

Used Motor Vehicle and Parts Commission Report By ADR Staff

Chairman John Longacre convened the January 21, 2014 session of the Used Motor Vehicle and Parts Commission (UMV&PC). Following roll call and approval of the December, 2013 meeting minutes Longacre called on Commission Director John Maile for his report.

Director Maile noted that the Commissioners were without legal counsel from the Attorney General's office for the January meeting. The Director further noted that John Holt had been reappointed by Governor Fallin for another six year term. In addition, terms for Commissioners Ralph Rooks and Jim Holman were expiring this year. "Both Commissioners are seeking reappointment and would appreciate any calls to the Governor supporting their reappointment," he said.

Director Maile introduced new hire Nina Pearman. She had been hired as a temporary employee during renewals, but has been retained as a permanent employee. She will be assuming some of Sherry Killian's work load and becoming familiar with her duties so the Commission will have someone who knows and can duplicate what Sherry does.

Maile noted that staff would be conducting education programs throughout the state on a monthly basis.

The Commission has a 2014 goal of auditing all wholesale dealers. There are 130 licensed wholesale dealers and, with help from the office staff, field agents will be able to perform those audits. Maile indicated staff wants to become more familiar with wholesale dealers' performance.

Commission Legislative Liaison Curt Roggow discussed the three 2014 legislative bills that he has tagged as most important. Senator Nathan Dahm has introduced SB 1588 which would abolish the UMVPC. As yet, there is no House author for the bill. Roggow said that he would seek to learn the background and purpose of the bill. The bill would abolish the UMV&PC and the commission's functions would transfer to the Oklahoma Motor Vehicle Commission. That commission would remain intact without any representation on the combined commission for independent used car dealers.

At the top of Roggow's list was SB 792 – the crusher bill. It was a victim of time last year. With the Legislature now in its second session, the bill can be activated, and sent back to conference where changes can be considered.

HB 2314 deals with pay raises for state employees. Roggow stated that the bill should get a lot of traction this year. State employees have not had a pay increase since 2006. Passage of that bill would affect the Commission budget. Currently the state takes ten percent of the Commission fees. Roggow reported that he has started a discussion with Senator Anderson for considering the potential for reducing that fee on non-appropriated agencies like the UMV&PC.

Commissioner Jim Holman noted that SB 582, which deals with Title 42 processes, was getting traction from some other places. Curt Roggow made note to track that bill.

Chief Investigator John Lancaster informed the Commissioners that investigators do not get out in the field much in December since they are assisting in the office with renewals. Lancaster noted staff had nevertheless completed 37 inspections during December and had handled 25 complaints. Of the complaints, nine were related to title issues; seven to contract issues; six to mechanical and three to miscellaneous issues. The Commission staff held two informal hearings.

During Commissioner's comments, Commissioner Holman noted that an Oklahoma City dealership was introducing a floor plan consignment agreement with other dealerships and suggested that Commission staff investigate the validity of such a program.

Also during Commissioner's comments, Commissioner Terry Shreve suggested that before any additional staff is hired, the Commission implement a two year dealer license. He noted that there are numerous reasons to do that. Director Maile noted that Curt Roggow had reserved a bill for general purposes and that such a change could be addressed there.

Commissioner Holman noted that on one of the consent agreements the dealer voluntarily attended the education program. He suggested that requirement be a part of each consent agreement. Commissioner Norman Latham asked if it would be difficult for staff to follow up on the outcome of consent agreements and report back to the Commissioners. Director Maile said that staff could do that since they don't have that many consent agreements.

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 generally held at 9 a.m. the second Monday of each month – one day prior to the Commission meeting at 2401 NW 23rd, Oklahoma City. You are asked to call 405-521-3600 to make reservations so staff can be prepared to accommodate you.