



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-247A

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

July 3, 2018

Dear Executive Director Dockum:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Motor Vehicle Commission intends to take pursuant to consent agreements with licensees 818, 580, 225 and 895. The Commission proposes to impose the following fines for engaging in false or misleading advertising: (1) Licensee 818 – \$1,500 for two infractions, (2) Licensee 580 – \$1,000, (3) Licensee 225 – \$500, (4) Licensee 895 – \$500.

Oklahoma law authorizes the Oklahoma Motor Vehicle Commission to “impose a fine not to exceed...[\$1,000] against a dealer per occurrence” for engaging in “false or misleading advertising.” 47 O.S.Supp.2017, § 565(A)(5)(b). New motor vehicle statutes exist to “promote the public interest and the public welfare,” “prevent false and misleading advertising,” and “prevent unfair practices.” 47 O.S.2011, § 561. The Board 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 Motor Vehicle Commission has adequate support for the conclusion that this action advances the State’s policy to prevent false and misleading advertising in the sale of new motor vehicles.

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 "Ryan Chaffin".

RYAN CHAFFIN
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL