

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	SB 998
Version:	CS
Request Number:	8158
Author:	Rep. Osburn
Date:	4/15/2021
Impact:	Tax Commission

Implementation Cost Estimate:
\$850,000

Research Analysis

The Committee Substitute to SB 998 directs the Oklahoma Tax Commission (OTC) to implement a program providing for the electronic storage of and filing of motor vehicle certificates of title and allow a lienholder to perfect, assign and release a lien on a motor vehicle in lieu of submission and maintenance of paper documents. The OTC is to enter into competitive contracts with qualified third-party service providers to provide the necessary infrastructure for such a program. The measure provides for participating tag agents to receive all fees provided by the Oklahoma Vehicle License and Registration Act notwithstanding current law. The OTC is also authorized to expend monies from the Oklahoma Tax Commission and Office of Management and Enterprise Services Joint Computer Enhancement Fund to implement the provisions of the measure.

Prepared By: Brad Wolgamott

Fiscal Analysis

Analysis provided by the Tax Commission:

Section 1 proposes to create a new Section 1105A in Title 47 which requires the OTC, on or before July 1, 2022, to implement a program which will permit the electronic filing, storage and delivery of motor vehicle certificates of title and allow a lienholder to perfect, assign and release a lien on a motor vehicle in lieu of submission and maintenance of paper documents as otherwise provided in Section 1101 of Title 47 of the Oklahoma Statutes. It directs OTC to designate a vendor(s), subject to the provisions of The Oklahoma Central Purchasing Act¹, to provide necessary hardware, software and services to motor license agents who shall provide an electronic filing, storage and delivery system to be used by all applicants for a certificate of title and for filing or releasing a lien pursuant to the procedures prescribed by the OTC. The provisions of this Section shall only apply to applications for certificates of titles and liens filed on or after June 30, 2022. The Tax Commission is directed to promulgate rules to implement the provisions of this Section.

It further provides that the electronic lien title program authorized in subsection (A) shall include but not be limited to, procedures:

- For the delivery of certificate of title, on a paper document or in an electronic format, to the secured party having the primary perfected security interest in a vehicle in lieu of delivery to the record owner, notwithstanding the provisions of 47 O.S. §§1101 et seq. Provided, when electronic transmission of liens and lien satisfactions is used, a certificate of title need not be issued or printed until the last lien is satisfied and a clear certificate of title is issued to the vehicle owner upon request;
- Establishing qualifications for third-party service providers offering electronic lien services;
- Establishing reasonable fees, if necessary, to be charged by service providers or contractors for the establishment, maintenance and operation of the electronic lien title program;
- Providing access to the electronic certification of title records including liens on record, for licensed motor vehicle dealers and lienholders who participate in the program notwithstanding the provisions of 47 O.S. §1109;
- Allowing motor license agents to participate in the electronic lien title program. Participating motor license agents shall receive all fees provided by the Oklahoma Vehicle License and Registration Act unless otherwise provided in 47 O.S. § 1132A; and
- For the acceptance and use of electronic or digital signatures.

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Other Considerations

None.