



OFFICE OF THE
ATTORNEY GENERAL

**ATTORNEY GENERAL OPINION
2023-9A**

Brian Wilson, Interim Executive Director
Oklahoma Used Motor Vehicle and Parts Commission
421 N.W. 13th, Suite 330
Oklahoma City, OK 73103

May 1, 2023

Re: Application of John Bettencourt d/b/a Bee's Auto, LLC

Dear Director Wilson:

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 regarding used motor vehicle dealer applicant, John Bettencourt.

Oklahoma law authorizes the Commission to regulate the sale of used motor vehicles and license used motor vehicle dealers. 47 O.S.2021, § 582(E). The Commission requires information relating to an applicant's financial standing and may deny an application for licensure on satisfactory proof of unfitness. *Id.* §§ 583(B)(1)(a), (d); 584(A)(1).

Pursuant to an application for a used motor vehicle dealer's license, the applicant submitted information concerning his financial standing as required by title 47, section 583(B)(1)(a) of the Oklahoma Statutes. The Board proposes to deny the application based on its determination that the Board has received satisfactory proof of the applicant's unfitness under standards established by sections 581 through 588 of title 47. Indeed, no standards related to determining the adequacy of an applicant's financial standing exist under title 47.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Used Motor Vehicle and Parts Commission does not have adequate support for the conclusion that the denial of this applicant's license advances the State's policy of protecting the public by requiring that used motor vehicle dealers meet minimum licensing requirements.

A handwritten signature in blue ink, appearing to read "Rob Johnson".

ROB JOHNSON
GENERAL COUNSEL