



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-453A

John W. Maile, Executive Director
Oklahoma Used Motor Vehicle and
Parts Commission
2401 NW 23rd St., Ste. 57
Oklahoma City, Oklahoma 73107

August 1, 2016

Dear Executive Director Maile:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Used Motor Vehicle and Parts Commission intends to take with respect to used motor vehicle dealer license 5348. The proposed action is to impose fines on the licensee totaling \$3,475. The licensee employed two unlicensed salespersons, failed to properly assign certificates of title to buyers, failed to obtain title receipts, and failed to maintain records of temporary license plates.

Oklahoma law authorizes the Commission to fine licensees who violate the Commission's rules and its authorizing statutes, including employing unlicensed salespersons. 47 O.S.Supp.2015, § 584(A)(3), (7)(b). When a used motor vehicle dealer sells a vehicle to anyone other than a licensed dealer, the dealer must maintain evidence that it delivered the certificate of title to the buyer and must provide buyers with a temporary license plate. OAC 765:10-3-1(a)(4), (5). A dealer must maintain a record of temporary license plates that it has issued. OAC 765:13-3-5. The action seeks to enforce these requirements, which help ensure consumers properly receive title to vehicles they have purchased, that they are assisted by salespersons licensed to serve them, and that the Commission may ensure used motor vehicle dealers are issuing temporary license plates in accordance with state law. The Commission may reasonably believe that imposing fines will 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 of Oklahoma's policy that used motor vehicle dealers conduct business in accordance with state laws.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA