

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 359

By: Coleman

AS INTRODUCED

An Act relating to motor vehicles; defining terms; allowing Service Oklahoma to provide a list of open recalls for vehicles with motor vehicle registration and notify certain vehicle owners; providing for contents of notice; providing for protection against certain liability; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12-103 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Executive Director" means the Executive Director of Service Oklahoma; and

2. "Open recall" means a safety-related recall, for which notification by a manufacturer is required to be provided by federal law, that necessitates repairs or modification to a motor vehicle by an authorized motor vehicle dealer. For purposes of this section, open recall shall not include:

- 1 a. recalls related to defects or failures to comply with
2 requirements relating to labeling or notification in a
3 motor vehicle owner's manual, or
4 b. recalls for which the remedy is for the manufacturer
5 to repurchase the motor vehicle or otherwise provide
6 financial compensation to the owner of the vehicle.

7 B. Service Oklahoma may, prior to issuing a motor vehicle
8 registration or mailing a motor vehicle registration renewal notice,
9 check information made available by the National Highway Traffic
10 Safety Administration to determine whether the motor vehicle is
11 subject to an open recall. For a vehicle that is subject to one or
12 more open recalls, Service Oklahoma may provide the owner of the
13 motor vehicle written notice of all open recalls applicable to the
14 motor vehicle. The recall notice may be provided at the time the
15 vehicle is registered, except that for registrational renewals, the
16 recall notice may be included in the registration renewal notice.

17 The recall notice shall include the following:

- 18 1. A description of each open recall; and
19 2. A statement that each open recall may be repaired by a motor
20 vehicle dealer approved by the manufacturer of the motor vehicle at
21 no cost to the owner of the motor vehicle, except as provided in 49
22 U.S.C., Section 30120.

1 C. Nothing in this section shall alter the liability under law
2 of any motor vehicle manufacturer or motor vehicle dealer approved
3 by the manufacturer to repair an open recall.

4 D. The Executive Director, employees, or licensed operators
5 within Service Oklahoma who are designated by the Executive
6 Director, for the purposes of discharging their duties pursuant to
7 this section, shall not be liable to any person for any act or
8 omission related to the open recall notice provided pursuant to this
9 section, except for cases of gross negligence.

10 SECTION 2. This act shall become effective November 1, 2025.

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