



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-3A

John W. Maile, Executive Director
Oklahoma Used Motor Vehicle and Parts Commission
421 NW 13th St., Suite 330
Oklahoma City, OK 73103

January 16, 2017

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 used motor vehicle salesperson applicant, J.O. The applicant submitted six applications, which contained a misstatement. The Board proposes to fine the applicant \$500 for each misstatement, totaling \$3,000.

Oklahoma law authorizes the Commission to fine licensees and applicants who violate the Commission's rules and its authorizing statutes. 47 O.S.Supp.2017, § 585. The Board may assess a fine not to exceed \$1,000 when an applicant or licensee knowingly or willfully makes a false statement of fact on an application. *Id.* § 585(D). 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 requiring that used motor vehicle dealers meet minimum licensing requirements.

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

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL