



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-176A

John W. Maile, Executive Director
Oklahoma Used Motor Vehicle and Parts Commission
2401 N.W. 23rd 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 wholesale used motor vehicle dealer licensee WD-10773. The licensee sold fourteen vehicles to retail buyers. The Commission proposes to impose a \$1,000 fine per violation totaling \$14,000.

Oklahoma law authorizes the Commission to “impose a fine not to exceed One Thousand Dollars (\$1,000.00) per occurrence . . . [f]or any willful failure to comply with . . . any rule promulgated by the Commission.” 47 O.S.Supp.2017, § 584(A)(3). Board rules state that “[a] wholesale used motor vehicle dealer shall not assign a certificate of title to anyone other than a licensed used motor vehicle dealer.” OAC 765:20-3-1. 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 regulating the sale of used motor vehicles and licensing used motor vehicle dealers.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Ethan Shaner".

ETHAN SHANER
DEPUTY ASSISTANT ATTORNEY GENERAL