



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-85A

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-18-01 against MDG Auto Sales, LLC. and M.C., the sole member of MDG. M.C. and MGD failed to obtain a required rebuilder's license and removed and replaced Vehicle Identification Numbers (VINs) on several cars with the purpose of falsely obtaining rebuilt titles. 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 exhibits "unfitness," and has "willful[ly] fail[ed] to comply with any provision of Section 581 . . . or with any rule promulgated by the Commission," or "has engaged in business under a past or present license . . . in such a manner as to cause injury to the public." 47 O.S.Supp.2017, § 584(A)(1), (3), (6)(e). 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 meet minimum standards and licensing requirements.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL