

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1198

6 By: Hardin

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to veterans; requiring the Oklahoma
10 Department of Veterans Affairs to create a veterans'
11 registry; requiring the registry contain certain
12 information; authorizing the Department to promulgate
13 rules; defining term; amending 29 O.S. 2011, Sections
14 4-110, as amended by Section 1, Chapter 286, O.S.L.
15 2013, 4-112, as last amended by Section 1, Chapter
16 165, O.S.L. 2015, 4-114, as amended by Section 1,
17 Chapter 112, O.S.L. 2014 and 4-140 (29 O.S. Supp.
18 2016, Sections 4-110, 4-112 and 4-114), which relate
19 to hunting and fishing licenses; requiring veteran
20 registration for certain annual fishing license
21 exemption; requiring veteran registration for certain
22 annual hunting license exemptions; requiring veteran
23 registration for certain lifetime license discount;
24 requiring veteran registration for certain wildlife
stamp requirement exemption; providing exceptions;
directing the Oklahoma Wildlife Conservation
Commission to promulgate necessary rules; amending
Section 1, Chapter 261, O.S.L. 2013 (29 O.S. Supp.
2016, Section 5-203.2), which relates to restrictions
on laser sighting devices; requiring veteran
registration as a condition for certain exemption;
directing the Oklahoma Wildlife Conservation
Commission to promulgate necessary rules; amending
Section 1, Chapter 45, O.S.L. 2015 (40 O.S. Supp.
2016, Section 801), which relates to the Voluntary
Veterans' Preference Employment Policy Act; modifying
definition; amending 47 O.S. 2011, Section 6-101, as
last amended by Section 1, Chapter 180, O.S.L. 2016
(47 O.S. Supp. 2016, Section 6-101), which relates to

1 driver licenses; requiring veteran registration for
2 driver license renewal fee exemption; providing
3 exception; amending Section 1, Chapter 330, O.S.L.
4 2012, as last amended by Section 1, Chapter 113,
5 O.S.L. 2014 (47 O.S. Supp. 2016, Section 6-124),
6 which relates to veteran designations on licenses and
7 identification cards; requiring veteran registration
8 for veteran designation; providing exception;
9 directing the Department to promulgate necessary
10 rules; amending 68 O.S. 2011, Section 1357, as last
11 amended by Section 18, Chapter 54, O.S.L. 2015 (68
12 O.S. Supp. 2016, Section 1357), which relates to
13 sales tax exemption; requiring veteran registration
14 for certain sales tax exemption; directing the Tax
15 Commission to promulgate necessary rules; amending 68
16 O.S. 2011, Section 2105, as last amended by Section
17 1, Chapter 312, O.S.L. 2016 (68 O.S. Supp. 2016,
18 Section 2105), which relates to vehicle excise tax
19 exemptions; requiring certain veteran registration
20 for vehicle excise tax exemption; providing
21 exception; directing the Tax Commission to promulgate
22 necessary rules; amending 72 O.S. 2011, Section 402,
23 which relates to the Special Disabled Veterans
24 Employment Act; modifying definition; providing for
codification; and providing effective dates.

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 421 of Title 72, unless there is
created a duplication in numbering, reads as follows:

A. The Oklahoma Department of Veterans Affairs shall create and
maintain a registry of all veterans in this state by January 1,
2020. The registry shall include the following information
regarding the veteran:

1. Name;

1 2. Military ranking and branch of service;

2 3. Dates of service; and

3 4. Date of death and place of burial, if applicable.

4 B. The Oklahoma Department of Veterans Affairs shall promulgate
5 rules for implementing the provisions of this section.

6 C. For purposes of this section, "veteran" means a person who
7 served on active duty in the Armed Forces of the United States who
8 was discharged or released with an honorable discharge.

9 SECTION 2. AMENDATORY 29 O.S. 2011, Section 4-110, as
10 amended by Section 1, Chapter 286, O.S.L. 2013 (29 O.S. Supp. 2016,
11 Section 4-110), is amended to read as follows:

12 Section 4-110. A. Except as otherwise provided in the Oklahoma
13 Wildlife Conservation Code, no person shall fish, pursue, harass,
14 catch, kill, take in any manner, use, have in possession, sell, or
15 transport all or any portion of fish without having first procured a
16 license for such from the Director or from any of the authorized
17 agents of the Department of Wildlife Conservation. The Wildlife
18 Conservation Commission may designate two (2) days per year in which
19 residents and nonresidents may fish without first procuring a
20 fishing license pursuant to the provisions of this section.

21 B. The following legal residents of Oklahoma shall be exempt
22 from the annual fishing license requirements of subsection C of this
23 section and the following nonresidents shall be exempt from the
24

1 annual nonresident fishing licenses required pursuant to subsection
2 E of this section:

3 1. Legal residents under sixteen (16) years of age and
4 nonresidents under sixteen (16) years of age from states which do
5 not require nonresident fishing licenses for persons under sixteen
6 (16) years of age;

7 2. Legal residents sixty-five (65) years of age or older and
8 nonresidents sixty-five (65) years of age or older from states which
9 do not require nonresident fishing licenses for persons sixty-five
10 (65) years of age or older, provided a legal resident has obtained a
11 senior citizen lifetime fishing or combination hunting and fishing
12 license pursuant to the provisions of Section 4-114 of this title;

13 3. Legal residents born on or before January 1, 1923;

14 4. Legal resident veterans having a disability of sixty percent
15 (60%) or more and registered with the veterans registry created by
16 the Oklahoma Department of Veterans Affairs; provided, that if the
17 veteran has previously received an exemption pursuant to this
18 paragraph, no registration with the veterans registry shall be
19 required. The Oklahoma Wildlife Conservation Commission shall
20 promulgate any rules necessary to implement the provisions of this
21 paragraph;

22 5. Legal resident owners or tenants, their spouses, parents,
23 grandparents, children and their spouses, grandchildren and their
24 spouses who fish in private ponds on land owned or leased by them;

1 6. Any legal resident or nonresident who is a patient of an
2 institution of the State of Oklahoma established for the care and
3 treatment of mental illness or alcohol or drug dependency or any
4 developmentally disabled person residing in any group home or other
5 institution or developmentally disabled persons when accompanied by
6 an attendant of the institution or legal guardian of the patient, or
7 when fishing on institutional property;

8 7. Any legal resident or nonresident under eighteen (18) years
9 of age who is in the legal and physical custody of the State of
10 Oklahoma or one of its agencies by court order;

11 8. Any legal resident or nonresident under eighteen (18) years
12 of age who is in the physical custody of a child care facility as
13 defined by Section 402 of Title 10 of the Oklahoma Statutes;

14 9. Any legal resident or nonresident who is legally blind or
15 who has any other physical impairment, as certified by a physician
16 licensed in this state or any state which borders this state, which
17 prevents the person from properly using fishing apparatus without
18 the assistance of another person, and any one person actually
19 accompanying and actually assisting such legally blind or otherwise
20 physically impaired person while the latter is fishing. This
21 certification shall be carried by the individual while fishing;

22 10. Nonresidents under fourteen (14) years of age;

23 11. Any legal resident or nonresident who is a Job Corps
24 trainee of this state, provided that the trainees shall have on

1 their persons a duly authorized identification card issued by their
2 respective Job Corps Center and shall present the card upon request,
3 in lieu of a fishing license. The trainees shall return their cards
4 to their respective Job Corps Center when the trainees leave their
5 respective Job Corps training programs;

6 12. Any legal resident having a proven disability which renders
7 the resident nonambulatory and confined to a wheelchair as certified
8 by a physician licensed in this state or any state which borders
9 this state;

10 13. Any legal resident who is fishing with a pole and line,
11 trotline, or throwline in streams, natural lakes, natural ponds, and
12 mine pits in the county in which the person is a resident, or in
13 streams, natural lakes, natural ponds, and mine pits which form a
14 part of the boundary line of the county in which the person is a
15 resident, when using any bait other than commercial or artificial
16 bait, blood, stink bait, cut fish, and shrimp; and

17 14. Any legal resident or nonresident participating in an
18 aquatic education event or clinic sanctioned by the Department of
19 Wildlife Conservation.

20 C. Except as otherwise provided for in the Oklahoma Wildlife
21 Conservation Code, the resident fishing licenses issued pursuant to
22 the provisions of this section and the fee for each shall be:

23 1. Annual fishing license for legal residents eighteen (18)
24 years of age and older - Twenty-four Dollars (\$24.00);

1 2. Annual fishing license for legal residents sixteen (16) or
2 seventeen (17) years of age - Four Dollars (\$4.00); and

3 3. Two-day fishing license for legal residents - Fourteen
4 Dollars (\$14.00).

5 D. Of the fees collected pursuant to the provisions of
6 paragraphs 1 and 3 of subsection C of this section, Five Dollars
7 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
8 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
9 created pursuant to the provisions of Section 4-141 of this title.

10 E. Except as otherwise provided for in the Oklahoma Wildlife
11 Conservation Code, the nonresident fishing licenses issued pursuant
12 to the provisions of this section and the fee for each shall be:

13 1. Annual fishing license for nonresidents - Fifty-four Dollars
14 (\$54.00), provided the Commission may enter into reciprocity
15 agreements with states wherein nonresident license fees shall be in
16 conformity with such reciprocal agreements;

17 2. Six-day fishing license for nonresidents - Thirty-four
18 Dollars (\$34.00); and

19 3. One-day fishing license for nonresidents - Fourteen Dollars
20 (\$14.00).

21 F. Of the fees collected pursuant to the provisions of
22 paragraphs 1, 2 and 3 of subsection E of this section, Five Dollars
23 (\$5.00) of the annual license fee for nonresidents, One Dollar and
24 fifty cents (\$1.50) of the six-day fishing license for nonresidents

1 fee and One Dollar and fifty cents (\$1.50) of the one-day fishing
2 license for nonresidents fee shall be deposited in the Wildlife Land
3 Acquisition Fund created pursuant to the provisions of Section 4-132
4 of this title. Of the fees collected pursuant to the provisions of
5 paragraphs 1 , 2 and 3 of subsection E of this section, Five Dollars
6 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
7 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
8 created pursuant to the provisions of Section 4-141 of this title.

9 G. Legal residents who have resided in this state for at least
10 six (6) months and who are receiving Social Security Disability
11 benefits, Supplemental Security Income benefits, disability benefits
12 under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, postal
13 employees receiving disability benefits pursuant to 5, U.S.C.,
14 Section 8451 (1998) or legal residents who are one hundred percent
15 (100%) disabled and are receiving disability payments from the
16 Multiple Injury Trust Fund pursuant to Section 403 of Title 85 of
17 the Oklahoma Statutes, may purchase a disability fishing license
18 from the Director for Ten Dollars (\$10.00) for five (5) years.

19 H. 1. Any person arrested while violating the provisions of
20 this section who does not meet the requirements of subsection K of
21 this section, may purchase a substitute temporary thirty-day license
22 from the arresting game warden in lieu of posting bond. The fee for
23 a substitute license purchased pursuant to the provisions of this
24 subsection shall be:

- 1 a. for legal residents, Fifty Dollars (\$50.00), and
- 2 b. for nonresidents, Ninety Dollars (\$90.00).

3 2. Except as otherwise provided by this subsection, the fees
4 from licenses purchased pursuant to the provisions of this
5 subsection shall be deposited in the Wildlife Conservation Fund to
6 be used exclusively for developing, managing, preserving, and
7 protecting wildlife and wildlife habitat.

8 I. Unless a substitute license is purchased as provided for by
9 subsection H of this section, any resident of this state convicted
10 of violating the provisions of this section shall be punished by the
11 imposition of a fine of not less than Twenty-five Dollars (\$25.00)
12 nor more than Two Hundred Dollars (\$200.00) or by imprisonment in
13 the county jail for a period not to exceed thirty (30) days, or by
14 both said fine and imprisonment.

15 J. Unless a substitute license is purchased as provided for by
16 subsection H of this section, any nonresident convicted of violating
17 this section shall be punished by a fine of not less than Fifty
18 Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) or by
19 imprisonment in the county jail for a period not more than thirty
20 (30) days, or by both such fine and imprisonment.

21 K. Any person producing proof in court that a current fishing
22 license issued by the Department of Wildlife Conservation to that
23 person was in force at the time of the alleged offense shall be
24 entitled to dismissal of a charge of violating this section upon

1 payment of court costs. If proof of a current fishing license
2 issued by the Department to the person that was in force at the time
3 of the alleged offense is presented to the court or district
4 attorney within seventy-two (72) hours after the violation, the
5 charge shall be dismissed without payment of court costs.

6 SECTION 3. AMENDATORY 29 O.S. 2011, Section 4-112, as
7 last amended by Section 1, Chapter 165, O.S.L. 2015 (29 O.S. Supp.
8 2016, Section 4-112), is amended to read as follows:

9 Section 4-112. A. Except as otherwise provided for in the
10 Oklahoma Wildlife Conservation Code or the Oklahoma Farmed Cervidae
11 Act, no person may hunt, pursue, trap, harass, catch, kill, take or
12 attempt to take in any manner, use, have in possession, sell, or
13 transport all or any portion of any wildlife except fish, without
14 having first procured a license from the Department of Wildlife
15 Conservation. The Wildlife Conservation Commission shall designate
16 a consecutive Saturday and Sunday in September of each year as free
17 hunting days in which residents of this state may hunt without first
18 procuring a hunting license pursuant to the provisions of this
19 section.

20 B. The following legal residents of Oklahoma shall be exempt
21 from the annual hunting license requirement of paragraph 1 of
22 subsection E of this section and the following nonresidents shall be
23 exempt from the annual nonresident hunting licenses required
24 pursuant to paragraph 1 of subsection C of this section:

- 1 1. Legal residents under sixteen (16) years of age;
- 2 2. Legal residents sixty-five (65) years of age or older
- 3 provided they have obtained a senior citizen lifetime hunting or
- 4 combination hunting and fishing license pursuant to the provisions
- 5 of Section 4-114 of this title;
- 6 3. Legal residents born on or before January 1, 1923;
- 7 4. Legal resident veterans having a disability of sixty percent
- 8 (60%) or more and registered with the veterans registry created by
- 9 the Oklahoma Department of Veterans Affairs; provided, that if the
- 10 veteran has previously received an exemption pursuant to this
- 11 paragraph, no registration with the veterans registry shall be
- 12 required;
- 13 5. Legal resident owners or tenants who hunt on land owned or
- 14 leased by them;
- 15 6. Any nonresident under fourteen (14) years of age;
- 16 7. Legal residents having a proven disability which renders
- 17 them nonambulatory and confines them to a wheelchair, as certified
- 18 by a physician licensed in this state or in any state which borders
- 19 this state;
- 20 8. Any legal resident or nonresident under eighteen (18) years
- 21 of age who is in the physical custody of a child care facility as
- 22 defined by Section 402 of Title 10 of the Oklahoma Statutes; and
- 23 9. Any legal resident or nonresident hunting, pursuing,
- 24 trapping, harassing, catching, killing, taking, or attempting to

1 take in any manner any species of rattlesnake during an organized
2 rattlesnake-hunting event or festival and who has a rattlesnake
3 permit issued pursuant to Section 4-143 of this title.

4 C. Except as otherwise provided for in the Oklahoma Wildlife
5 Conservation Code, the nonresident hunting licenses issued pursuant
6 to this section and the fee for each license shall be:

7 1. Annual hunting license for nonresidents hunting game other
8 than deer, antelope, elk or bear which expires on December 31 of the
9 year purchased - One Hundred Forty-one Dollars (\$141.00).

10 Nonresidents hunting big game or combination big game and upland
11 game in a commercial hunting area shall be required to have this
12 license;

13 2. Annual hunting license for nonresidents hunting game other
14 than deer, antelope, elk or bear which expires on June 30 of the
15 fiscal year purchased - One Hundred Seventy-five Dollars (\$175.00).

16 Nonresidents hunting big game or combination big game and upland
17 game in a commercial hunting area shall be required to have this
18 license;

19 3. Gun hunting license for deer for nonresidents which shall be
20 valid for hunting all deer allowed during the current calendar year
21 deer gun season - Two Hundred Seventy-nine Dollars (\$279.00);

22 4. Archery hunting license for deer for nonresidents which
23 shall expire on January 15 of the calendar year after the year
24 purchased or if purchased during the deer archery season it shall

1 expire at the end of that deer archery season - Two Hundred Seventy-
2 nine Dollars (\$279.00);

3 5. Primitive firearms hunting license for deer for nonresidents
4 which shall be valid for hunting all deer allowed during the current
5 calendar year deer primitive firearms season - Two Hundred Seventy-
6 nine Dollars (\$279.00);

7 6. Hunting license for antelope for nonresidents - Three
8 Hundred Five Dollars (\$305.00);

9 7. Hunting license for elk for nonresidents - Three Hundred
10 Five Dollars (\$305.00);

11 8. Five-day hunting license for nonresidents hunting game other
12 than deer, antelope, elk, quail, turkey or bear - Seventy-four
13 Dollars (\$74.00); and

14 9. Ten-day hunting license for nonresidents hunting small game
15 in a commercial hunting area - Five Dollars (\$5.00).

16 D. Of the fees collected pursuant to the provisions of
17 subsection C of this section:

18 1. Five Dollars (\$5.00) of the license fee of each license
19 issued pursuant to paragraphs 1 through 7 of subsection C of this
20 section and Two Dollars and fifty cents (\$2.50) of the license fee
21 for each license issued pursuant to paragraph 8 of subsection C of
22 this section shall be deposited in the Wildlife Land Acquisition
23 Fund created pursuant to the provisions of Section 4-132 of this
24 title; and

1 2. Five Dollars (\$5.00) of the license fee for each license
2 issued pursuant to paragraphs 1 through 8 of subsection C of this
3 section shall be for the Oklahoma Wildlife Land Stamp and shall be
4 deposited in the Oklahoma Wildlife Land Fund created pursuant to the
5 provisions of Section 4-141 of this title.

6 E. Except as otherwise provided, the resident hunting licenses
7 issued pursuant to this section and the fee for each license shall
8 be:

9 1. Annual hunting license for residents eighteen (18) years of
10 age and older which expires on December 31 of the year purchased -
11 Twenty-four Dollars (\$24.00);

12 2. Annual hunting license for residents eighteen (18) years of
13 age and older which expires on June 30 of the fiscal year purchased
14 - Thirty-one Dollars (\$31.00);

15 3. Annual hunting license for residents sixteen (16) or
16 seventeen (17) years of age which expires on December 31 of the year
17 purchased - Four Dollars (\$4.00);

18 4. Annual hunting license for residents sixteen (16) or
19 seventeen (17) years of age which expires on June 30 of the fiscal
20 year purchased - Six Dollars (\$6.00);

21 5. Ten-day hunting license for residents for small game in a
22 commercial hunting area - Five Dollars (\$5.00);

23 6. Five-year disability hunting license for residents of this
24 state for at least six (6) months who are receiving Social Security

1 Disability benefits, Supplemental Security Income benefits or
2 disability benefits under the Railroad Retirement Act, 45 U.S.C.A.,
3 Section 231a, or residents who are one-hundred-percent disabled and
4 are receiving disability payments from the Multiple Injury Trust
5 Fund pursuant to Section 31 of Title 85A of the Oklahoma Statutes -
6 Ten Dollars (\$10.00);

7 7. Gun hunting license for deer for residents eighteen (18)
8 years of age or older - Nineteen Dollars (\$19.00). The following
9 persons shall be exempt:

10 a. residents with proper certification from the United
11 States Department of Veterans Affairs or its
12 successor, certifying that the person is a disabled
13 veteran in receipt of compensation at the one-hundred-
14 percent rate and registered with the veterans registry
15 created by the Oklahoma Department of Veterans
16 Affairs; provided, that if the veteran has previously
17 received an exemption pursuant to this subparagraph,
18 no registration with the veterans registry shall be
19 required, and

20 b. residents hunting in big game or combination big game
21 and upland game commercial hunting areas;

22 8. Gun hunting license for deer for residents under eighteen
23 (18) years of age - Nine Dollars (\$9.00);

24

1 9. Archery hunting license for deer for residents eighteen (18)
2 years of age or older - Nineteen Dollars (\$19.00). The following
3 persons shall be exempt:

4 a. residents with proper certification from the United
5 States Department of Veterans Affairs or its
6 successor, certifying that the person is a disabled
7 veteran in receipt of compensation at the one-hundred-
8 percent rate and registered with the veterans registry
9 created by the Oklahoma Department of Veterans
10 Affairs; provided, that if the veteran has previously
11 received the exemption pursuant to this subparagraph,
12 no registration with the veterans registry shall be
13 required, and

14 b. residents hunting in big game or combination big game
15 and upland game commercial hunting areas;

16 10. Archery hunting license for deer for residents under
17 eighteen (18) years of age - Nine Dollars (\$9.00);

18 11. Primitive firearms hunting license for deer for residents
19 eighteen (18) years of age or older - Nineteen Dollars (\$19.00).

20 The following persons shall be exempt:

21 a. residents with proper certification from the United
22 States Department of Veterans Affairs or its
23 successor, certifying that the person is a disabled
24 veteran in receipt of compensation at the one-hundred-

1 percent rate and registered with the veterans registry
2 created by the Oklahoma Department of Veterans
3 Affairs; provided, that if the veteran has previously
4 received the exemption pursuant to this subparagraph,
5 no registration with the veterans registry shall be
6 required, and

7 b. residents hunting in big game or combination big game
8 and upland game commercial hunting areas;

9 12. Primitive firearms hunting license for deer for residents
10 under eighteen (18) years of age - Nine Dollars (\$9.00);

11 13. Hunting license for elk for residents - Fifty Dollars
12 (\$50.00). Residents hunting in big game or combination big game and
13 upland game commercial hunting areas shall be exempt from this
14 license;

15 14. Hunting license for antelope for residents - Fifty Dollars
16 (\$50.00). Residents hunting in big game or combination big game and
17 upland game commercial hunting areas shall be exempt from this
18 license; and

19 15. Bonus, special or additional gun hunting license for deer
20 for residents - Nineteen Dollars (\$19.00). The following persons
21 shall be exempt:

22 a. residents with proper certification from the United
23 States Department of Veterans Affairs or its
24 successor, certifying that the person is a disabled

1 veteran in receipt of compensation at the one-hundred-
2 percent rate and registered with the veterans registry
3 created by the Oklahoma Department of Veterans Affairs;
4 provided, that if the veteran has previously received
5 the exemption pursuant to this subparagraph, no
6 registration with the veterans registry shall be
7 required, and

8 b. residents hunting in big game or combination big game
9 and upland game commercial hunting areas.

10 F. Of the fees collected pursuant to the provisions of
11 paragraphs 1 and 2 of subsection E of this section, Five Dollars
12 (\$5.00) of the license fee shall be for the Oklahoma Wildlife Land
13 Stamp and shall be deposited in the Oklahoma Wildlife Land Fund
14 created pursuant to the provisions of Section 4-141 of this title.

15 G. The provisions of this section shall not be construed to
16 require a hunting license, resident or nonresident, of any person
17 merely because the person participates, as owner or handler of an
18 entry, as an official, or as a spectator in the conduct of a field
19 trial or performance test of dogs, whether a resident or nonresident
20 of the State of Oklahoma. No license to hunt shall be required of
21 any person engaged in training or working dogs, provided that person
22 is in no way engaged in hunting and does not take or attempt to take
23 in any manner any game.

1 H. 1. Any person arrested for hunting game other than deer,
2 antelope, elk, bear or turkey without a valid hunting license as
3 required by the provisions of subsection A of this section may
4 purchase a substitute temporary thirty-day license from the
5 arresting game warden in lieu of posting bond. Proof of hunter
6 safety certification will not be required for the temporary
7 substitute license. The fee for a substitute license purchased
8 pursuant to the provisions of this subsection shall be:

9 a. for legal residents, Fifty Dollars (\$50.00), and

10 b. for nonresidents, One Hundred Forty-five Dollars
11 (\$145.00).

12 2. Except as otherwise provided for by this subsection, the
13 fees from licenses purchased pursuant to the provisions of this
14 subsection shall be deposited in the Wildlife Conservation Fund to
15 be used exclusively for developing, managing, preserving, and
16 protecting wildlife and wildlife habitat.

17 I. Any person producing proof in court that a current hunting
18 license issued by the Department of Wildlife Conservation to that
19 person was in force at the time of the alleged offense shall be
20 entitled to dismissal of a charge of violating this section upon
21 payment of court costs. If proof of a current hunting license
22 issued by the Department to the person that was in force at the time
23 of the alleged offense is presented to the court or district
24

1 attorney within seventy-two (72) hours after the violation, the
2 charge shall be dismissed without payment of court costs.

3 J. Unless a substitute license is purchased as provided for by
4 subsection H of this section, any resident convicted of violating
5 the provisions of this section shall be punished by the imposition
6 of a fine of not less than Twenty-five Dollars (\$25.00) nor more
7 than Two Hundred Dollars (\$200.00), or by imprisonment in the county
8 jail for a period not to exceed thirty (30) days, or by both.

9 K. Unless a substitute license is purchased as provided for by
10 subsection H of this section, any nonresident convicted of violating
11 the provisions of this section shall be punished by the imposition
12 of a fine of not less than Two Hundred Dollars (\$200.00) nor more
13 than Five Hundred Dollars (\$500.00), or by imprisonment in the
14 county jail for a period not to exceed six (6) months, or by both.

15 L. The Oklahoma Wildlife Conservation Commission shall
16 promulgate any rules necessary to implement the provisions of this
17 section.

18 SECTION 4. AMENDATORY 29 O.S. 2011, Section 4-114, as
19 amended by Section 1, Chapter 112, O.S.L. 2014 (29 O.S. Supp. 2016,
20 Section 4-114), is amended to read as follows:

21 Section 4-114. A. All legal residents who have resided in the
22 state for at least six (6) months and intend to remain residents may
23 purchase lifetime fishing licenses, lifetime hunting licenses or
24

1 lifetime combination hunting and fishing licenses from the State
2 Wildlife Conservation Director.

3 B. The fee for these licenses shall be:

4 1. Lifetime fishing license, Two Hundred Dollars (\$200.00);

5 2. Lifetime hunting license, Six Hundred Dollars (\$600.00);

6 3. Lifetime combination hunting and fishing license, Seven
7 Hundred Fifty Dollars (\$750.00);

8 4. Senior citizen lifetime hunting license for persons sixty-
9 five (65) years of age or older, Fifteen Dollars (\$15.00);

10 5. Senior citizen lifetime fishing license for persons sixty-
11 five (65) years of age or older, Fifteen Dollars (\$15.00); and

12 6. Senior citizen lifetime combination hunting and fishing
13 license for persons sixty-five (65) years of age or older, Twenty-
14 five Dollars (\$25.00).

15 C. Legal resident having proper certification from the United
16 States Department of Veterans Affairs or its successor certifying
17 that the person is a disabled veteran and registered with the

18 veterans registry created by the Oklahoma Department of Veterans

19 Affairs may purchase a disability lifetime combination hunting and
20 fishing license from the State Wildlife Conservation Director. The
21 fees for the license shall be as follows:

22 1. Two Hundred Dollars (\$200.00) for veterans having a
23 disability of less than sixty percent (60%); and

24

1 2. Twenty-five Dollars (\$25.00) for veterans having a
2 disability of sixty percent (60%) or more.

3 D. The use of the licenses provided in this section are subject
4 to those restrictions provided by statute and the regulations of the
5 Wildlife Conservation Commission. Except as otherwise provided for
6 in this section, each lifetime hunting license issued pursuant to
7 subsections B and C of this section shall be in lieu of all annual
8 hunting licenses and all special season permits.

9 E. Should any lifetime license be lost or destroyed, a
10 duplicate will be issued by the Department of Wildlife Conservation
11 for a fee of Ten Dollars (\$10.00).

12 F. A lifetime licensee shall not lose the privileges of such
13 license by a subsequent transfer of residency.

14 G. 1. In addition to the fees imposed pursuant to paragraphs 1
15 through 3 of subsection B of this section, a person purchasing a
16 lifetime fishing, hunting or combination license, excluding a senior
17 citizen lifetime hunting, fishing or combination hunting and fishing
18 license issued pursuant to paragraphs 4 through 6 of subsection B of
19 this section and a disability lifetime combination hunting and
20 fishing license issued pursuant to subsection C of this section,
21 shall be required to purchase a Lifetime Oklahoma Wildlife Land
22 Stamp. Each person shall have the stamp in their possession while
23 hunting, fishing, or taking any wildlife. The fee for the Lifetime
24

1 Oklahoma Wildlife Land Stamp shall be Twenty-five Dollars (\$25.00).

2 The fee for the stamp shall be distributed as follows:

3 a. Twenty Dollars (\$20.00) from each stamp shall be
4 deposited in the Oklahoma Wildlife Land Fund, created
5 in Section 4-141 of this title, to be used to retire
6 the obligations and related expenses as authorized
7 pursuant to Section 168.9 of Title 73 of the Oklahoma
8 Statutes or to purchase, lease, or purchase easements
9 on real property to be used as public hunting,
10 fishing, and trapping areas, and

11 b. Five Dollars (\$5.00) from each stamp shall be
12 deposited in the Oklahoma Wildlife Land Fund, created
13 in Section 4-141 of this title, to be used by the
14 Commission for management of the real property
15 acquired pursuant to Section 168.9 of Title 73 of the
16 Oklahoma Statutes or acquired with proceeds from the
17 Oklahoma Wildlife Land Stamp fee.

18 2. The Oklahoma Wildlife Conservation Commission shall
19 prescribe, by rule, the form, design, and manner of issuance of the
20 Lifetime Oklahoma Wildlife Land Stamp.

21 3. Within one (1) year of the final retirement, redemption, or
22 defeasance of the obligations created pursuant to Section 168.9 of
23 Title 73 of the Oklahoma Statutes, the Lifetime Oklahoma Wildlife
24

1 Land Stamp and Lifetime Oklahoma Wildlife Land Stamp fee
2 requirements provided for in this subsection shall terminate.

3 H. A person who is sixty-four (64) years of age shall be
4 eligible to purchase a senior citizen lifetime license issued
5 pursuant to paragraphs 4 through 6 of subsection B of this section
6 during the calendar year in which the person turns sixty-five (65)
7 years of age.

8 I. The fee for a lifetime fishing license, a lifetime hunting
9 license, or a lifetime combination hunting and fishing license
10 issued pursuant to paragraphs 1 through 3 of subsection B of this
11 section for a legal resident under eighteen (18) years of age may be
12 paid for by installments not to exceed a three-year period of time
13 and in a manner determined by the Director. The lifetime license
14 shall not be issued and become valid until full payment is received
15 by the Department of Wildlife Conservation. If the entire amount of
16 the license fee is not received within three (3) years from the date
17 the application for installment payments is submitted to the
18 Department, all funds received shall be forfeited and shall not be
19 refunded.

20 J. The Oklahoma Wildlife Conservation Commission shall
21 promulgate any rules necessary to implement the provisions of this
22 section.

23 SECTION 5. AMENDATORY 29 O.S. 2011, Section 4-140, is
24 amended to read as follows:

1 Section 4-140. A. Except as otherwise provided for in this
2 section, no person may hunt, pursue, trap, harass, catch, kill,
3 take, or attempt to take in any manner, use, have in possession,
4 sell, or transport all or any portion of any wildlife including fish
5 unless the person has first obtained an Oklahoma Wildlife Land Stamp
6 from the Director or any authorized agents of the Department of
7 Wildlife Conservation. Each person shall have the stamp in their
8 possession when hunting, fishing, or taking any wildlife.

9 B. Persons exempt from the Oklahoma Wildlife Land Stamp
10 requirements of this section are:

11 1. Legal residents of Oklahoma under eighteen (18) years of
12 age;

13 2. Legal residents of Oklahoma sixty-five (65) years of age or
14 older;

15 3. Legal residents of Oklahoma who have a valid lifetime
16 fishing, hunting, or combination license;

17 4. Legal residents of Oklahoma who have a valid senior citizen
18 lifetime fishing, hunting or combination hunting and fishing
19 license;

20 5. Nonresidents holding a valid nonresident lifetime fishing
21 license;

22 6. Legal residents and nonresidents who have acquired a license
23 pursuant to Section 4-110 or Section 4-128 of this title for fishing
24 in the area of Lake Texoma located within the state;

1 7. Nonresidents under sixteen (16) years of age from states
2 which do not require nonresident fishing licenses for persons under
3 sixteen (16) years of age;

4 8. Nonresidents sixty-four (64) years of age or older from
5 states which do not require nonresident fishing licenses for persons
6 sixty-four (64) years of age or older;

7 9. Legal resident veterans having a disability of sixty percent
8 (60%) or more and registered with the veterans registry created by
9 the Oklahoma Department of Veterans Affairs; provided, that if the
10 veteran has previously received the exemption pursuant to this
11 paragraph, no registration with the veterans registry shall be
12 required;

13 10. Legal resident owners or tenants, their spouses, parents,
14 grandparents, children and their spouses, grandchildren and their
15 spouses who hunt on land owned or leased by them or fish in private
16 ponds on land owned or leased by them;

17 11. Any legal resident or nonresident who is a patient of an
18 institution of the State of Oklahoma established for the care and
19 treatment of mental illness or alcohol or drug dependency or any
20 developmentally disabled person residing in any group home or other
21 institution or developmentally disabled persons when accompanied by
22 an attendant of such institution or legal guardian of said patient,
23 or when fishing on institutional property;

24

1 12. Any legal resident or nonresident who is legally blind or
2 who has any other physical impairment, as certified by a physician
3 licensed in this state or any state which borders this state, which
4 prevents the person from properly using fishing apparatus without
5 the assistance of another person, and any one person actually
6 accompanying and actually assisting such legally blind or otherwise
7 physically impaired person while the latter is fishing. This
8 certification shall be carried by the individual while fishing;

9 13. Nonresidents under fourteen (14) years of age;

10 14. Any legal resident or nonresident who is a Job Corps
11 trainee of this state, provided that the trainees shall have on
12 their persons a duly authorized identification card issued by their
13 respective Job Corps Center and shall present the card upon request,
14 in lieu of a fishing license. The trainees shall return their cards
15 to their respective Job Corps Center when the trainees leave their
16 respective Job Corps training programs;

17 15. Any legal resident having a proven disability which renders
18 the resident nonambulatory and confined to a wheelchair as certified
19 by a physician licensed in this state or any state which borders
20 this state;

21 16. Any legal resident or nonresident who is fishing with a
22 pole and line, trotline, or throwline in streams, natural lakes,
23 natural ponds, and mine pits when using any bait other than
24

1 commercial or artificial bait, blood, stink bait, cut fish, and
2 shrimp; and

3 17. Any legal resident or nonresident hunting, pursuing,
4 trapping, harassing, catching, killing, taking, or attempting to
5 take in any manner any species of rattlesnake during an organized
6 rattlesnake hunting event or festival and who has a rattlesnake
7 permit issued pursuant to Section 4-143 of this title.

8 C. 1. Any fees received for the Oklahoma Wildlife Land Stamp
9 and required to be deposited in the Oklahoma Wildlife Land Fund,
10 created in Section 4-141 of this title and any other money deposited
11 in the fund, shall be used exclusively for:

- 12 a. the payment of bond debt and related expenses incurred
13 pursuant to Section 168.9 of Title 73 of the Oklahoma
14 Statutes for the purchase of public hunting, fishing,
15 and trapping areas where the public may hunt, fish, or
16 trap as authorized by law or for the purchase, lease,
17 or purchasing of easements on real property to be used
18 as public hunting, fishing, and trapping areas, and
- 19 b. the management of the real property acquired pursuant
20 to Section 168.9 of Title 73 of the Oklahoma Statutes
21 or acquired with proceeds from the Oklahoma Wildlife
22 Land Stamp fee.

23
24

1 2. The collection and remittance procedures applicable to
2 hunting license fees under this title shall apply to the Oklahoma
3 Wildlife Land Stamp fees.

4 3. The Oklahoma Wildlife Land Stamp issued pursuant to this
5 section for hunting licenses issued pursuant to paragraph 1 of
6 subsection C and paragraphs 1 and 3 of subsection E of Section 4-112
7 of this title and paragraphs 1 and 3 of subsection B of Section 4-
8 113 of this title, shall expire on December 31. The Oklahoma
9 Wildlife Land Stamp issued pursuant to this section for hunting
10 licenses issued pursuant to paragraph 2 of subsection C and
11 paragraphs 2 and 4 of subsection E of Section 4-112 of this title
12 and paragraphs 2 and 4 of subsection B of Section 4-113 of this
13 title, shall expire on June 30.

14 D. The Oklahoma Wildlife Conservation Commission shall
15 prescribe, by rule, the form, design, and manner of issuance of the
16 Oklahoma Wildlife Land Stamp and any rules necessary to implement
17 the provisions of this section.

18 SECTION 6. AMENDATORY Section 1, Chapter 261, O.S.L.
19 2013 (29 O.S. Supp. 2016, Section 5-203.2), is amended to read as
20 follows:

21 Section 5-203.2 A. Except for battery-powered scoping devices
22 that project a light or dot inside the scope and pin sight lights on
23 archery equipment, no person shall use a laser sighting device as a
24 hunting aid.

1 B. Nothing in this section shall prevent a person from
2 possessing a .22 caliber rimfire rifle or pistol with a laser
3 sighting device while hunting or taking furbearers with hounds
4 during the legal, open furbearer season, while possessing a valid
5 hunting license.

6 C. As used in this section, "laser sighting device" means any
7 artificial light of any form that casts or reflects a beam of light
8 onto or otherwise illuminates wildlife.

9 D. The provisions of subsection A of this section shall not
10 apply to persons who are ~~one~~:

11 1. One hundred percent (100%) disabled as certified by the
12 Social Security Administration ~~or~~;

13 2. One hundred percent (100%) disabled as certified by the
14 United States Department of Veterans Affairs and registered with the
15 veterans registry created by the Oklahoma Department of Veterans
16 Affairs; or who are certified

17 3. Certified as being legally blind by a physician licensed in
18 this state or any state which borders this state if the person is
19 hunting on private property and is accompanied by a licensed hunter.

20 E. Any person convicted of violating the provisions of this
21 section shall be guilty of a misdemeanor.

22 F. The Oklahoma Wildlife Conservation Commission shall
23 promulgate any rule necessary to implement the provisions of this
24 section.

1 SECTION 7. AMENDATORY Section 1, Chapter 45, O.S.L. 2015
2 (40 O.S. Supp. 2016, Section 801), is amended to read as follows:

3 Section 801. A. This section shall be known and may be cited
4 as the "Voluntary Veterans' Preference Employment Policy Act".

5 B. As used in this section:

6 1. "DD 214" means United States Department of Defense Form 214
7 or a similarly effective form issued by the Department relating to
8 separation from military service;

9 2. "Private employer" means a business entity in the private
10 sector of this state with one or more employees;

11 3. "Veteran" means a person who served on active duty in the
12 Armed Forces of the United States who was discharged or released
13 with an honorable discharge and registered with the veterans
14 registry created by the Oklahoma Department of Veterans Affairs; and

15 4. "Veterans' preference employment policy" means a private
16 employer's voluntary preference for hiring, promoting or retaining a
17 veteran over another qualified applicant or employee.

18 C. A private employer may have a voluntary veterans' preference
19 employment policy. The policy:

20 1. Shall be in writing; and

21 2. Shall be applied uniformly to employment decisions regarding
22 hiring, promotion or retention during a reduction in force.

1 D. An employer may require that a veteran submit a DD 214 to a
2 private employer with a veterans' preference employment policy to be
3 eligible for the preference.

4 E. The granting of a veterans' preference pursuant to the
5 provisions of this section shall not be deemed to violate any local
6 or state equal employment opportunity law or regulation.

7 F. The Department of Veterans Affairs shall assist any private
8 employer in determining if an applicant is a veteran to the extent
9 permitted by law.

10 SECTION 8. AMENDATORY 47 O.S. 2011, Section 6-101, as
11 last amended by Section 1, Chapter 180, O.S.L. 2016 (47 O.S. Supp.
12 2016, Section 6-101), is amended to read as follows:

13 Section 6-101. A. No person, except those hereinafter
14 expressly exempted in Sections 6-102 and 6-102.1 of this title,
15 shall operate any motor vehicle upon a highway in this state unless
16 the person has a valid Oklahoma driver license for the class of
17 vehicle being operated under the provisions of this title. No
18 person shall be permitted to possess more than one valid license at
19 any time, except as provided in paragraph 4 of subsection F of this
20 section.

21 B. 1. No person shall operate a Class A commercial motor
22 vehicle unless the person is eighteen (18) years of age or older and
23 holds a valid Class A commercial license, except as provided in
24 paragraph 5 of this subsection and subsection F of this section.

1 Any person holding a valid Class A commercial license shall be
2 permitted to operate motor vehicles in Classes A, B, C and D, except
3 as provided for in paragraph 4 of this subsection.

4 2. No person shall operate a Class B commercial motor vehicle
5 unless the person is eighteen (18) years of age or older and holds a
6 valid Class B commercial license, except as provided in paragraph 5
7 of subsection F of this section. Any person holding a valid Class B
8 commercial license shall be permitted to operate motor vehicles in
9 Classes B, C and D, except as provided for in paragraph 4 of this
10 subsection.

11 3. No person shall operate a Class C commercial motor vehicle
12 unless the person is eighteen (18) years of age or older and holds a
13 valid Class C commercial license, except as provided in subsection F
14 of this section. Any person holding a valid Class C commercial
15 license shall be permitted to operate motor vehicles in Classes C
16 and D, except as provided for in paragraph 4 of this subsection.

17 4. No person under twenty-one (21) years of age shall be
18 licensed to operate any motor vehicle which is required to be
19 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
20 subpart F, except as provided in subsection F of this section;
21 provided, a person eighteen (18) years of age or older may be
22 licensed to operate a farm vehicle which is required to be placarded
23 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
24 except as provided in subsection F of this section.

1 5. A person at least seventeen (17) years of age who
2 successfully completes all examinations required by law may be
3 issued by the Department:

4 a. a restricted Class A commercial license which shall
5 grant to the licensee the privilege to operate a Class
6 A or Class B commercial motor vehicle for harvest
7 purposes or a Class D motor vehicle, or

8 b. a restricted Class B commercial license which shall
9 grant to the licensee the privilege to operate a Class
10 B commercial motor vehicle for harvest purposes or a
11 Class D motor vehicle.

12 6. No person shall operate a Class D motor vehicle unless the
13 person is sixteen (16) years of age or older and holds a valid Class
14 D license, except as provided for in Section 6-102 or 6-105 of this
15 title. Any person holding a valid Class D license shall be
16 permitted to operate motor vehicles in Class D only.

17 C. Any person issued a driver license pursuant to this section
18 may exercise the privilege thereby granted upon all streets and
19 highways in this state.

20 D. No person shall operate a motorcycle or motor-driven cycle
21 without having a valid Class A, B, C or D license with a motorcycle
22 endorsement. Except as otherwise provided by law, any new applicant
23 for an original driver license shall be required to successfully
24 complete a written examination, vision examination, and driving

1 examination for a motorcycle as prescribed by the Department of
2 Public Safety, and a certified state-approved motorcycle basic rider
3 course approved by the Department if the applicant is seventeen (17)
4 years of age or younger to be eligible for a motorcycle endorsement
5 thereon. The written examination and driving examination for a
6 motorcycle shall be waived by the Department of Public Safety upon
7 verification that the person has successfully completed a certified
8 Motorcycle Safety Foundation rider course approved by the
9 Department.

10 E. Except as otherwise provided by law, any person who lawfully
11 possesses a valid Oklahoma driver license which is eligible for
12 renewal shall be required to successfully complete a written
13 examination, vision examination, and driving examination for a
14 motorcycle as prescribed by the Department, and a certified state-
15 approved motorcycle basic rider course approved by the Department if
16 the person is seventeen (17) years of age or younger to be eligible
17 for a motorcycle endorsement. The written examination and driving
18 examination for a motorcycle shall be waived by the Department of
19 Public Safety upon verification that the person has successfully
20 completed a certified Motorcycle Safety Foundation rider course
21 approved by the Department.

22 F. 1. Any person eighteen (18) years of age or older may apply
23 for a restricted Class A, B or C commercial learner permit. The
24 Department, after the applicant has passed all parts of the

1 examination for a Class D license and has successfully passed all
2 parts of the examination for a Class A, B or C commercial license
3 other than the driving examination, may issue to the applicant a
4 commercial learner permit which shall entitle the person having
5 immediate lawful possession of the commercial learner permit and a
6 valid Oklahoma driver license or provisional driver license pursuant
7 to Section 6-212 of this title to operate a Class A, B or C
8 commercial motor vehicle upon the public highways solely for the
9 purpose of behind-the-wheel training in accordance with rules
10 promulgated by the Department.

11 2. This commercial learner permit shall be issued for a period
12 as provided in Section 6-115 of this title of one hundred eighty
13 (180) days, which may be renewed one time for an additional one
14 hundred eighty (180) days; provided, such commercial learner permit
15 may be suspended, revoked, canceled, denied or disqualified at the
16 discretion of the Department for violation of the restrictions, for
17 failing to give the required or correct information on the
18 application, or for violation of any traffic laws of this state
19 pertaining to the operation of a motor vehicle. Except as otherwise
20 provided, the lawful possessor of a commercial learner permit who
21 has been issued a commercial learner permit for a minimum of
22 fourteen (14) days may have the restriction requiring an
23 accompanying driver removed by satisfactorily completing a driver's
24 examination; provided, the removal of a restriction shall not

1 authorize the operation of a Class A, B or C commercial motor
2 vehicle if such operation is otherwise prohibited by law.

3 3. No person shall apply for and the Department shall not issue
4 an original Class A, B or C driver license until the person has been
5 issued a commercial learner permit and held the permit for at least
6 fourteen (14) days. Any person who currently holds a Class B or C
7 license and who wishes to apply for another class of commercial
8 driver license shall be required to apply for a commercial learner
9 permit and to hold the permit for at least fourteen (14) days before
10 applying for the Class A or B license, as applicable. Any person
11 who currently holds a Class A, B or C license and who wishes to add
12 an endorsement or remove a restriction for which a skills
13 examination is required shall be required to apply for a commercial
14 learner permit and to hold the permit for at least fourteen (14)
15 days before applying for the endorsement.

16 4. A commercial learner permit shall be issued by the
17 Department as a separate and unique document which shall be valid
18 only in conjunction with a valid Oklahoma driver license or
19 provisional driver license pursuant to Section 6-212 of this title,
20 both of which shall be in the possession of the person to whom they
21 have been issued whenever that person is operating a commercial
22 motor vehicle as provided in this subsection.

23 5. After one renewal of a commercial learner permit, as
24 provided in paragraph 2 of this subsection, a commercial permit

1 shall not be renewed again. Any person who has held a commercial
2 learner permit for the initial issuance period and one renewal
3 period shall not be eligible for and the Department shall not issue
4 another renewal of the permit; provided, the person may reapply for
5 a new commercial learner permit, as provided for in this subsection.

6 6. Enrollment in or successful completion of a commercial
7 driver training school shall not be required for any commercial
8 learner permit applicant who requests a skills examination for a
9 Class A, B or C license, nor shall any student enrolled in a
10 commercial driver training school be prohibited from taking a skills
11 examination for a Class A, B or C license upon request with a
12 Department of Public Safety examiner regardless of whether the
13 person has completed the course, is still enrolled in the course to
14 be completed or has voluntarily withdrawn from the course.

15 G. 1. The fee charged for an approved application for an
16 original Oklahoma driver license or an approved application for the
17 addition of an endorsement to a current valid Oklahoma driver
18 license shall be assessed in accordance with the following schedule:

19	Class A Commercial Learner Permit	\$25.00
20	Class A Commercial License	\$25.00
21	Class B Commercial Learner Permit	\$15.00
22	Class B Commercial License	\$15.00
23	Class C Commercial Learner Permit	\$15.00
24	Class C Commercial License	\$15.00

1 Class D License \$ 4.00

2 Motorcycle Endorsement \$ 4.00

3 2. Notwithstanding the provisions of Section 1104 of this
4 title, all monies collected from the fees charged for Class A, B and
5 C commercial licenses pursuant to the provisions of this subsection
6 shall be deposited in the General Revenue Fund of this state.

7 H. The fee charged for any failed examination shall be Four
8 Dollars (\$4.00) for any license classification. Notwithstanding the
9 provisions of Section 1104 of this title, all monies collected from
10 such examination fees pursuant to the provisions of this subsection
11 shall be deposited in the General Revenue Fund of this state.

12 I. In addition to any fee charged pursuant to the provisions of
13 subsection G of this section, the fee charged for the issuance or
14 renewal of an Oklahoma license shall be in accordance with the
15 following schedule; provided, that any applicant who has a CDL
16 Learner Permit shall be charged only the replacement fee for the
17 issuance of the license:

18 Class A Commercial Learner Permit \$51.50

19 Class A Commercial License \$51.50

20 Class B Commercial Learner Permit \$51.50

21 Class B Commercial License \$51.50

22 Class C Commercial License \$41.50

23 Class D License \$33.50

24

1 A commercial learner permit may be renewed one time for a period
2 of one hundred eighty (180) days. The cost for the renewed permit
3 shall be the same as for the original permit.

4 Notwithstanding the provisions of Section 1104 of this title, of
5 each fee charged pursuant to the provisions of this subsection:

6 1. Five Dollars and fifty cents (\$5.50) shall be deposited to
7 the Trauma Care Assistance Revolving Fund created in Section 1-
8 2530.9 of Title 63 of the Oklahoma Statutes;

9 2. Six Dollars and seventy-five cents (\$6.75) shall be
10 deposited to the Department of Public Safety Computer Imaging System
11 Revolving Fund to be used solely for the purpose of administration
12 and maintenance of the computerized imaging system of the
13 Department; and

14 3. Ten Dollars (\$10.00) shall be deposited to the Department of
15 Public Safety Revolving Fund for all original or renewal issuances
16 of licenses.

17 J. All original and renewal driver licenses shall expire as
18 provided in Section 6-115 of this title.

19 K. Any person sixty-two (62) years of age or older during the
20 calendar year of issuance of a Class D license or motorcycle
21 endorsement shall be charged the following prorated fee:

22	Age 62	\$21.25
23	Age 63	\$17.50
24	Age 64	\$13.75

2 L. No person who has been honorably discharged from active
3 service in any branch of the Armed Forces of the United States or
4 Oklahoma National Guard and who has been certified by the United
5 States Department of Veterans Affairs, its successor, or the Armed
6 Forces of the United States to be a disabled veteran in receipt of
7 compensation at the one-hundred-percent rate for a permanent
8 disability sustained through military action or accident resulting
9 from disease contracted while in such active service and registered
10 with the veterans registry created by the Oklahoma Department of
11 Veterans Affairs shall be charged a fee for the issuance or renewal
12 of an Oklahoma driver license; provided, that if a veteran has been
13 previously exempt from a fee pursuant to this subsection, no
14 registration with the veterans registry shall be required.

15 M. The Department of Public Safety and the Oklahoma Tax
16 Commission are authorized to promulgate rules for the issuance and
17 renewal of driver licenses authorized pursuant to the provisions of
18 Sections 6-101 through 6-309 of this title. Applications, upon
19 forms approved by the Department of Public Safety, for such licenses
20 shall be handled by the motor license agents; provided, the
21 Department of Public Safety is authorized to assume these duties in
22 any county of this state. Each motor license agent accepting
23 applications for driver licenses shall receive Four Dollars (\$4.00)
24 to be deducted from the total collected for each license or renewal

1 application accepted. The four-dollar fee received by the motor
2 license agent shall be used for operating expenses.

3 N. Notwithstanding the provisions of Section 1104 of this title
4 and subsection M of this section and except as provided in
5 subsections G and I of this section, the first Sixty Thousand
6 Dollars (\$60,000.00) of all monies collected pursuant to this
7 section shall be paid by the Oklahoma Tax Commission to the State
8 Treasurer to be deposited in the General Revenue Fund of the State
9 Treasury.

10 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
11 collected pursuant to this section shall be paid by the Tax
12 Commission to the State Treasurer to be deposited each fiscal year
13 under the provisions of this section to the credit of the Department
14 of Public Safety Restricted Revolving Fund for the purpose of the
15 Statewide Law Enforcement Communications System. All other monies
16 collected in excess of Five Hundred Sixty Thousand Dollars
17 (\$560,000.00) each fiscal year shall be apportioned as provided in
18 Section 1104 of this title, except as otherwise provided in this
19 section.

20 O. The Department of Public Safety shall implement a procedure
21 whereby images displayed on licenses and identification cards issued
22 pursuant to the provisions of Sections 6-101 through 6-309 of this
23 title are maintained by the Department to create photographs or
24 computerized images which may be used only:

- 1 1. By a law enforcement agency for purposes of criminal
2 investigations, missing person investigations, or any law
3 enforcement purpose which is deemed necessary by the Commissioner of
4 Public Safety;
- 5 2. By the driver licensing agency of another state for its
6 official purpose; and
- 7 3. As provided in Section 2-110 of this title.

8 The computer system and related equipment acquired for this
9 purpose must conform to industry standards for interoperability and
10 open architecture. The Department of Public Safety may promulgate
11 rules to implement the provisions of this subsection.

12 SECTION 9. AMENDATORY Section 1, Chapter 330, O.S.L.
13 2012, as last amended by Section 1, Chapter 113, O.S.L. 2014 (47
14 O.S. Supp. 2016, Section 6-124), is amended to read as follows:

15 Section 6-124. A. As a way to honor and recognize the veterans
16 who have served our country, the Department of Public Safety shall
17 make space available in the upper left hand corner of the front of
18 the driver license and the identification card for a flag emblem and
19 the word "veteran" to be designed by the Department that will serve
20 as a notation of veteran status.

21 B. Upon application for issuance or renewal of the driver
22 license or identification card and in addition to other
23 documentation required by the Department, persons requesting the
24

1 flag emblem shall ~~show proof of present or past military service by~~
2 ~~presenting:~~

- 3 ~~1. A valid Uniformed Services Identity Card;~~
- 4 ~~2. A United States Department of Defense Form (DD) 214, (DD) 215~~
5 ~~or a World War II discharge document WD AGO Form or NavPers Form~~
6 ~~that shows a discharge status of "honorable" or "general under~~
7 ~~honorable conditions";~~
- 8 ~~3. An Oklahoma Army or Air National Guard NGB Form 22;~~
- 9 ~~4. A United States Department of Veterans Affairs photo~~
10 ~~identification card; or~~
- 11 ~~5. A United States Uniformed Services DD Form 2 (Retired or~~
12 ~~Reserve Retired) Identification Card.~~

13 be registered with the veterans registry created by the Oklahoma
14 Department of Veterans Affairs. Provided, that if the person
15 requesting the flag emblem has previously received a flag emblem
16 pursuant to this subsection, no registration with the veterans
17 registry shall be required to receive the flag emblem. The
18 Department of Public Safety shall promulgate any rule necessary to
19 implement the provisions of this section.

20 SECTION 10. AMENDATORY 68 O.S. 2011, Section 1357, as
21 last amended by Section 18, Chapter 54, O.S.L. 2015 (68 O.S. Supp.
22 2016, Section 1357), is amended to read as follows:

23 Section 1357. Exemptions - General.
24

1 There are hereby specifically exempted from the tax levied by
2 the Oklahoma Sales Tax Code:

3 1. Transportation of school pupils to and from elementary
4 schools or high schools in motor or other vehicles;

5 2. Transportation of persons where the fare of each person does
6 not exceed One Dollar (\$1.00), or local transportation of persons
7 within the corporate limits of a municipality except by taxicabs;

8 3. Sales for resale to persons engaged in the business of
9 reselling the articles purchased, whether within or without the
10 state, provided that such sales to residents of this state are made
11 to persons to whom sales tax permits have been issued as provided in
12 the Oklahoma Sales Tax Code. This exemption shall not apply to the
13 sales of articles made to persons holding permits when such persons
14 purchase items for their use and which they are not regularly
15 engaged in the business of reselling; neither shall this exemption
16 apply to sales of tangible personal property to peddlers, solicitors
17 and other salespersons who do not have an established place of
18 business and a sales tax permit. The exemption provided by this
19 paragraph shall apply to sales of motor fuel or diesel fuel to a
20 Group Five vendor, but the use of such motor fuel or diesel fuel by
21 the Group Five vendor shall not be exempt from the tax levied by the
22 Oklahoma Sales Tax Code. The purchase of motor fuel or diesel fuel
23 is exempt from sales tax when the motor fuel is for shipment outside
24 this state and consumed by a common carrier by rail in the conduct

1 of its business. The sales tax shall apply to the purchase of motor
2 fuel or diesel fuel in Oklahoma by a common carrier by rail when
3 such motor fuel is purchased for fueling, within this state, of any
4 locomotive or other motorized flanged wheel equipment;

5 4. Sales of advertising space in newspapers and periodicals;

6 5. Sales of programs relating to sporting and entertainment
7 events, and sales of advertising on billboards (including signage,
8 posters, panels, marquees, or on other similar surfaces, whether
9 indoors or outdoors) or in programs relating to sporting and
10 entertainment events, and sales of any advertising, to be displayed
11 at or in connection with a sporting event, via the Internet,
12 electronic display devices, or through public address or broadcast
13 systems. The exemption authorized by this paragraph shall be
14 effective for all sales made on or after January 1, 2001;

15 6. Sales of any advertising, other than the advertising
16 described by paragraph 5 of this section, via the Internet,
17 electronic display devices, or through the electronic media,
18 including radio, public address or broadcast systems, television
19 (whether through closed circuit broadcasting systems or otherwise),
20 and cable and satellite television, and the servicing of any
21 advertising devices;

22 7. Eggs, feed, supplies, machinery and equipment purchased by
23 persons regularly engaged in the business of raising worms, fish,
24 any insect or any other form of terrestrial or aquatic animal life

1 and used for the purpose of raising same for marketing. This
2 exemption shall only be granted and extended to the purchaser when
3 the items are to be used and in fact are used in the raising of
4 animal life as set out above. Each purchaser shall certify, in
5 writing, on the invoice or sales ticket retained by the vendor that
6 the purchaser is regularly engaged in the business of raising such
7 animal life and that the items purchased will be used only in such
8 business. The vendor shall certify to the Oklahoma Tax Commission
9 that the price of the items has been reduced to grant the full
10 benefit of the exemption. Violation hereof by the purchaser or
11 vendor shall be a misdemeanor;

12 8. Sale of natural or artificial gas and electricity, and
13 associated delivery or transmission services, when sold exclusively
14 for residential use. Provided, this exemption shall not apply to
15 any sales tax levied by a city or town, or a county, or any other
16 jurisdiction in this state;

17 9. In addition to the exemptions authorized by Section 1357.6
18 of this title, sales of drugs sold pursuant to a prescription
19 written for the treatment of human beings by a person licensed to
20 prescribe the drugs, and sales of insulin and medical oxygen.
21 Provided, this exemption shall not apply to over-the-counter drugs;

22 10. Transfers of title or possession of empty, partially
23 filled, or filled returnable oil and chemical drums to any person
24 who is not regularly engaged in the business of selling, reselling

1 or otherwise transferring empty, partially filled, or filled
2 returnable oil drums;

3 11. Sales of one-way utensils, paper napkins, paper cups,
4 disposable hot containers and other one-way carry out materials to a
5 vendor of meals or beverages;

6 12. Sales of food or food products for home consumption which
7 are purchased in whole or in part with coupons issued pursuant to
8 the federal food stamp program as authorized by Sections 2011
9 through 2029 of Title 7 of the United States Code, as to that
10 portion purchased with such coupons. The exemption provided for
11 such sales shall be inapplicable to such sales upon the effective
12 date of any federal law that removes the requirement of the
13 exemption as a condition for participation by the state in the
14 federal food stamp program;

15 13. Sales of food or food products, or any equipment or
16 supplies used in the preparation of the food or food products to or
17 by an organization which:

18 a. is exempt from taxation pursuant to the provisions of
19 Section 501(c)(3) of the Internal Revenue Code, 26
20 U.S.C., Section 501(c)(3), and which provides and
21 delivers prepared meals for home consumption to
22 elderly or homebound persons as part of a program
23 commonly known as "Meals on Wheels" or "Mobile Meals",
24 or

1 b. is exempt from taxation pursuant to the provisions of
2 Section 501(c) (3) of the Internal Revenue Code, 26
3 U.S.C., Section 501(c) (3), and which receives federal
4 funding pursuant to the Older Americans Act of 1965,
5 as amended, for the purpose of providing nutrition
6 programs for the care and benefit of elderly persons;

7 14. a. Sales of tangible personal property or services to or
8 by organizations which are exempt from taxation
9 pursuant to the provisions of Section 501(c) (3) of the
10 Internal Revenue Code, 26 U.S.C., Section 501(c) (3),
11 and:

12 (1) are primarily involved in the collection and
13 distribution of food and other household products
14 to other organizations that facilitate the
15 distribution of such products to the needy and
16 such distributee organizations are exempt from
17 taxation pursuant to the provisions of Section
18 501(c) (3) of the Internal Revenue Code, 26
19 U.S.C., Section 501(c) (3), or

20 (2) facilitate the distribution of such products to
21 the needy.

22 b. Sales made in the course of business for profit or
23 savings, competing with other persons engaged in the
24

1 same or similar business shall not be exempt under
2 this paragraph;

3 15. Sales of tangible personal property or services to
4 children's homes which are located on church-owned property and are
5 operated by organizations exempt from taxation pursuant to the
6 provisions of the Internal Revenue Code, 26 U.S.C., Section
7 501(c) (3);

8 16. Sales of computers, data processing equipment, related
9 peripherals and telephone, telegraph or telecommunications service
10 and equipment for use in a qualified aircraft maintenance or
11 manufacturing facility. For purposes of this paragraph, "qualified
12 aircraft maintenance or manufacturing facility" means a new or
13 expanding facility primarily engaged in aircraft repair, building or
14 rebuilding whether or not on a factory basis, whose total cost of
15 construction exceeds the sum of Five Million Dollars (\$5,000,000.00)
16 and which employs at least two hundred fifty (250) new full-time-
17 equivalent employees, as certified by the Oklahoma Employment
18 Security Commission, upon completion of the facility. In order to
19 qualify for the exemption provided for by this paragraph, the cost
20 of the items purchased by the qualified aircraft maintenance or
21 manufacturing facility shall equal or exceed the sum of Two Million
22 Dollars (\$2,000,000.00);

23 17. Sales of tangible personal property consumed or
24 incorporated in the construction or expansion of a qualified

1 aircraft maintenance or manufacturing facility as defined in
2 paragraph 16 of this section. For purposes of this paragraph, sales
3 made to a contractor or subcontractor that has previously entered
4 into a contractual relationship with a qualified aircraft
5 maintenance or manufacturing facility for construction or expansion
6 of such a facility shall be considered sales made to a qualified
7 aircraft maintenance or manufacturing facility;

8 18. Sales of the following telecommunications services:

9 a. Interstate and International "800 service". "800
10 service" means a "telecommunications service" that
11 allows a caller to dial a toll-free number without
12 incurring a charge for the call. The service is
13 typically marketed under the name "800", "855", "866",
14 "877", and "888" toll-free calling, and any subsequent
15 numbers designated by the Federal Communications
16 Commission, or

17 b. Interstate and International "900 service". "900
18 service" means an inbound toll "telecommunications
19 service" purchased by a subscriber that allows the
20 subscriber's customers to call in to the subscriber's
21 prerecorded announcement or live service. "900
22 service" does not include the charge for: collection
23 services provided by the seller of the
24 "telecommunications services" to the subscriber, or

1 service or product sold by the subscriber to the
2 subscriber's customer. The service is typically
3 marketed under the name "900" service, and any
4 subsequent numbers designated by the Federal
5 Communications Commission,

6 c. Interstate and International "private communications
7 service". "Private communications service" means a
8 "telecommunications service" that entitles the
9 customer to exclusive or priority use of a
10 communications channel or group of channels between or
11 among termination points, regardless of the manner in
12 which such channel or channels are connected, and
13 includes switching capacity, extension lines,
14 stations, and any other associated services that are
15 provided in connection with the use of such channel or
16 channels,

17 d. "Value-added nonvoice data service". "Value-added
18 nonvoice data service" means a service that otherwise
19 meets the definition of "telecommunications services"
20 in which computer processing applications are used to
21 act on the form, content, code, or protocol of the
22 information or data primarily for a purpose other than
23 transmission, conveyance or routing,
24

1 e. Interstate and International telecommunications
2 service which is:

3 (1) rendered by a company for private use within its
4 organization, or

5 (2) used, allocated, or distributed by a company to
6 its affiliated group,

7 f. Regulatory assessments and charges, including charges
8 to fund the Oklahoma Universal Service Fund, the
9 Oklahoma Lifeline Fund and the Oklahoma High Cost
10 Fund, and

11 g. Telecommunications nonrecurring charges, including but
12 not limited to the installation, connection, change or
13 initiation of telecommunications services which are
14 not associated with a retail consumer sale;

15 19. Sales of railroad track spikes manufactured and sold for
16 use in this state in the construction or repair of railroad tracks,
17 switches, sidings and turnouts;

18 20. Sales of aircraft and aircraft parts provided such sales
19 occur at a qualified aircraft maintenance facility. As used in this
20 paragraph, "qualified aircraft maintenance facility" means a
21 facility operated by an air common carrier, including one or more
22 component overhaul support buildings or structures in an area owned,
23 leased or controlled by the air common carrier, at which there were
24 employed at least two thousand (2,000) full-time-equivalent

1 employees in the preceding year as certified by the Oklahoma
2 Employment Security Commission and which is primarily related to the
3 fabrication, repair, alteration, modification, refurbishing,
4 maintenance, building or rebuilding of commercial aircraft or
5 aircraft parts used in air common carriage. For purposes of this
6 paragraph, "air common carrier" shall also include members of an
7 affiliated group as defined by Section 1504 of the Internal Revenue
8 Code, 26 U.S.C., Section 1504. Beginning July 1, 2012, sales of
9 machinery, tools, supplies, equipment and related tangible personal
10 property and services used or consumed in the repair, remodeling or
11 maintenance of aircraft, aircraft engines, or aircraft component
12 parts which occur at a qualified aircraft maintenance facility;

13 21. Sales of machinery and equipment purchased and used by
14 persons and establishments primarily engaged in computer services
15 and data processing:

16 a. as defined under Industrial Group Numbers 7372 and
17 7373 of the Standard Industrial Classification (SIC)
18 Manual, latest version, which derive at least fifty
19 percent (50%) of their annual gross revenues from the
20 sale of a product or service to an out-of-state buyer
21 or consumer, and

22 b. as defined under Industrial Group Number 7374 of the
23 SIC Manual, latest version, which derive at least
24 eighty percent (80%) of their annual gross revenues

1 from the sale of a product or service to an out-of-
2 state buyer or consumer.

3 Eligibility for the exemption set out in this paragraph shall be
4 established, subject to review by the Tax Commission, by annually
5 filing an affidavit with the Tax Commission stating that the
6 facility so qualifies and such information as required by the Tax
7 Commission. For purposes of determining whether annual gross
8 revenues are derived from sales to out-of-state buyers or consumers,
9 all sales to the federal government shall be considered to be to an
10 out-of-state buyer or consumer;

11 22. Sales of prosthetic devices to an individual for use by
12 such individual. For purposes of this paragraph, "prosthetic
13 device" shall have the same meaning as provided in Section 1357.6 of
14 this title, but shall not include corrective eye glasses, contact
15 lenses or hearing aids;

16 23. Sales of tangible personal property or services to a motion
17 picture or television production company to be used or consumed in
18 connection with an eligible production. For purposes of this
19 paragraph, "eligible production" means a documentary, special, music
20 video, or a television commercial or television program that will
21 serve as a pilot for or be a segment of an ongoing dramatic or
22 situation comedy series filmed or taped for network or national or
23 regional syndication or a feature-length motion picture intended for
24 theatrical release or for network or national or regional

1 syndication or broadcast. The provisions of this paragraph shall
2 apply to sales occurring on or after July 1, 1996. In order to
3 qualify for the exemption, the motion picture or television
4 production company shall file any documentation and information
5 required to be submitted pursuant to rules promulgated by the Tax
6 Commission;

7 24. Sales of diesel fuel sold for consumption by commercial
8 vessels, barges and other commercial watercraft;

9 25. Sales of tangible personal property or services to tax-
10 exempt independent nonprofit biomedical research foundations that
11 provide educational programs for Oklahoma science students and
12 teachers and to tax-exempt independent nonprofit community blood
13 banks headquartered in this state;

14 26. Effective May 6, 1992, sales of wireless telecommunications
15 equipment to a vendor who subsequently transfers the equipment at no
16 charge or for a discounted charge to a consumer as part of a
17 promotional package or as an inducement to commence or continue a
18 contract for wireless telecommunications services;

19 27. Effective January 1, 1991, leases of rail transportation
20 cars to haul coal to coal-fired plants located in this state which
21 generate electric power;

22 28. Beginning July 1, 2005, sales of aircraft engine repairs,
23 modification, and replacement parts, sales of aircraft frame repairs
24 and modification, aircraft interior modification, and paint, and

1 sales of services employed in the repair, modification and
2 replacement of parts of aircraft engines, aircraft frame and
3 interior repair and modification, and paint;

4 29. Sales of materials and supplies to the owner or operator of
5 a ship, motor vessel or barge that is used in interstate or
6 international commerce if the materials and supplies:

7 a. are loaded on the ship, motor vessel or barge and used
8 in the maintenance and operation of the ship, motor
9 vessel or barge, or

10 b. enter into and become component parts of the ship,
11 motor vessel or barge;

12 30. Sales of tangible personal property made at estate sales at
13 which such property is offered for sale on the premises of the
14 former residence of the decedent by a person who is not required to
15 be licensed pursuant to the Transient Merchant Licensing Act, or who
16 is not otherwise required to obtain a sales tax permit for the sale
17 of such property pursuant to the provisions of Section 1364 of this
18 title; provided:

19 a. such sale or event may not be held for a period
20 exceeding three (3) consecutive days,

21 b. the sale must be conducted within six (6) months of
22 the date of death of the decedent, and
23
24

1 c. the exemption allowed by this paragraph shall not be
2 allowed for property that was not part of the
3 decedent's estate;

4 31. Beginning January 1, 2004, sales of electricity and
5 associated delivery and transmission services, when sold exclusively
6 for use by an oil and gas operator for reservoir dewatering projects
7 and associated operations commencing on or after July 1, 2003, in
8 which the initial water-to-oil ratio is greater than or equal to
9 five-to-one water-to-oil, and such oil and gas development projects
10 have been classified by the Corporation Commission as a reservoir
11 dewatering unit;

12 32. Sales of prewritten computer software that is delivered
13 electronically. For purposes of this paragraph, "delivered
14 electronically" means delivered to the purchaser by means other than
15 tangible storage media;

16 33. Sales of modular dwelling units when built at a production
17 facility and moved in whole or in parts, to be assembled on-site,
18 and permanently affixed to the real property and used for
19 residential or commercial purposes. The exemption provided by this
20 paragraph shall equal forty-five percent (45%) of the total sales
21 price of the modular dwelling unit. For purposes of this paragraph,
22 "modular dwelling unit" means a structure that is not subject to the
23 motor vehicle excise tax imposed pursuant to Section 2103 of this
24 title;

1 34. Sales of tangible personal property or services to:

2 a. persons who are residents of Oklahoma and have been
3 honorably discharged from active service in any branch
4 of the Armed Forces of the United States or Oklahoma
5 National Guard and who have been certified by the
6 United States Department of Veterans Affairs or its
7 successor to be in receipt of disability compensation
8 at the one-hundred-percent rate and the disability
9 shall be permanent and have been sustained through
10 military action or accident or resulting from disease
11 contracted while in such active service and registered
12 with the veterans registry created by the Oklahoma
13 Department of Veterans Affairs; provided, that if the
14 veteran has previously received the sales tax
15 exemption pursuant to this subparagraph, no
16 registration with the veterans registry shall be
17 required, or

18 b. the surviving spouse of ~~such~~ the person in
19 subparagraph a of this paragraph if the person is
20 deceased and the spouse has not remarried; ~~provided,~~
21 ~~sales.~~ Sales for the benefit of ~~the~~ an eligible
22 person to a spouse of the eligible person or to a
23 member of the household in which the eligible person
24 resides and who is authorized to make purchases on the

1 person's behalf, when such eligible person is not
2 present at the sale, shall also be exempt for purposes
3 of this paragraph. The Oklahoma Tax Commission shall
4 issue a separate exemption card to a spouse of an
5 eligible person or to a member of the household in
6 which the eligible person resides who is authorized to
7 make purchases on the person's behalf, if requested by
8 the eligible person. Sales qualifying for the
9 exemption authorized by this paragraph shall not
10 exceed Twenty-five Thousand Dollars (\$25,000.00) per
11 year per individual while the disabled veteran is
12 living. Sales qualifying for the exemption authorized
13 by this paragraph shall not exceed One Thousand
14 Dollars (\$1,000.00) per year for an unremarried
15 surviving spouse. Upon request of the Tax Commission,
16 a person asserting or claiming the exemption
17 authorized by this paragraph shall provide a
18 statement, executed under oath, that the total sales
19 amounts for which the exemption is applicable have not
20 exceeded Twenty-five Thousand Dollars (\$25,000.00) per
21 year per living disabled veteran or One Thousand
22 Dollars (\$1,000.00) per year for an unremarried
23 surviving spouse. If the amount of such exempt sales
24 exceeds such amount, the sales tax in excess of the

1 authorized amount shall be treated as a direct sales
2 tax liability and may be recovered by the Tax
3 Commission in the same manner provided by law for
4 other taxes, including penalty and interest. The Tax
5 Commission shall promulgate any rules necessary to
6 implement the provisions of this section;

7 35. Sales of electricity to the operator, specifically
8 designated by the Corporation Commission, of a spacing unit or lease
9 from which oil is produced or attempted to be produced using
10 enhanced recovery methods, including, but not limited to, increased
11 pressure in a producing formation through the use of water or
12 saltwater if the electrical usage is associated with and necessary
13 for the operation of equipment required to inject or circulate
14 fluids in a producing formation for the purpose of forcing oil or
15 petroleum into a wellbore for eventual recovery and production from
16 the wellhead. In order to be eligible for the sales tax exemption
17 authorized by this paragraph, the total content of oil recovered
18 after the use of enhanced recovery methods shall not exceed one
19 percent (1%) by volume. The exemption authorized by this paragraph
20 shall be applicable only to the state sales tax rate and shall not
21 be applicable to any county or municipal sales tax rate;

22 36. Sales of intrastate charter and tour bus transportation.
23 As used in this paragraph, "intrastate charter and tour bus
24 transportation" means the transportation of persons from one

1 location in this state to another location in this state in a motor
2 vehicle which has been constructed in such a manner that it may
3 lawfully carry more than eighteen persons, and which is ordinarily
4 used or rented to carry persons for compensation. Provided, this
5 exemption shall not apply to regularly scheduled bus transportation
6 for the general public;

7 37. Sales of vitamins, minerals and dietary supplements by a
8 licensed chiropractor to a person who is the patient of such
9 chiropractor at the physical location where the chiropractor
10 provides chiropractic care or services to such patient. The
11 provisions of this paragraph shall not be applicable to any drug,
12 medicine or substance for which a prescription by a licensed
13 physician is required;

14 38. Sales of goods, wares, merchandise, tangible personal
15 property, machinery and equipment to a web search portal located in
16 this state which derives at least eighty percent (80%) of its annual
17 gross revenue from the sale of a product or service to an out-of-
18 state buyer or consumer. For purposes of this paragraph, "web
19 search portal" means an establishment classified under NAICS code
20 519130 which operates websites that use a search engine to generate
21 and maintain extensive databases of Internet addresses and content
22 in an easily searchable format;

23 39. Sales of tangible personal property consumed or
24 incorporated in the construction or expansion of a facility for a

1 corporation organized under Section 437 et seq. of Title 18 of the
2 Oklahoma Statutes as a rural electric cooperative. For purposes of
3 this paragraph, sales made to a contractor or subcontractor that has
4 previously entered into a contractual relationship with a rural
5 electric cooperative for construction or expansion of a facility
6 shall be considered sales made to a rural electric cooperative;

7 40. Sales of tangible personal property or services to a
8 business primarily engaged in the repair of consumer electronic
9 goods, including, but not limited to, cell phones, compact disc
10 players, personal computers, MP3 players, digital devices for the
11 storage and retrieval of information through hard-wired or wireless
12 computer or Internet connections, if the devices are sold to the
13 business by the original manufacturer of such devices and the
14 devices are repaired, refitted or refurbished for sale by the entity
15 qualifying for the exemption authorized by this paragraph directly
16 to retail consumers or if the devices are sold to another business
17 entity for sale to retail consumers;

18 41. Before July 1, 2019, sales of rolling stock when sold or
19 leased by the manufacturer, regardless of whether the purchaser is a
20 public services corporation engaged in business as a common carrier
21 of property or passengers by railway, for use or consumption by a
22 common carrier directly in the rendition of public service. For
23 purposes of this paragraph, "rolling stock" means locomotives,
24 autocars and railroad cars; and

1 42. Sales of gold, silver, platinum, palladium or other bullion
2 items such as coins and bars and legal tender of any nation, which
3 legal tender is sold according to its value as precious metal or as
4 an investment. As used in the paragraph, "bullion" means any
5 precious metal, including, but not limited to, gold, silver,
6 platinum and palladium, that is in such a state or condition that
7 its value depends upon its precious metal content and not its form.
8 The exemption authorized by this paragraph shall not apply to
9 fabricated metals that have been processed or manufactured for
10 artistic use or as jewelry.

11 SECTION 11. AMENDATORY 68 O.S. 2011, Section 2105, as
12 last amended by Section 1, Chapter 312, O.S.L. 2016 (68 O.S. Supp.
13 2016, Section 2105), is amended to read as follows:

14 Section 2105. An original or a transfer certificate of title
15 shall be issued without the payment of the excise tax levied by
16 Section 2101 et seq. of this title for:

17 1. Any vehicle owned by a nonresident person who operates
18 principally in some other state but who is in Oklahoma only
19 occasionally;

20 2. Any vehicle brought into this state by a person formerly
21 living in another state, who has owned and registered the vehicle in
22 such other state of residence at least sixty (60) days prior to the
23 time it is required to be registered in this state; provided,
24

1 however, this paragraph shall not apply to businesses engaged in
2 renting cars without a driver;

3 3. Any vehicle registered by the State of Oklahoma, by any of
4 the political subdivisions thereof, or by a fire department
5 organized pursuant to Section 592 of Title 18 of the Oklahoma
6 Statutes to be used for the purposes of the fire department, or a
7 vehicle which is the subject of a lease or lease-purchase agreement
8 executed between the person seeking an original or transfer
9 certificate of title for the vehicle and a municipality, county,
10 school district, or fire protection district. The person seeking an
11 original or transfer certificate of title shall provide adequate
12 proof that the vehicle is subject to a lease or lease-purchase
13 agreement with a municipality, county, school district, or fire
14 protection district at the time the excise tax levied would
15 otherwise be payable. The Oklahoma Tax Commission shall have the
16 authority to determine what constitutes adequate proof as required
17 by this section;

18 4. Any vehicle, the legal ownership of which is obtained by the
19 applicant for a certificate of title by inheritance;

20 5. Any used motor vehicle, travel trailer, or commercial
21 trailer which is owned and being offered for sale by a person
22 licensed as a dealer to sell the same, under the provisions of the
23 Oklahoma Vehicle License and Registration Act:

24

1 a. if such vehicle, travel trailer, or commercial trailer
2 has been registered in Oklahoma and the excise tax
3 paid thereon, or

4 b. when such vehicle, travel trailer, or commercial
5 trailer has been registered in some other state but is
6 not the latest manufactured model.

7 Provided, the provisions of this paragraph shall not be
8 construed as allowing an exemption to any person not licensed as a
9 dealer of used motor vehicles, travel trailers, or commercial
10 trailers, or as an automotive dismantler and parts recycler in this
11 state;

12 6. Any vehicle which was purchased by a person licensed to sell
13 new or used motor vehicles in another state:

14 a. if such vehicle is not purchased for operation or
15 resale in this state, and

16 b. the state from which the dealer is licensed offers
17 reciprocal privileges to a dealer licensed in this
18 state, pursuant to a reciprocal agreement between the
19 duly authorized agent of the Tax Commission and the
20 licensing state;

21 7. Any vehicle, the ownership of which was obtained by the
22 lienholder or mortgagee under or by foreclosure of a lien or
23 mortgage in the manner provided by law or to the insurer under
24

1 subrogated rights arising by reason of loss under an insurance
2 contract;

3 8. Any vehicle which is taxed on an ad valorem basis;

4 9. Any vehicle or motor vehicle, the legal ownership of which
5 is obtained by transfers:

6 a. from one corporation to another corporation pursuant
7 to a reorganization. As used in this subsection the
8 term "reorganization" means:

9 (1) a statutory merger or consolidation, or

10 (2) the acquisition by a corporation of substantially
11 all of the properties of another corporation when
12 the consideration is solely all or a part of the
13 voting stock of the acquiring corporation, or of
14 its parent or subsidiary corporation,

15 b. in connection with the winding up, dissolution, or
16 liquidation of a corporation only when there is a
17 distribution in kind to the shareholders of the
18 property of such corporation,

19 c. to a corporation where the former owners of the
20 vehicle or motor vehicle transferred are, immediately
21 after the transfer, in control of the corporation, and
22 the stock or securities received by each is
23 substantially in proportion to the interest in the
24 vehicle or motor vehicle prior to the transfer,

- 1 d. to a partnership if the former owners of the vehicle
2 or motor vehicle transferred are, immediately after
3 the transfer, members of such partnership and the
4 interest in the partnership received by each is
5 substantially in proportion to the interest in the
6 vehicle or motor vehicle prior to the transfer,
7 e. from a partnership to the members thereof when made in
8 the dissolution of such partnership,
9 f. to a limited liability company if the former owners of
10 the vehicle or motor vehicle transferred are,
11 immediately after the transfer, members of the limited
12 liability company and the interest in the limited
13 liability company received by each is substantially in
14 proportion to the interest in the vehicle or motor
15 vehicle prior to the transfer, or
16 g. from a limited liability company to the members
17 thereof when made in the dissolution of such
18 partnership;

19 10. Any vehicle which is purchased by a person to be used by a
20 business engaged in renting motor vehicles without a driver,
21 provided:

- 22 a. the vehicle shall not be rented to the same person for
23 a period exceeding ninety (90) days,
24

1 b. any such vehicle exempted from the excise tax by these
2 provisions shall not be placed under any type of lease
3 agreement,

4 c. on any such vehicle exempted from the excise tax by
5 this subsection that is reregistered in this state,
6 without a prior sale or transfer to the persons
7 specified in divisions (1) and (2) of this
8 subparagraph, at any time prior to the expiration of
9 twelve (12) months from the date of issuance of the
10 original title, the seller shall pay immediately the
11 amount of excise tax which would have been due had
12 this exemption not been granted plus a penalty of
13 twenty percent (20%). No such excise tax or penalty
14 shall become due and payable if the vehicle is sold or
15 transferred in a condition either physical or
16 mechanical which would render it eligible for a
17 salvage title pursuant to law or if the vehicle is
18 sold and transferred in this state at any time prior
19 to the expiration of twelve (12) months:

20 (1) to the manufacturer of the vehicle or its
21 controlled financing arm, or

22 (2) to a factory authorized franchised new motor
23 vehicle dealer which holds a franchise of the
24 same line-make of the vehicle being purchased, or

1 d. when this exemption is claimed, the Tax Commission
2 shall issue a special title which shall restrict the
3 transfer of the title only within this state prior to
4 the expiration of twelve (12) months unless:

5 (1) payment of the excise tax plus penalty as
6 provided in this section is made,

7 (2) the sale is made to a person specified in
8 division (1) or (2) of subparagraph c of this
9 paragraph, or

10 (3) the vehicle is eligible for a salvage title.

11 For all other tax purposes vehicles herein exempted shall be
12 treated as though the excise tax has been paid;

13 11. Any vehicle of the latest manufactured model, registered
14 from a title in the name of the original manufacturer or assigned to
15 the original manufacturer and issued by any state and transferred to
16 a licensed, franchised Oklahoma motor vehicle dealer, as defined by
17 Section 1102 of Title 47 of the Oklahoma Statutes, which holds a
18 franchise of the same line-make as the vehicle being registered;

19 12. Any new motor vehicle, registered in the name of a
20 manufacturer or dealer of new motor vehicles, for which a license
21 plate has been issued pursuant to Section 1116.1 of Title 47 of the
22 Oklahoma Statutes, if such vehicle is authorized by the manufacturer
23 or dealer for personal use by an individual. The authorization for
24 such use shall not exceed four (4) months which shall not be renewed

1 or the exemption provided by this subsection shall not be
2 applicable. The exemption provided by this subsection shall not be
3 applicable to a transfer of ownership or registration subsequent to
4 the first registration of the vehicle by a manufacturer or dealer;

5 13. Any vehicle, travel trailer, or commercial trailer of the
6 latest manufacturer model purchased by a franchised Oklahoma dealer
7 licensed to sell the same which holds a franchise of the same line-
8 make as the vehicle, travel trailer, or commercial trailer being
9 registered;

10 14. Any vehicle which is the subject of a lease or lease-
11 purchase agreement and which the ownership of such vehicle is being
12 obtained by the lessee, if the vehicle excise tax was paid at the
13 time of the initial lease or lease-purchase agreement;

14 15. Any vehicle which:

15 a. is purchased by a private, nonprofit organization
16 which is exempt from taxation pursuant to the
17 provisions of Section 501(c)(3) of the Internal
18 Revenue Code, 26 U.S.C., Section 501(c)(3), and which
19 is primarily funded by a fraternal or civic service
20 organization with at least one hundred local chapters
21 or clubs, and

22 b. is designed and used to provide mobile health
23 screening services to the general public at no cost to
24 the recipient, and for which no reimbursement of any

1 kind is received from any health insurance provider,
2 health maintenance organization, or governmental
3 program;

4 16. Any vehicle which is purchased by an individual who has
5 been honorably discharged from active service in any branch of the
6 Armed Forces of the United States or Oklahoma National Guard and who
7 has been certified by the United States Department of Veterans
8 Affairs, its successor, or the Armed Forces of the United States to
9 be a disabled veteran in receipt of compensation at the one-hundred-
10 percent rate for a permanent disability sustained through military
11 action or accident resulting from disease contracted while in such
12 active service and registered with the veterans registry created by
13 the Oklahoma Department of Veterans Affairs; provided, that if the
14 veteran has previously received exemption pursuant to this
15 paragraph, no registration with the veterans registry shall be
16 required. This exemption may not be claimed by an individual for
17 more than one vehicle in a consecutive three-year period, unless the
18 vehicle is a replacement for a vehicle which was destroyed and
19 declared by the insurer to be a total loss claim. The Tax
20 Commission shall promulgate any rules necessary to implement the
21 provisions of this section; or

22 17. Any vehicle on which ownership is transferred by a
23 reposessor directly back to the owner or owners from whom the
24 vehicle was repossessed; provided, ownership shall be assigned by

1 the reposessor within thirty (30) days of issuance of the
2 repossession title and shall be identical to that reflected in the
3 vehicle title record immediately prior to the repossession.

4 SECTION 12. AMENDATORY 72 O.S. 2011, Section 402, is
5 amended to read as follows:

6 Section 402. As used in the Special Disabled Veterans
7 Employment Act:

8 1. "Special disabled veterans" means those honorably discharged
9 persons who:

- 10 a. meet the criteria for war veterans as set out in
11 Section 67.13a of this title, ~~and~~
- 12 b. have a service-connected disability rated at thirty
13 percent (30%) or more by the Veterans Administration
14 or the Armed Forces of the United States, ~~and~~
- 15 c. have been a resident of Oklahoma for at least one (1)
16 year prior to the date of the examination~~+~~, and
- 17 d. are registered with the veterans registry created by
18 the Oklahoma Department of Veterans Affairs; and

19 2. "Agency" means any office, department, board, commission or
20 institution of the state government.

21 SECTION 13. Section 1 of this act shall become effective
22 November 1, 2017.

23
24

1 SECTION 14. Sections 2 through 12 of this act shall become
2 effective November 1, 2020.

3

4 56-1-7203 JM 03/01/17

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24