



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-16A

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

January 7, 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 twenty-five new motor vehicle dealer licensees for employing unlicensed salespersons. The length of employment for each unlicensed salesperson was about four months, and the agreements impose fines of \$100 for each unlicensed salesperson employed. The specific licensees, the number of unlicensed persons employed, 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 requirement of the statutes by imposing fines that deter failures to ensure that salespersons at new motor vehicle dealerships 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, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

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APPENDIX A**

	DEALERSHIP NAME	LICENSE	SALES PERSON		FINE
			EMPLOYED	UNLICENSED	
			FROM	UNTIL	
1.	BARRY SANDERS SUPERCENTER	580	07/27/15	11/19/15	\$100
2.	DAVID STANLEY CHEVROLET – OKC	341	07/18/15	11/19/15	\$100
	DAVID STANLEY CHEVROLET – OKC	341	07/18/15	11/19/15	\$100
	DAVID STANLEY CHEVROLET – OKC	341	07/18/15	11/19/15	\$100
	DAVID STANLEY CHEVROLET – OKC	341	07/18/15	11/19/15	\$100
	DAVID STANLEY CHEVROLET – OKC	341	07/20/15	11/19/15	\$100
	DAVID STANLEY CHEVROLET – OKC	341	07/20/15	11/19/15	\$100
3.	DAVID STANLEY CHEVROLET – NORMAN	707	07/20/15	11/19/15	\$100
	DAVID STANLEY CHEVROLET – NORMAN	707	07/20/15	11/19/15	\$100
	DAVID STANLEY CHEVROLET – NORMAN	707	07/20/15	11/19/15	\$100
4.	DAVID STANLEY KIA – OKC	790	07/18/15	11/18/15	\$100
5.	FERGUSON IMPORTS – BROKEN ARROW	256	06/23/15	11/18/15	\$100
6.	FOWLER HONDA – NORMAN	347	07/14/15	11/18/15	\$100
7.	FOWLER TOYOTA – NORMAN	423	07/10/15	11/18/15	\$100
	FOWLER TOYOTA – NORMAN	423	07/10/15	11/18/15	\$100
	FOWLER TOYOTA – NORMAN	423	07/10/15	11/18/15	\$100
8.	FOWLER TOYOTA - TULSA	699	08/07/15	11/18/15	\$100
9.	FREEDOM FORD – MCALESTER	722	07/01/15	11/18/15	\$100
	FREEDOM FORD – MCALESTER	722	07/01/15	11/18/15	\$100
10.	JACKSON CJDR – ENID	463	07/22/15	11/19/15	\$100
11.	JAMES HODGE FORD – IDABEL	204	07/23/15	11/19/15	\$100
12.	JAMES HODGE HYUNDAI – MUSKOGEE	582	07/16/15	11/19/15	\$100
13.	JIM NORTON CHEVROLET – BROKEN ARROW	697	07/31/15	11/19/15	\$100
14.	JIM NORTON TOYOTA – OKC	702	09/10/15	11/18/15	\$100
	JIM NORTON TOYOTA – OKC	702	07/02/15	11/18/15	\$100
	JIM NORTON TOYOTA – OKC	702	07/02/15	11/18/15	\$100
	JIM NORTON TOYOTA – OKC	702	07/02/15	11/18/15	\$100
15.	JIM NORTON TOYOTA – TULSA	114	07/31/15	11/19/15	\$100
16.	JOE COOPER FORD – YUKON	426	07/28/15	11/18/15	\$100
17.	KEYSTONE CHEVROLET – SAND SPRINGS	216	07/02/15	11/19/15	\$100
18.	LAWTON CJDR – LAWTON	618	07/27/15	11/19/15	\$100
19.	NELSON NISSAN – BROKEN ARROW	162	07/17/15	11/19/15	\$100
20.	REYNOLDS FORD LINCOLN – EDMOND	505	07/09/15	11/18/15	\$100
21.	SETH WADLEY AUTO GROUP – PAULS VALLEY	678	07/17/15	11/19/15	\$100
	SETH WADLEY AUTO GROUP – PAULS VALLEY	678	07/17/15	11/19/15	\$100
	SETH WADLEY AUTO GROUP – PAULS VALLEY	678	07/17/15	11/19/15	\$100
22.	SETH WADLEY FORD – PAULS VALLEY	576	07/17/15	11/19/15	\$100
	SETH WADLEY FORD – PAULS VALLEY	576	07/17/15	11/19/15	\$100
23.	STILLWATER HONDA CARS – STILLWATER	637	07/27/15	11/19/15	\$100
	STILLWATER HONDA CARS – STILLWATER	637	07/27/15	11/19/15	\$100
24.	THOMAS FORD – STILLWATER	123	07/17/15	11/18/15	\$100
25.	TULSA HYUNDAI – TULSA	727	07/27/15	11/19/15	\$100