

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 998, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Standridge

Standridge-QD-FS-Req#1943
3/2/2021 12:10 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 998

By: Standridge of the Senate

and

Osburn of the House

7
8 FLOOR SUBSTITUTE

9 [Oklahoma Vehicle License and Registration Act -
10 electronic certificates of title and associated liens
11 - electronic documents and signatures - codification
12 - effective date]

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1105A of Title 47, unless there
16 is created a duplication in numbering, reads as follows:

17 A. On or before July 1, 2022, the Oklahoma Tax Commission shall
18 implement a program which will permit the electronic filing, storage
19 and delivery of motor vehicle certificates of title and allow a
20 lienholder to perfect, assign and release a lien on a motor vehicle
21 in lieu of submission and maintenance of paper documents as
22 otherwise provided in the provisions of Section 1101 et seq. of
23 Title 47 of the Oklahoma Statutes. The Tax Commission shall
24 designate a vendor or vendors, subject to the provisions of the

1 Oklahoma Central Purchasing Act, Section 85.1 et seq. of Title 74 of
2 the Oklahoma Statutes, to provide necessary hardware, software and
3 services to motor license agents who shall provide an electronic
4 filing, storage and delivery system to be used by applicants for a
5 certificate of title and for filing or releasing a lien pursuant to
6 the procedures prescribed by the Oklahoma Tax Commission. The
7 provisions of this section shall apply to applications for
8 certificates of title and liens filed after June 30, 2022. The Tax
9 Commission shall promulgate rules to implement the provisions of
10 this section.

11 B. The program authorized under subsection A of this section
12 shall include, but not be limited to, procedures:

13 1. For the delivery of a certificate of title, on a paper
14 document or in an electronic format, to the secured party having the
15 primary perfected security interest in a vehicle in lieu of delivery
16 to the record owner, notwithstanding the provisions of Section 1101
17 et seq. of Title 47 of the Oklahoma Statutes. Provided, when
18 electronic transmission of liens and lien satisfactions is used, a
19 certificate of title need not be issued or printed until the last
20 lien is satisfied and a clear certificate of title is issued to the
21 owner of the vehicle at their request;

22 2. Establishing qualifications for third-party service
23 providers offering electronic lien services;

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1 3. Establishing reasonable fees, if necessary, to be charged by
2 service providers or contractors for the establishment, maintenance
3 and operation of the electronic lien title program;

4 4. Providing access to the electronic certificate of title
5 records including liens on record, for licensed motor vehicle
6 dealers and lienholders who participate in the program
7 notwithstanding the provisions of Section 1109 of Title 47 of the
8 Oklahoma Statutes;

9 5. Allowing motor license agents to participate in the
10 electronic lien title program. Participating motor license agents
11 shall receive all fees provided by the Oklahoma Vehicle License and
12 Registration Act unless otherwise provided in Section 1132A of Title
13 47 of the Oklahoma Statutes; and

14 6. For the acceptance and use of electronic or digital
15 signatures.

16 C. As used in this section and Section 1101 et seq. of Title 47
17 of the Oklahoma Statutes:

18 1. "Deliver" or "delivery" means, with respect to a certificate
19 of title or lien, either the physical delivery of a paper document
20 or the electronic delivery of a document in an electronic format;

21 2. "Electronic format" means an electronic or digital format or
22 medium of any document, record or other information; and
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1 3. "Possess" or "possession" means, with respect to a
2 certificate of title or lien, to hold or otherwise exercise control
3 over a document which is in either a physical or electronic format.

4 D. Any documents created, stored or delivered under the
5 electronic lien title program as provided in this section shall be
6 considered valid including any signatures which are generated
7 electronically or contained on a scanned copy. A certified copy of
8 the Oklahoma Tax Commission's electronic record of a motor vehicle
9 certificate of title or lien is admissible in any civil, criminal or
10 administrative proceeding in this state as evidence of the existence
11 and contents of the certificate of title or lien.

12 E. The Tax Commission is authorized to expend funds necessary
13 for the implementation of the program provided in subsection A of
14 this section from available monies in the Oklahoma Tax Commission
15 and Office of Management and Enterprise Services Joint Computer
16 Enhancement Fund created pursuant to Section 265 of Title 68 of the
17 Oklahoma Statutes.

18 SECTION 2. This act shall become effective November 1, 2021.

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20 58-1-1943 QD 3/2/2021 12:10:30 PM

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