



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-313A

Roy K. Dockum, Executive Director
Oklahoma Motor Vehicle Commission
4334 Northwest Expressway, Ste. 183
Oklahoma City, Oklahoma 73116

May 19, 2016

Dear Executive Director Dockum:

This office has received your request for a written Attorney General Opinion regarding agency actions that the Oklahoma Motor Vehicle Commission intends to take. The proposed actions are to impose—pursuant to consent agreements—fines on some six new motor vehicle dealer licensees for employing unlicensed salespersons for periods ranging from about two months to about five months. Each licensee would receive a \$100 to \$250 fine for each unlicensed salesperson employed, the fine differing according to the length of employment. The specific licensees, the number of unlicensed persons employed, the fines, and the length of employment for each are attached as Appendix A.

Oklahoma law authorizes the Oklahoma Motor Vehicle Commission to “impose a fine not to exceed One Thousand Dollars . . . against a dealer per occurrence” for several reasons, including “employ[ing] unlicensed salespersons . . . or other unlicensed persons in connection with the sale of new motor vehicles.” 47 O.S.Supp.2015, § 565(A), (A)(7)(d). The actions enforce this straightforward statutory requirement by imposing fines that deter failure to ensure new motor vehicle salespersons obtain valid licenses.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Motor Vehicles Commission has adequate support for the conclusion that these actions advance the State of Oklahoma’s policy to require licensure of new motor vehicle salespersons.

A handwritten signature in black ink, reading "E. Scott Pruitt". The signature is written in a cursive, flowing style.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA



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APPENDIX A**

DEALERSHIP NAME	DEALERSHIP LICENSE #	SALES PERSON EMPLOYED UNLICENSED		FINE
		FROM	UNTIL	
1. Red River Ford Lincoln - Durant	69	1/18/16	3/21/16	\$100
Red River Ford Lincoln - Durant	69	7/13/15	3/21/16	\$250
2. Tulsa Hyundai - Tulsa	727	1/22/16	4/4/16	\$100
Tulsa Hyundai - Tulsa	727	1/25/16	4/4/16	\$100
Tulsa Hyundai - Tulsa	727	1/30/16	4/4/16	\$100
3. Battison Honda - OKC	698	11/6/15	4/16/16	\$150
Battison Honda - OKC	698	1/19/16	4/11/16	\$100
4. Camping World RV Sales - OKC	693	2/1/16	4/1/16	\$100
Camping World RV Sales - OKC	693	2/1/16	4/1/16	\$100
5. Brad Fenton Motors - Ardmore	56	12/9/15	3/21/16	\$100
6. Lawton Kia - Lawton	792	1/29/16	4/4/16	\$100