

1 **SENATE FLOOR VERSION**

2 February 24, 2021

3 **AS AMENDED**

4 SENATE BILL NO. 998

By: Standridge of the Senate

and

Osburn of the House

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

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

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

16 A. On or before July 1, 2022, the Oklahoma Tax Commission shall  
17 implement a program which will permit the electronic filing, storage  
18 and delivery of motor vehicle certificates of title and allow a  
19 lienholder to perfect, assign and release a lien on a motor vehicle  
20 in lieu of submission and maintenance of paper documents as  
21 otherwise provided in the provisions of Section 1101 et seq. of  
22 Title 47 of the Oklahoma Statutes. The Tax Commission shall  
23 designate a vendor or vendors, subject to the provisions of the  
24 Oklahoma Central Purchasing Act, Section 85.1 et seq. of Title 74 of

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

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

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

21 2. Establishing qualifications for third-party service  
22 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; and

11 6. For the acceptance and use of electronic or digital  
12 signatures.

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

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

18 2. "Electronic format" means an electronic or digital format or  
19 medium of any document, record or other information; and

20 3. "Possess" or "possession" means, with respect to a  
21 certificate of title or lien, to hold or otherwise exercise control  
22 over a document which is in either a physical or electronic format.

23 D. Any documents created, stored or delivered under the  
24 electronic lien title program as provided in this section shall be

1 considered valid including any signatures which are generated  
2 electronically or contained on a scanned copy. A written or printed  
3 report of a transaction or recording related to vehicles in an  
4 electronic format, if certified as true and correct by the Oklahoma  
5 Tax Commission, shall serve as evidence of any signature  
6 acknowledgment, or information which was provided to or by the Tax  
7 Commission through electronic means, and the certification shall be  
8 admissible in any legal proceeding as evidence of the facts stated  
9 therein.

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

11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
12 February 24, 2021 - DO PASS  
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