



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-743A

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

December 19, 2016

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. The proposed actions are to impose—pursuant to consent agreements—fines on several new motor vehicle dealer licensees for employing unlicensed salespersons. The length of employment for each unlicensed salesperson was approximately three and a half months, and the licensees will be fined \$100 per salesperson employed. The specific licensees, the number of unlicensed persons employed, and the length of employment for each are attached as Appendix A.

Oklahoma law authorizes the 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). The actions enforce this straightforward statutory requirement by imposing fines that deter failure to ensure new motor vehicle salespersons obtain 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 policy to require licensure of new motor vehicle salespersons.

A handwritten signature in black 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.	David Stanley Chevrolet - OKC	341	7/01/16	10/18/16	\$100
	David Stanley Chevrolet - OKC	341	7/01/16	10/18/16	\$100
	David Stanley Chevrolet - OKC	341	7/01/16	10/18/16	\$100
2.	Joe Cooper Ford - Yukon	427	7/01/16	10/18/16	\$100
	Joe Cooper Ford - Yukon	427	7/01/16	10/18/16	\$100
	Joe Cooper Ford - Yukon	427	7/01/16	10/18/16	\$100
3.	Ada Dodge Chrysler Jeep Ram - Ada	86	7/01/16	10/18/16	\$100
4.	Automax DCJR - Shawnee	842	7/01/16	10/18/16	\$100
5.	David Stanley CJDR - Norman	724	7/01/16	10/18/16	\$100
6.	Ed Wallace Ford - Hugo	466	7/01/16	10/26/16	\$100
7.	Fowler Toyota - Tulsa	699	7/01/16	10/18/16	\$100
8.	Jim Norton Toyota - OKC	702	7/01/16	10/26/16	\$100
9.	Keystone Chevrolet - Sand Springs	216	7/01/16	10/18/16	\$100
10.	Westpointe CJDR - Yukon	104	7/01/16	10/26/16	\$100