



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-86A

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

March 5, 2018

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 actions are to impose fines on the eleven motor vehicle dealer licensees for employing unlicensed salespersons. The agreements impose fines 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.

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 Commission may reasonably believe that the proposed actions will ensure that motor vehicle dealers require their motor vehicle salespersons to 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.

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

## Appendix A

	Dealership Name	Dealership License #	Salesperson Employed From	Unlicensed Until	Fine
1.	Keystone Chevrolet – Sand Springs	216	08/30/2016	01/24/2018	\$1,000
2.	Keystone Chevrolet – Sand Springs	216	07/01/2017	01/24/2018	\$250
3.	Fenton Honda of Ardmore	38	07/01/2017	01/24/2018	\$250
4.	Fenton Nissan of McAlester	115	07/07/2017	01/24/2018	\$250
5.	John Vance Motors – Guthrie	362	07/01/2017	01/24/2018	\$250
6.	Mainer Ford – Okarche	852	07/01/2017	12/15/2017	\$250
7.	Pemberton, Inc. – Ponca City	286	07/01/2017	01/25/2018	\$250
8.	Roberts Auto Center – Pryor	363	07/09/2017	01/24/2018	\$250
9.	Roberts Dodge Chrysler Jeep – Pryor	358	07/09/2017	01/24/2018	\$250
10.	Roberts Ford-Lincoln – Pryor	733	07/09/2017	01/24/2018	\$250
11.	United Motors – Seminole	89	07/01/2017	12/15/2017	\$250
12.	Toyota of Ardmore – Ardmore	100	07/01/2017	01/24/2017	\$250
13.	Williams Chevrolet – Stigler	285	07/01/2017	12/15/2017	\$250
14.	Eufala Ford	453	09/05/2017	01/29/2018	\$150