



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-87A

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

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 with respect to used motor vehicle dealer licensees Wheels 2-Go, Inc., dba, East Broadway Motors and W.R., the sole shareholder and officer in Wheels 2-Go. The licensee was found to not be operating from its licensed location for four year years and had misrepresented on the last three applications for renewal that East Broadway Motors still operated at the listed location. The Commission proposes to impose a \$1,000 fine per violation, for a total fine of \$3,000.

Oklahoma law authorizes the Commission to fine licensees who violate the Commission's rules and its authorizing statutes. 47 O.S.Supp.2017, § 584(A). Commission rules require that licensees "operat[e] from the address shown on the license [unless] this change has . . . been reported to the Commission." *Id.* § 584(A)(7)(c). 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 operate from only reported locations.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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