



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-175A

John W. Maile, Executive Director  
Oklahoma Used Motor Vehicle and Parts Commission  
2401 N.W. 23<sup>rd</sup> Street, Suite 57  
Oklahoma City, OK 73107

June 8, 2018

Dear Executive Director Maile:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Used Motor Vehicle and Parts Commission intends to take pursuant to consent agreement with used motor vehicle dealer licensee UD-5798. The licensee failed to maintain the required forms and failed to maintain an office and a business which meets licensing requirements. The Commission proposes to impose a \$1,500 fine.

Oklahoma law authorizes the Commission to fine licensees who violate the Commission's rules and its authorizing statutes. 47 O.S.Supp.2017, § 584(A). Board rules require that certain forms be used in vehicle sales, and that licensees retain sales records, including certificates of title, for three years after a sale. OAC 765:10-3-1(a)(1); 10-3-3(a). Licensees also must "have an established place of business . . . which includes . . . a display area for vehicle(s) that are for retail easily accessible, and readily distinguishable from vehicles parked on the premises for purposes other than for sale of the vehicle by the licensed dealer . . . [and] a sign" OAC 765:10-1-3(a)(1), (6). The Commission may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Used Motor Vehicle and Parts Commission has adequate support for the conclusion that this action advances the State's policy of protecting the public by requiring that used motor vehicle dealers maintain proper records and meet minimum licensing requirements.

MIKE HUNTER  
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