



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-191A

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

December 9, 2015

Dear Executive Director Maile:

This office has received your request for a written Attorney General Opinion regarding agency actions that Oklahoma Used Motor Vehicle and Parts Commission intends to take. The proposed actions are to deny three applications for licensure—Jessie Law’s application for a used motor vehicle salesperson license and Eric Fisher’s and Lavaul Newton’s applications for manufactured home salesperson licenses—because they failed to include or produce criminal history reports from the Oklahoma State Bureau of Investigation (“OSBI”).

The used motor vehicle statutes require those seeking used motor vehicle salesperson or manufactured home salesperson licenses to submit applications on 1) “forms prescribed by the Commission” that 2) contain all information the “Commission deems necessary” to decide on the application. 47 O.S.Supp.2015, § 583(A)(1), (B)(1). The information collected by the Commission must be related to “business integrity” and “pertinent information consistent with the safeguarding of the public interest and the public welfare,” among other things. *Id.* § 583(B)(1)(b), (e). The Commission’s prescribed forms both for used motor vehicle salesperson and manufactured home salespersons state that an OSBI report must be submitted.

The action seeks to advance a statutory policy that the Commission consider an applicant’s business integrity and other information concerning the public interest and the public welfare before allowing an individual to become a licensee. The content of a criminal history containing felony convictions would be relevant under that statutory policy.

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 of Oklahoma’s policy to protect the public interest and the public welfare.

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

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA