the Motor Vehicle Division file.
 - (2) The administering agency of the lienholder (i.e., Oklahoma Used Motor Vehicle and Parts Commission if an Oklahoma used dealer; State Banking Department if a bank, savings and loan or credit union; Department of Consumer Credit if a finance company) is to be contacted and written confirmation requested that the lienholder is no longer in business at the address requested. If an out-of-state lienholder, that state's equivalent agency is to be contacted. If the response from the administering agency is that the lender was taken over by another business entity, that entity will have to be contacted for a release.
 - (3) The returned certified letter and post office receipts, the written confirmation from the administering agency, the Oklahoma certificate of title and applicable titling fee is to be submitted to the Oklahoma Tax Commission Motor Vehicle Division for review. If approved, a confirming affidavit will be returned to the vehicle owner for his/her review and signature. Upon return of that affidavit to the Division, a new Oklahoma certificate of title, without the lien reflected, will be issued.

SUBCHAPTER 7. MOTOR VEHICLE EXCISE TAX

710:60-7-5. Licensed dealer exemptions

- (a) **Determination of latest manufactured model vehicle.** For the purpose of determining an exemption for licensed dealers, the latest manufactured model vehicle is the newest year of vehicle available at the retail level. For this purpose, July 1 is the date that most vehicles for the next year go on sale. If a certain model comes out before that date, that model becomes the latest manufactured model for that specific line.
- (b) **New dealers.** Any vehicle of the latest manufacturers model purchased by a franchised Oklahoma motor vehicle dealer which holds a franchise of the same line or make as the vehicle being registered is exempt from excise tax. This exemption does not apply if the vehicle is of a different make than the dealer's franchise. In that situation, "new vehicle" excise tax would be assessed. New dealers may register a vehicle for a period of four (4) months for personal use by an individual. A photocopy of the MSO ~~should~~ is to be surrendered at to the tag agency and a title record will be created ~~showing a hold status of "DM"~~ reflecting the applicable hold status with no excise tax due.
- (c) **Used dealers.** Any vehicle owned and being offered for sale by a person currently licensed as a dealer in used vehicles is exempt from excise tax except on the latest manufactured model. If the vehicle is being titled from an MSO or is the latest manufactured model and has not been previously

titled and excise tax paid in Oklahoma, excise tax is due and the "new vehicle" rate will be charged. The assignment must be made to the dealership's name only. However, a title with an assignment showing an individual's name "DBA" a dealership name will be accepted if the dealership is a partnership or is individually owned and the name on the assignment is a partner or the owner. Excise tax is ordinarily not exempt when transferring ownership from a licensed dealership to the individual owner of the dealership.

710:60-7-9. Retail Implement Dealer

Retail Implement Dealers, as statutorily defined in 47 O.S. § 581(15), are exempt from acquiring titles and being assessed excise tax when reassigning ownership on Oklahoma certificates of title for all terrain vehicles, utility vehicles and off-road motorcycles. When reassigning Oklahoma certificates of title under this allowance, the dealer's current Oklahoma Sales Tax Number must be provided to the purchaser. The Commission will confirm the validity of that Permit when processing an application for title by the purchaser.

SUBCHAPTER 9. MOTOR VEHICLE LICENSE AGENTS/AGENCIES

PART 1. GENERAL REQUIREMENTS, DUTIES AND RESPONSIBILITIES OF MOTOR LICENSE AGENTS

710:60-9-14. Responsibility for agency shortages

(a) A motor license agent shall be responsible for paying any balance determined to be due as a result of a field audit conducted by the Commission.

(b) Upon demand for payment, the motor license agent must, ~~within 15 days,~~ remit, within seven (7) business days, the full amount of any shortage determined to be due, ~~or if unable to pay the full amount, the agent may make a written request to the Commission for consideration of an extension of time to remit monies due. Such request shall include an explanation of the reason(s) for the shortage and the corrective actions initiated by the agent. Should the Commission accept a payment time extension, it shall be incumbent upon the agent to fully adhere to the terms of that agreement. Any failure on the agent's behalf to adhere to that agreement, or accrual of any additional balance due the Commission, may result in a demand for immediate payment of the entire outstanding balance. Payment of the amounts due within the stated time frame does not preclude the Commission from discharging the motor license agent or taking any other action deemed appropriate.~~

(c) Any portion of a field audit balance determined to be attributable to the nonpayment of funds due the State shall be subject to the penalty enumerated in 47 OS § 1142.

PART 5. SPECIFIC RECORDKEEPING DUTIES

710:60-9-54. Ordering supplies and inventory control of accountable items

Agents should continually monitor their inventory of all OTC-supplied items and order all needed items on a timely basis. ~~When ordering by mail, OTC Form 701-27 is to be utilized and sent under separate cover directly to the Motor Vehicle Division. All orders are to be entered into the OTC computer MLA supply ordering system.~~ If the order is to be picked up, the agent is to place the order no less than twenty-four (24) hours in advance of their requested designated pick up date and timeframe. At time of placing the order, the agent is to advise of their intention to pick it up and select the pick up date and timeframe from the options designated by OTC. If the agent is unable to retrieve the items on the selected date/timeframe, it is the agent's responsibility to timely

contact OTC to reschedule. Absent timely rescheduling, the unclaimed order orders will be cancelled after ten (10) business days.

(1) **Verification of consignment order.** Upon receipt of consigned numbered items from the Commission, the agent is to verify all items listed on the consignment sheet have been received, pursuant to the provisions under paragraph (2) of this subsection. If received items do not correspond with the consignment sheet, the agent is to notify the Commission within ten (10) days of receipt of the consignment. The original copy of the consignment sheet, with any necessary adjustments noted, is to be signed by the agent and returned to the Motor Vehicle Division within ten (10) days of receipt of the consignment. The second copy of the consignment sheet is to be retained by the agent. Failure to advise the Commission of consignment discrepancies within ten (10) days of receipt of the consignment will result in the entire consignment being considered as received by the agent and the agent will be held accountable for all items therein, with the exception of the individual sealed box/container process outlined in (2)(B) of this Section.

(2) **Verification of contents of all containers.**

(A) If the manufacturer's seal on the box and/or package has been broken, the receiving agent is to open it and verify all items upon receipt of the consignment.

(B) If the manufacturer's seal has not been broken, it is not necessary to confirm the contents of the package upon receipt of the consignment – only that the contents listing on the outside of the package coincides with the consignment sheets. As the sealed individual boxes and/or packages of numbered items are opened prior to issuance, all numbered items should be checked to make sure all were received in the individual package or box. If the package contents do not correspond to the contents listing on the outside of the package, the agent is to notify the Commission within ten (10) days of opening the container. Failure to advise the Commission of individual items missing from the box/package within ten (10) days of the first item issued from that box/package will result in the entire contents of the box/package being considered as received by the agent and the agent will be held accountable for all items therein. When receiving inventory from another motor license agent, the items are to be verified against the system order. Once verified, the receiving agent is to change the order status to received and on hand.

(3) **Procedure for reporting discrepancies, missing items.** To report consignment discrepancies pursuant to the process outlined in this Section, a notarized affidavit of fact from the motor license agent is to be completed and submitted to the Motor Vehicle Division.

(4) **Procedure for mutilated or defective items.**

(A) **License plates.** Any license plate received that has a noticeable graphics error (i.e. discoloring, smearing, etc.) or is mis-numbered (i.e. out of sequence; duplicated number, etc.) is not to be issued, but returned to the Commission for inventory credit and cancellation.

(B) **Other items.** The remains of any registration decal that is of inferior quality (i.e. inadequate adhesive), or is torn or otherwise mutilated, must be returned to the Oklahoma Tax Commission for inventory credit and cancellation, accompanied by a statement of fact from the motor license agent.

(5) **Procedure for transferring accountable items to another agent.** When releasing accountable items to another agent, the releasing agent is to immediately notify the Motor Vehicle Division by telephone Supply Section via a system notification message. The agent originally consigned the accountable items is responsible for numbered items transferred to another agent until such time as the Division is notified of the transfer.

(6) **Agent liability for missing items.** Following an inventory audit, normally conducted in conjunction with a field audit, agents will be notified of any unaccounted for items and will be

given the opportunity to provide any information/documentation they may have relating to the items. Any numbered item for which the motor license agent remains unable to account for will be charged to the agent's account as a missing item. The missing item rate is based upon the average amount received throughout the state for that type of item during the period of time in which it became unaccountable, except for ~~tags~~ license plates and certain forms which have a fixed fee established. If a numbered item which a motor license agent is previously unable to account for is found by the Oklahoma Tax Commission to have been issued, the agent will be charged the amount the taxpayer remitted to the motor license agent.

(8) **Preservation of accountable items.** Agents are to never destroy or dispose of accountable items: which They must be properly reported as issued, reconsigned to another agent, or returned to the Motor Vehicle Division for credit and deletion from the agent's inventory.

(9) **Forms.** Forms supplied to agents by the Motor Vehicle Division are to be used only for the purposes for which they have been provided.

710:60-9-55. Missing items

A Motor License Agent shall ~~pay or account for all missing items no later than thirty (30) days after billing~~ respond within fifteen (15) days of receipt of a missing item notification issued by the Commission with all documentation and information relating to the disposition of the item(s).

PART 7. SPECIFIC REPORTING DUTIES

710:60-9-70. Reporting duties of motor license agent [REVOKED]

~~(a) **Semimonthly reports.** A Motor License Agent shall prepare semimonthly reports to be received by the Oklahoma Tax Commission no later than ten (10) working days after the cutoff day of the report.~~

~~(b) **Manner of reporting.** All items issued, transactions completed and deposit information must be entered into the Oklahoma Tax Commission computer system on a daily basis.~~

710:60-9-72. Semimonthly reporting procedure

(a) **Semimonthly reports.** Each motor license agent must submit semimonthly reports to the Tax Commission to properly account for all funds, regardless of source, received by a motor license agent in the performance of the agent's duties.

~~(a)(b) **Closing dates for report preparation.** Reports are to be ended on the fifteenth (15th) and the last day of each month. Report summary pages are to be generated from the computer system and included with the required report transaction documentation. Driver license transaction reporting guidelines are established by the Department of Public Safety. IRP (International Registration Plan) transaction reporting guidelines are established by the Corporation Commission.~~

~~(b)(c) **Transaction documents.** Semimonthly report transaction documentation is to be prepared and submitted to the Oklahoma Tax Commission in a manner outlined by the Motor Vehicle Division. The Division shall communicate any report preparation procedural changes to motor license agents in a timely manner.~~

~~(e)(d) **When reports due; penalties for late report.** All agents are to prepare semimonthly reports to be received by filed with the Oklahoma Tax Commission no later than ~~ten (10) working days after the cutoff date of the report~~ the twenty-fifth (25th) day of the month for the report ending on the fifteenth (15th) day of that month and the tenth (10th) day of the following month for the report ending on the last day of a month. When a report due date falls on a Saturday, Sunday, state holiday or federal holiday, the next business day becomes the due date for that report. If not received postmarked within that by the due date period, a penalty of 1% of the gross amount of the~~

report shall be assessed. The penalty increases to 3% should the report not be received postmarked within 5 days of the due date.

(e) Sufficiency of semimonthly reports. To comply with the reporting requirement, the reports filed with the Oklahoma Tax Commission must include system generated remittance pages and all supporting individual transaction documentation. Any such semimonthly report that does not include these minimum requirements shall not constitute the mandatory report. In the event a proper semimonthly report is not filed on or before the due dates, in accordance with (d) of this Section, the report shall be delinquent.

PART 9. SPECIFIC FISCAL DUTIES

710:60-9-90. Deposit of monies

(a) **Funds due the Oklahoma Tax Commission.** A motor license agent shall deposit all monies which the agent is required to account for and pay over to the Commission in an Oklahoma Tax Commission Motor License Agency Account (~~designed~~ designated for each agency) within one (1) banking day of collection and ~~prepare an advice of deposit which is to be submitted to the Oklahoma Tax Commission in the manner prescribed by the Commission.~~ The motor license agent is to enter all required deposit information into the Oklahoma Tax Commission's deposit entry system by the end of the same business day the deposit is made to the bank. The monies belonging to the Oklahoma Tax Commission are not to be deposited to any account except the Oklahoma Tax Commission Motor License Agent Account.

(b) **Motor license agent fee retention.** The fees to be retained by the motor license agent as compensation shall not be deposited in the Oklahoma Tax Commission Motor License Agent Account. Should the motor license agent not have enough cash receipts to withhold the statutorily authorized agent's fee for the transactions reflected in the deposit being made, the motor license agent may designate on the Oklahoma Tax Commission Motor License Agent Account deposit slip the amount necessary to make up the difference as "Less Cash Received". Only the amount necessary to allow for the retention of the statutorily authorized motor license agent's fees for the transactions reflected in the deposit being made may be deducted from the Oklahoma Tax Commission deposit.

710:60-9-91. Advice of deposits and depositing procedure

(a) **Agent to establish Oklahoma Tax Commission motor license agency account.** Every motor license agent shall establish an Oklahoma Tax Commission bank account in a bank or bank authorized to do a banking business in this state. At any time that collected receipts total One Hundred Dollars (\$100.00) or more, all funds due the Oklahoma Tax Commission must be deposited into this account within one banking day of collection.

(b) **Agent to establish motor license agency operational account.** In addition, an operational account must be established in which all other funds received by a motor license agent in the performance of his or her duties shall be deposited and shall not be commingled with any other funds.

(c) ~~Advice of deposit slips to be typewritten.~~ ~~Advice of Deposit slips, padded in duplicate, are consigned to agents by the Oklahoma Tax Commission to be used for making deposits into the Oklahoma Tax Commission account. All slips must be typed, with the agent's number and date of collection listed.~~ Entry of deposit information. The motor license agent is to record deposits made to their Oklahoma Tax Commission depository account by entering all required information into the Oklahoma Tax Commission's deposit entry system by the end of the same business day the deposit is made to the bank.

~~(d) **Distribution of copies; record retention; update of computer data.** One copy, after being stamped or initialed by the bank, is to be submitted to the Oklahoma Tax Commission, Motor Vehicle Division in the manner prescribed by the Commission. The agent is to retain a copy as a permanent record. It is suggested that the agent's copies be filed with the agent's copy of the semimonthly report to which they pertain. Agents are required to enter all Advice of Deposit information to the Oklahoma Tax Commission MLA deposit entry system immediately following deposit of the described funds.~~

~~(e)~~(d) **Reconciliation with semimonthly report.** All Advice of Deposits deposits that apply to a particular semimonthly report ~~should~~ shall be listed on that report's remittance slip. If the total of the Advice of Deposit slips does not equal the semimonthly report amount, a supplemental deposit in the amount of the shortage must be made within one banking day of the close of the report period. The amount of any supplemental deposit will not be significant since the total of the daily deposits for a report period should be very close, if not equal to, the report total. Any discrepancy between the deposit and report totals must be detailed by the agent on the report remittance slip.

~~(f)~~(e) **Checks.** Payment by check shall be accepted, unless the applicant is within a penalty period, in which case acceptance of a check by the agent is optional. All checks received must be made payable to the Oklahoma Tax Commission and must include either the driver license number or Department of Public Safety identification number of the remitter. ~~The agent is not required to accept payment by check when late registration penalties are due.~~ Postdated checks cannot be accepted.

~~(g)~~(f) **Insufficient checks.** Should an agent's bank notify them of an insufficient check being deposited into the Oklahoma Tax Commission account, the agent must redeposit monies into the account to offset the debit. No Advice of Deposit is needed since the amount has already been included in a previous one.

~~(h)~~(g) **Change of bank.** If changing banks, the agent must request new banking papers from the Oklahoma Tax Commission. The new banking papers must be completed and returned to the Oklahoma Tax Commission before making any deposit in the new bank.

~~(i)~~(h) **Penalties for late deposits.** If funds due the Oklahoma Tax Commission are not deposited to the Oklahoma Tax Commission account within one banking business day of collection, a penalty of 1% of the deposited amount will be assessed. If the deposit is not made within five days of collection, the penalty increases to 3% of the deposit amount due.

~~(j)~~(i) **Penalties incurred not a part of agency operating expenses.** Any motor license agent who pays a penalty for failure to make timely payments may not allocate that payment as a part of operating expenses, but must use personal funds for payment of the penalty.

710:60-9-92. Procedure for use of remittance slip in making deposits, corrections, adjustments, and reconciliations

(a) **Use of Oklahoma Tax Commission computer-generated remittance slip.** The remittance slip is a four purpose form. It serves as an overall reconciliation statement on an agent's individual report against deposits applied to that report.

(1) **Deposits.** All deposits, debit card and credit card remittances that apply to a specific report should be listed and totaled where indicated on the remittance slip. Should the total deposits ~~purposely~~ not equal the report total, the filing agent is to indicate the amount long or short and list detail the reason(s) for the discrepancy in the section provided on the remittance slip.

(2) **Corrections.** A deposit correction entry may result from the depository account bank reconciliation performed by the Motor Vehicle Division.

(3) **Adjustments.** Monetary adjustments may be required in the Motor Vehicle Division audit process. Any audit adjustment will be explained in a notice to the agent. Audit notices

should be reviewed upon receipt by the agent and questions or concerns directed to the Division.

(4) **Reconciliations.** The Division will complete a reconciliation of the remittance slip, summarizing total deposits versus total taxes and fees due the Commission for the period, and incorporating any Division adjustments. ~~An overall balance due agent or Commission for the report will be established and noted on the remittance slip.~~ The balance due agent or Commission listed on a particular remittance slip is for that report only. ~~It is not a cumulative fiscal year total.~~

(b) **Procedures for common problem situations.**

(1) **Shortage resulting from failure to collect proper fees.** Upon receiving notification of a failure to collect the proper tax and/or fee amount, the agent should contact the taxpayer with an explanation and request for payment. Upon receipt of payment, the agent should deposit the money into the Oklahoma Tax Commission account, issue the appropriate transaction receipt to the taxpayer as proof of payment and notify the Division of the collection.

(2) **Shortage resulting from inadequate documentation.** Upon receiving notification of failure to provide proper supporting documentation for a reduced or special rate, the agent must either collect and send in the documentation for review and cancellation of the notification by the Division, or contact the taxpayer for the additional amount due. Credit will be given if the documentation justifies withdrawal of the assessment.

(3) **Requests for credit resulting from encoding errors or failures.** If an agent requests credit for additional fees reflected in error on semimonthly reports as a result of failure to encode a special code or exemption, consideration will be made upon receipt of a statement of fact from the taxpayer denoting fees actually paid to the tag agent.

710:60-9-94. Procedures for reporting and collecting returned dishonored checks on OTC transactions

The following procedures should be followed in the event a check deposited by a motor license agent is returned unpaid.

(1) **Notice of returned check.** The bank should notify the agent that they are holding an unpaid item. The agent must make two (2) attempts to redeem the check through the depository bank. Should the bank refuse to accept the dishonored check a second (2nd) time, it shall be treated as if two (2) attempts had been were made. ~~The agent, in turn, has the option of picking up the check with cash or reducing the amount of his next deposit. The check should be picked up from the bank as soon as notification is received. Form 774 A is to be completed and immediately sent to the maker of the dishonored check. The agent shall retrieve the check immediately from the bank utilizing one of the following methods:~~

(A) The agent may utilize current funds due the OTC to reimburse the bank for the dishonored check and immediately forward the check and supporting documentation to the Commission for review and credit. If not received by the Commission within five (5) business days of retrieval, the OTC funds utilized will be considered delinquent and the delinquent depositing penalties outlined in 47 OS § 1142 shall apply.

(B) The agent may utilize personal funds to reimburse the bank for the dishonored check and attempt collection from the taxpayer for a period of thirty (30) days, as set forth below.

(2) **Procedure for collection of returned dishonored check; applicable penalties; taxpayer liability.** An initial returned check fee of \$25.00 is to be charged to the maker of a returned dishonored check, after an attempt has been made to deposit the check twice. Should payment for the check be subsequently collected by any motor license agent, that agent may retain the \$25.00 returned check fee. Any accrued penalty to date of collection is to be

assessed. The taxpayer is notified to ~~immediately~~ remit payment immediately to the tag office. If the agent's collection attempts on a check retrieved from the depository bank with personal funds are unsuccessful, the agent shall send to the Oklahoma Tax Commission The insufficient the dishonored check, agent's file copies of documents on which the check was issued, and a copy of the notification to the taxpayer is to be sent to the Oklahoma Tax Commission within thirty (30) days of retrieval from the depository bank, if the agent cannot collect the check. Upon receipt of the required documentation, the Commission will issue credit to the agent's account in the full amount of the check. The security verification form is to be retained in the tag office along with photocopies of all documents issued. In the event the taxpayer returns all items issued by the motor license agent, the insufficient check is not to be returned to the taxpayer. Return of these items does not relieve the taxpayer of responsibility to remit the proper fees to the State of Oklahoma.

(3) ~~Procedure to obtain credit to agent's account~~ **Subsequent subsequent tender of payment.** ~~The Tax Commission will then issue credit to the agent's account in the full amount of the transaction(s) for which the check was remitted. After the documents and the insufficient dishonored check have been sent in for credit, forwarded to the Motor Vehicle Division, the agent shall not accept payment is not to be accepted from the registrant without calling contacting the Motor Vehicle Division for instructions. The returned check and the copies of the documents on which the check was issued will be processed and forwarded to the Collections Division for collection. The statutes require that an agent accept a check one time. Statutes further stipulate that an agent is not required to take a check when the applicant is within a penalty period. Postdated checks are not to be accepted.~~

(4) **Tag or decal may be held.** The motor vehicle agent may hold a tag or decal until the taxpayer's check has cleared the bank.

(5) **Insufficient Dishonored checks to be forwarded to the Oklahoma Tax Commission; time limits.** Dishonored checks for which the agent utilizes OTC funds to retrieve from the depository bank are to be forwarded immediately to the Oklahoma Tax Commission. All ~~insufficient~~ dishonored checks retained by the agent for attempted collection and for which payment is not received are to be sent into to the Oklahoma Tax Commission no later than thirty (30) days after the date picked up from the bank. Further delays in processing may prevent collection.

(6) **Purchaser not responsible.** The purchaser of a vehicle shall not be required, as a condition for registration of the vehicle, to pay any tax, fee or penalty due resulting from a dishonored check submitted by the previous owner.

PART 11. AGENCY OPERATION

710:60-9-120. Summary of operational requirements

The following is a summary of operational requirements for agents and agencies:

(1) Agents are required to operate the agency forty (40) hours a week, of which at least four (4) hours are after normal business hours or on Saturday. The number of operating hours required of a specific agency may be reduced upon written approval from the Oklahoma Tax Commission.

(2) Agents are required to collect fees as outlined by state statute, and issue all documents (i.e. license plates, registration decals, title certificates) prescribed by the Oklahoma Tax Commission. Additionally, an agent must issue all titles and liens, boats and motors titles - registrations, etc., prescribed by the Oklahoma Tax Commission.

(3) Agents are required to deposit all monies required by the Commission into the designated Oklahoma Tax Commission bank account within one (1) banking day of collection, preparing

an Advice of Deposit which is to be submitted to the Oklahoma Tax Commission in the manner prescribed by the Commission.

(4) Agents are required to prepare semimonthly reports to be received by the Oklahoma Tax Commission ~~no later than ten (10) working days after the cutoff day of the report~~ within the time frame outlined in Section 710:60-9-72.

(5) Agents must perform all necessary inspections required by the Oklahoma Tax Commission motor license agents manual.

(6) Agents are required to provide a notary within their agency.

(7) Agents are required to insure that all transactions are processed and entered to the Oklahoma Tax Commission computer system on a daily basis.

(8) The Advice of Deposit shall be submitted to the Oklahoma Tax Commission, Motor Vehicle Division in the manner prescribed by the Commission. Advice of Deposit information is to be entered to the Oklahoma Tax Commission MLA deposit entry system immediately following depositing of the funds.

(9) Agents are responsible for errors in tax computations and/or fee computations and collections as determined by the Commission.

(10) A motor license agent shall follow the process and procedures set forth in Section 710:60-9-94 for reporting and collecting dishonored checks on Tax Commission transactions. ~~reimburse the Oklahoma Tax Commission depository account for all dishonored checks which have been deposited to the account. The account is not to be charged. Dishonored checks that cannot be collected by the agent within thirty (30) days of retrieval from the depository bank are to be forwarded to the Oklahoma Tax Commission for credit and appropriate collection efforts.~~

(11) Agents are required to maintain files of all receipts and required reports issued by their office, including those of a former agent, if applicable, for at least two (2) years. Transaction receipts are to be maintained in ascending receipt number order.

(12) Agents must pay or account for all missing items identified by an inventory audit ~~no later than thirty (30) days after billing.~~

(13) Agents shall not issue license plates, registration decals, receipts, or any type of document until payment of all applicable taxes and fees has been received in full. Payment may be made by cash, money order, personal or company check, cashier's check, or by a nationally recognized credit or debit card. The Tax Commission shall determine which nationally recognized credit or debit cards will be required to be accepted by motor license agents, ensuring no loss of state revenue results from their use. All checks and money orders are to be made payable to the Oklahoma Tax Commission.

(14) Agents are required to maintain strict compliance with the Motor Vehicle Licensing and Registration Act and with the rules, regulations, fee schedule, and procedures as set forth in the Motor License Agents Manual of Procedure and instructional material periodically issued by the Tax Commission.

(15) Agents are responsible for keeping abreast of, as well as implementing, statutory and procedural changes and instructions issued by the Tax Commission. Annual area schools conducted by the Commission are an important component in disseminating such instruction. Area school attendance is not mandatory, unless specifically mandated by the Commission, but is strongly encouraged.

(16) Agents are required to post the Public Notice Fee Chart, in addition to any other required public notices provided by the Tax Commission, in a conspicuous location in the agency.

(17) All customers' checks are to be made payable to: Oklahoma Tax Commission. One of the following identifying numbers must be listed on the face of the check: the remitter's driver license number, or a Department of Public Safety identification number.

(18) Motor license agents are authorized to perform additional duties as directed by the Tax Commission, in compliance with Oklahoma statutory guidelines.

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 3. Registration and Licensing

710:60-3-10. General registration information [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken consistent with existing policy regarding when a vehicle may be renewed.
- (b.) **Classes Affected:** Certain vehicle registrants and motor license agents.
- (c.) **Persons Benefited:** Certain vehicle registrants and motor license agents.
- (d.) **Probable Economic Impact:**
1. **On Affected Classes:** No economic impact based on this rule change is anticipated.
 2. **On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 3. **Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 3. Registration and Licensing

710:60-3-17. Liability insurance [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to implement the provisions of Senate Bill 246 [2015] which modified the procedures for substantiating insurance coverage when registering a motor vehicle.
- (b.) **Classes Affected:** Motor vehicle registrants and motor license agents.
- (c.) **Persons Benefited:** Motor vehicle registrants and motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 3. Registration and Licensing

710:60-3-27. Registration renewal notification [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to be consistent with the Commission's anticipated change from a postcard to a letter for purposes of motor vehicle registration renewal notification.
- (b.) **Classes Affected:** Recipients of mailed registration renewal notices.
- (c.) **Persons Benefited:** Recipients of mailed registration renewal notices.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 3. Registration and Licensing

710:60-3-70. Noncommercial vehicles [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken consistent with the provisions of Senate Bill 255 which provided a definition of “*Autocycle*”. The definition of “*Moped*” was also added in accordance with current statutory provisions.
- (b.) **Classes Affected:** Autocycle and moped owners.
- (c.) **Persons Benefited:** Autocycle and moped owners.
- (d.) **Probable Economic Impact:**
1. **On Affected Classes:** No economic impact based on this rule change is anticipated.
 2. **On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 3. **Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 3. Registration and Licensing

710:60-3-111. Miscellaneous vehicles; definitions [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to administer the provisions of Senate Bill 331 relating to the payment of certain license fees for intercity and intracity motor buses. This Section has also been amended to outline Commission policy relating to the excise tax treatment of and registration requirements for amphibious vehicles.
- (b.) **Classes Affected:** Certain bus registrants and owners of amphibious vehicles.
- (c.) **Persons Benefited:** Certain bus registrants and owners of amphibious vehicles.
- (d.) **Probable Economic Impact:**
1. **On Affected Classes:** No economic impact based on this rule change is anticipated.
 2. **On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 3. **Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment—either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 3. Registration and Licensing

710:60-3-113. Former military vehicle registration [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to set forth Commission policy relating to the registration mark for former military vehicles.
- (b.) **Classes Affected:** Owners of Former Military Vehicles.
- (c.) **Persons Benefited:** Owners of Former Military Vehicles.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment—either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 5. Motor Vehicle Titles

710:60-5-2. Types of certificates [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to set forth the title numbering system implemented pursuant to utilization by the Tax Commission of a new integrated computer system effective March 16, 2015.
- (b.) **Classes Affected:** Holders of certificates of title.
- (c.) **Persons Benefited:** Holders of certificates of title.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment—either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 5. Motor Vehicle Titles

710:60-5-71. General provisions; assignments; liens; registration; notice of transfer [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to implement the provisions of Senate Bill 339 which provides an exception to the requirement for a notarized signature on a certificate of title when there is a transfer of the ownership of a vehicle to an insurer resulting from the settlement of a total loss claim.
- (b.) **Classes Affected:** Retail implement dealers assigning ownership of certain vehicle types and insurance companies accepting titles on vehicles following a total loss settlement.
- (c.) **Persons Benefited:** Retail implement dealers assigning ownership of certain vehicle types and insurance companies accepting titles on vehicles following a total loss settlement.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 5. Motor Vehicle Titles.

Part 7. Transfer of title

710:60-5-77. Transfer of title upon death [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to clarify provisions regarding vehicle transfers utilizing a Small Estate Affidavit.
- (b.) **Classes Affected:** Persons transferring vehicle ownership pursuant to a Small Estate Affidavit.
- (c.) **Persons Benefited:** Persons transferring vehicle ownership pursuant to a Small Estate Affidavit.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment – either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 5. Motor Vehicle Titles

710:60-5-91. Affidavit of assembly and ownership [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to provide for the new vehicle make designation for an assembled vehicle on a certificate of title.
- (b.) **Classes Affected:** Applicants for title to assembled vehicles.
- (c.) **Persons Benefited:** Applicants for title to assembled vehicles.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 5. Motor Vehicle Titles

710:60-5-95. Repossession affidavit (OTC Form 737) [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to clarify the documentation required for purposes of a repossession affidavit.
- (b.) **Classes Affected:** Lenders and taxpayers processing vehicle lien releases.
- (c.) **Persons Benefited:** Lenders and taxpayers processing vehicle lien releases.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 5. Motor Vehicle Titles

710:60-5-117. Releasing liens [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to clarify the documentation required for purposes of a repossession affidavit.
- (b.) **Classes Affected:** Lenders and taxpayers processing vehicle lien releases.
- (c.) **Persons Benefited:** Lenders and taxpayers processing vehicle lien releases.
- (d.) **Probable Economic Impact:**
1. **On Affected Classes:** No economic impact based on this rule change is anticipated.
 2. **On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 3. **Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 7. Motor Vehicle Excise Tax

710:60-7-5. Licensed dealer exemptions [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to update provisions regarding status designation on titles for new dealer vehicles temporarily registered for personal use by an individual.
- (b.) **Classes Affected:** Dealers temporarily registering vehicles under the referenced provisions.
- (c.) **Persons Benefited:** Dealers temporarily registering vehicles under the referenced provisions.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment – either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 7. Motor Vehicle Excise Tax

710:60-7-9. Retail Implement Dealer [New]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to implement the provisions of Senate Bill 339 [2015] which provides an exception to the requirement for a notarized signature on a certificate of title when there is a transfer of the ownership of a vehicle to an insurer resulting from the settlement of a total loss claim.
- (b.) **Classes Affected:** Retail implement dealers assigning ownership of certain vehicle types and insurance companies accepting titles on vehicles following a total loss settlement.
- (c.) **Persons Benefited:** Retail implement dealers assigning ownership of certain vehicle types and insurance companies accepting titles on vehicles following a total loss settlement.
- (d.) **Probable Economic Impact:**
1. **On Affected Classes:** No economic impact based on this rule change is anticipated.
 2. **On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 3. **Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment—either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-14. Responsibility for agency shortages [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to provide for expedited payment procedures relating to motor license agents owing amounts determined to be due pursuant to a field audit conducted by the Tax Commission and to state the actions that may be taken by the Commission as a result of audit discrepancies. Additionally the referenced rule provision has been amended to set forth the application of the penalty imposed in accordance with Section 1142 of Title 47 to the underpayment by motor license agents of taxes and fees to the Commission.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment – either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-54. Ordering supplies and inventory control of accountable items [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been taken to set forth the revised motor license agent procedures for ordering Oklahoma Tax Commission supplied inventory items and inventory accountability.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-55. Missing items [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to revise the period in which motor license agents must respond to a notification regarding missing inventory items.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-70. Reporting duties of motor license agent [Revoked]

710:60-9-72. Semimonthly reporting procedure [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to consolidate and revise the current procedures for semimonthly reporting by motor license agents.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-90. Deposit of monies [Amended]

710:60-9-91. Advice of deposits and depositing procedure [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to update the provisions regarding the requirement imposed upon motor license agents to enter deposit information into their respective OTC depository accounts.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment—either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-92. Procedure for use of remittance slip in making deposits, corrections, adjustments, and reconciliations [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been taken to delete outdated language consistent with existing policy.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-94. Procedures for reporting and collecting returned checks on OTC transactions [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken to state the time frame in which required documentation must be sent to the Oklahoma Tax Commission by a motor license agent in relation to a dishonored check accepted by the agent in payment of motor vehicle taxes and fees. The Section has also been amended to revise the parameters under which a credit may be allowed motor license agents for dishonored checks.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
1. **On Affected Classes:** No economic impact based on this rule change is anticipated.
 2. **On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 3. **Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
- (k.) **Date:** January 12, 2016 **Date Modified:** N/A
- (l.) **Prepared by:** Joe Lunn **Phone Number:** 521-2818

OKLAHOMA TAX COMMISSION
Rule Impact Statement
CHAPTER 60. Motor Vehicles

RULE IMPACT STATEMENT: This statement is provided in conjunction with the following rulemaking action(s):

Subchapter 9. Motor Vehicle License Agents/Agencies

710:60-9-120. Summary of operation requirements [Amended]

- (a.) **Purpose of the Proposed Rule:** This rulemaking action has been undertaken consistent with other proposed changes to the provisions dealing with motor license agent operations.
- (b.) **Classes Affected:** Motor license agents.
- (c.) **Persons Benefited:** Motor license agents.
- (d.) **Probable Economic Impact:**
- 1. On Affected Classes:** No economic impact based on this rule change is anticipated.
 - 2. On Political Subdivision:** The amendment is not expected to adversely impact other political subdivisions of the State.
 - 3. Fees:** The rulemaking action does increase an existing fee.
- (e.) **Probable Costs to the Agency:** Costs to promulgate and enforce the proposed rule will be funded through normal agency budget. No measurable impact on State revenues is anticipated.
- (f.) **Will the Rule Impact Political Subdivisions?** No economic impact on or need for cooperation from political subdivisions is anticipated.
- (g.) **Small Business Impact:** After consideration with reference to Section 303(A)(4) and 303(B)(6) of Title 75, it is believed that the proposed rule will have no adverse impact upon Small Business.
- (h.) **Alternative Methods and Costs of Compliance:** There are no less costly or non-regulatory methods or less intrusive methods for achieving the purpose of this proposed rule. No formalized compliance cost minimization measures have been pursued.
- (i.) **Public Health/Safety/Environmental Concerns:** The proposed rules are not anticipated to have any effect on public health, safety, or the environment –either beneficial or otherwise.
- (j.) **Effect of Non-Implementation on Environment:** If the proposed rules are not promulgated, no effect on the public health, safety, or the environment will result.
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