



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-860A

Roy K. Dockum, Executive Director
Oklahoma Motor Vehicle Commission
4334 N.W. Expressway, Suite 183
Oklahoma City, OK 73116

December 5, 2017

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 pursuant to eleven separate consent agreements. The proposed action is to impose separate fines on the eleven motor vehicle dealer licensees for employing unlicensed salespersons. The agreements impose fines of \$250 or \$500 for each unlicensed salesperson employed, depending on the length of time they were unlicensed. The specific licensees, the number of unlicensed persons employed, and the length of employment while unlicensed for each are attached hereto as Appendix A. All of the unlicensed salespersons were ineligible for renewal of their licenses due to being non-compliant by the Oklahoma Tax Commission; yet, the dealerships continued to employ them.

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.2017, § 565(A), (A)(7)(d). Further, an agency is prohibited from renewing a professional license if an applicant is deemed non-compliant by the Oklahoma Tax Commission. 68 O.S.Supp.2017, § 238.1(E). The proposed actions enforce this statutory requirement by imposing fines that deter failure to ensure all 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’s policy to require licensure of new motor vehicle salespersons.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL

Appendix A

Dealership Name	Dealership License #	Salesperson Employed From	Unlicensed Until	Fine
1. Keystone Chevrolet – Sand Springs	216	08/24/2016	10/16/2017	\$500
2. Lawton Kia – Lawton	792	12/26/2016	10/16/2017	\$500
3. Barry Sanders-Super Center – Stillwater	580	07/17/2017	10/13/2017	\$250
4. Bartlesville CJDR – Bartlesville	818	07/01/2017	10/13/2017	\$250
5. Camping World RV Sales – OKC	693	07/01/2017	10/13/2017	\$250
6. Classic Chevrolet – Owasso	159	07/01/2017	10/16/2017	\$250
7. David Stanley Ford – Midwest City	819	07/01/2017	10/13/2017	\$250
8. Heather Cannon Honda – Ponca City	38	07/01/2017	10/16/2017	\$250
9. Lawton CJDR – Lawton	618	07/01/2017	10/13/2017	\$250
10. Metro Ford – OKC	798	07/01/2017	10/13/2017	\$250
11. Tulsa Hyundai – Tulsa	727	07/01/2017	10/13/2017	\$250