



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-84A

John W. Maile, Executive Director
Oklahoma Used Motor Vehicle and Parts Commission
2401 N.W. 23rd Street, Suite 57
Oklahoma City, OK 73107

March 5, 2018

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 in case number UD-18-02 against Magic City Motor and J.H., the sole member of CSM Auto, LLC, doing business as Magic City Motor. J.H. and Magic City Motor falsified certificates of title, failed to obtain a required rebuilder's license, used a false temporary license plate, and knowingly allowed several unlicensed sales people to do business on its lot. The Commission proposes to revoke the license and impose a \$1,000 fine per violation, for a total fine of \$8,000.

Oklahoma law authorizes the Commission to fine and revoke the license of a licensee who "employs unlicensed salespersons," "has committed a fraudulent act in selling, purchasing or otherwise dealing in motor vehicles," or has "willful[ly] fail[ed] to comply with any provision of Section 581 . . . or with any rule promulgated by the Commission." 47 O.S.Supp.2017, § 584(A)(3), (6)(d), (7)(b). Further, licensees are prohibited from "fail[ing] to meet or maintain the conditions and requirements necessary to qualify for the issuance of a license." *Id.* § 584(A)(6)(f). 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 maintain proper records, operate from only reported locations, and 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 "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL