



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-167A

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

April 9, 2019

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 dealer licensee UD-9780. The licensee was operating from an unlicensed location and allowed an unlicensed salesperson to sell vehicles. The Commission proposes to fine the licensee \$1,000 per violation for a total fine of \$2,000.

Oklahoma law authorizes the Commission to fine a licensee for "willful[ly] fail[ing] to comply with any provision of Section 581 . . . or with any rule promulgated by the Commission," or "[b]eing a used motor vehicle dealer who employs unlicensed salespersons or . . . is not operating from the address shown on the license." 47 O.S.Supp.2018, § 584(A)(3), (7)(b), (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 requirements.

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

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Ethan Shaner".

ETHAN SHANER
DEPUTY ATTORNEY GENERAL