

Used Motor Vehicle and Parts Commission Report By ADR Staff

Chairman John Longacre convened the December 10, 2013 session of the Used Motor Vehicle and Parts Commission (UMV&PC). Following roll call and approval of the November meeting minutes Longacre called on Commission Director John Maile for his report.

Director Maile reported that the staff was primarily focused on license renewals and reaffirmed the previous month's statement that the number of renewal applications is tracking with the prior year. Staff is working through the applications of salespersons flagged as non-compliant by the Tax Commission; approximately 400 of the original 1,000 remain outstanding. In response to Maile's request for further detail, Administrative Supervisor Sherry Killian reported that the "statutory deadline" had been met, indicating that applications received prior to November 1 had been processed within the statutorily required timeframe. Processing of the remaining applications will continue but staff does not face a statutory deadline for completion.

Director Maile also reported on physical conditions of the office. He has submitted a request to the state that the office either be remodeled or the agency be moved to an alternative facility. Alternative facilities include an office area on the second floor at the Shepherd Mall location and other locations nearer the capital complex on Lincoln Blvd. He indicated the decision should be forthcoming within the next two months.

Director Maile then addressed the education program and "blitz" audit schedules mentioned at the November meeting. Staff had developed a schedule to take the education program "on the road" with the first session to be held in Oklahoma City. The sessions will typically be scheduled for the last week of the month and will be open only to currently licensed dealers. Staff will be sending out flyers and making phone contact in the immediate future. Also, bi-monthly audits for all dealers within selected communities will begin in the coming year.

Director Maile noted that the legislative season was approaching. Legislative liaison Curt Roggow had reserved a bill for the Commission's use but Maile indicated he was not aware of any pending legislative needs. He reminded the Commissioners that the car crusher bill from last spring was still alive in conference committee.

Chairman Longacre then asked for the Chief Investigator's report. Chief Investigator John Lancaster noted that staff had completed 39 inspections during November and had also handled 27 complaints. Of the complaints, 9 were related to title issues; 6 to contract issues; 7 to mechanical issues; and 5 to miscellaneous issues. In addition, 24 dealers attended the education program. Lancaster also noted they had held three informal hearings that will result in 1 consent agreement in the future.

Applicants for a new license and dealers involved in significant rule violations are required to attend the Commission's education program to acquire or maintain their state license.

Sessions are held at 9 a.m. the second Monday of each month – one day prior to the Commission meeting – in the conference room at 2401 NW 23rd, Oklahoma City. Attendees are asked to call 405-521-3600 to make reservations so staff can plan appropriately.

During the Commissioner's Comments period, discussion centered on individuals with felony convictions that are approved for salespersons' licenses. Commissioner Coddington suggested that, as a condition of the license approval, the employing dealer be required to provide period reports regarding the salesperson's employment particularly noting any negative incidents and notifying the Commission if the salesperson was no longer employed by the dealer. Such reporting would not only place responsibility on the employing dealer but would also provide necessary feedback to the Commission on the after-effects of felon approvals. Chairman Longacre suggested adoption of a policy not unlike the real estate policy requiring a five-year waiting period before felons could apply for a license. Director Maile voiced concern about the administrative workload such reporting would place on the staff.