



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-56A

Roy K. Dockum, Executive Director  
Oklahoma Motor Vehicle Commission  
4334 Northwest Expressway, Ste. 183  
Oklahoma City, Oklahoma 73116

February 8, 2017

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 under eleven consent agreements. The proposed actions are to impose a \$100 fine for each unlicensed salesperson employed by the motor vehicle dealerships. Every one of the unlicensed salespersons employed were ineligible for license renewal because of tax delinquency with the State of Oklahoma. The dealer licensees who continued to employ the salespersons will receive \$100 fines for each unlicensed salesperson. The specific licensees, the length of employment, and the amount of the fine for each are attached 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.2016, § 565(A), (A)(7)(d). Further, Oklahoma law makes clear that professional licensees in any industry may not renew their licenses until they resolve disputes with the Oklahoma Tax Commission. 68 O.S.2011, § 238.1(E). These actions enforce these statutory requirements by imposing fines to encourage dealerships to ensure that all motor vehicle salespersons maintain valid licenses.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Motor Vehicle Commission has adequate support for the conclusion that these actions advance the State of Oklahoma’s policies to require licensure of new motor vehicle salespersons and to require compliance with Oklahoma tax law to maintain professional licensure.

A handwritten signature in blue ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA

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APPENDIX A**

DEALERSHIP NAME	DEALERSHIP LICENSE #	SALES PERSON EMPLOYED UNLICENSED		FINE
		FROM	UNTIL	
1. Blue Ribbon Chev Buick GMC - Sallisaw	205	7/19/16	11/15/16	\$100
Blue Ribbon Chev Buick GMC - Sallisaw	205	7/19/16	11/15/16	\$100
2. Bob Hart Chevrolet - Vinita	199	7/13/16	11/15/16	\$100
Bob Hart Chevrolet - Vinita	199	7/13/16	11/15/16	\$100
3. James Hodge Ford Lincoln – Muskogee	479	7/13/16	11/15/16	\$100
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4. Fowler Toyota - Norman	423	8/4/16	11/15/16	\$100
5. Jackson CJDR - Enid	463	7/19/16	11/15/16	\$100
6. Mainer Ford - Okarche	852	7/19/16	11/15/16	\$100
7. Nissan of Muskogee	711	7/13/16	11/15/16	\$100
8. Oklahoma RV Center - Moore	676	7/15/16	11/15/16	\$100
9. Roberts Auto Center - Pryor	363	8/26/16	11/15/16	\$100
10. Roberts CJDR - Pryor	358	8/26/16	11/15/16	\$100
11. Roberts Ford Lincoln - Pryor	733	8/26/16	11/15/16	\$100