

Used Motor Vehicle and Parts Commission Report By ADR Staff

Acting Chairman Jim Davis convened the March 19, 2013 session of the Used Motor Vehicle and Parts Commission. Following roll call and approval of the February meeting minutes, Davis called on Commission Director John Maile for the Director's report.

Director Maile advised that the legislative bill eliminating the requirement for used vehicle salesperson bonds and increasing the dealer bond has passed the House and is in the Senate and has not been changed. The bill that would create regulations governing the responsibility of car crushers is having more difficulty. There are three bills dealing with car crusher or scrap metal dealers. The legislators desire to consolidate all three pieces of legislation and pass one bill. The bill the Commission is most interested in has passed the Senate with the title stricken which means that the bill will likely go to a Conference Committee where it will be rewritten.

During the February 2013 Commission meeting, the Commissioners denied a request by Allen's Auto Salvage for a stay of enforcement of the Commission Order to revoke Allen's licenses. Mr. Maile advised the Commissioners that he has since learned that Mr. Allen and his legal counsel had been to court the day before the February Commission meeting and obtained a stay that lets them continue operation. The judge set a \$1,000 appeal bond. Mr. Maile filed an objection and was granted a hearing. The court entered an order that would allow Mr. Allen to dispose of their current inventory but not buy any additional inventory. Bond was set at \$66,000. Maile will file briefs and make oral arguments June 11. For the time being, Mr. Allen will be allowed to dispose of his inventory.

Following a vote affirming receipt and approval of the expenditures report, Acting Chairman Davis called on Deputy Director Kenneth Whitehead for his report. Whitehead noted that staff had held three informal hearings to resolve complaints. One complaint was resolved. A \$500.00 fine for violation of the temporary tag regulations was assessed against Xpress Auto Sales and Leasing. Dobbs Road was cited for selling from an unlicensed location. The dealer surrendered his license.

Whitehead noted that staff had completed 54 used car dealer inspections during February and 30 dealers had attended the education program. Whitehead's written report reflected that 23 complaints had been handled, which included: title – 8; contract – 7; mechanical – 3; and miscellaneous – 5.

Applicants for a new license and dealers involved in significant rule violations are required to attend the Commission's education program as a part of acquiring or maintaining a state license. These education sessions are held at the Commission conference room at 2401 NW 23, Oklahoma City. Classes are held on Monday prior to the Commission meeting on the second Tuesday of each month. The sessions run from 9 a.m. to about noon or 1 p.m.