

Used Motor Vehicle and Parts Commission Report By ADR Staff

Chairman John Longacre convened the February 17, 2015, session of the Used Motor Vehicle and Parts Commission. Following roll call and approval of the January 2015 meeting minutes, Longacre called on Commission Director John Maile for the Director's report.

Director Maile introduced Dan Derr (Thoroughbred Motors, OKC), the new UMV&PC Commissioner. Dan is replacing Julian Coddling and will complete his unexpired term.

Continuing the Director's report, Director Maile advised the Commissioners that the State of Oklahoma has a 600 million dollar shortfall and that the Governor has issued an executive order freezing all state hiring and state pay raises. Maile said that he was not sure how that would affect the Commission's unfilled investigator position.

Director Maile then introduced legislative liaison Curt Roggow for an update. Roggow reported that Senate Bills 592 and 626 had been filed. SB 592 includes the provision for biennial licensing and various fee increases. The bill has been assigned to the Senate Business and Labor Committee. Committee chairman Dan Newberry has indicated that he would consider hearing the bill. SB 626 is the bill to change odometer fraud from a misdemeanor to a felony. At the federal level the offense is considered a felony and the change to Oklahoma law would mirror the federal law. The bill is dual-assigned. Roggow told the Commissioners that there is great concern at the Capitol regarding prison overcrowding and that could impact passage.

Following Roggow's update, Director Maile discussed House Bill 2129 that would change the payment to the State from the Commission's revenue to 15% from 10%. He also noted that House Bill 2221 by Representative Grau changes the temporary tag on new vehicles from date of sale to expiration date. The bill did not include used vehicles. It was agreed that, if the bill appeared likely to pass, changes should be made to include used vehicles in order to ensure uniformity. Director Maile reported that SB 796 is a Title 42 bill sponsored by the Oklahoma Wrecker Owners Association. SB 796 is an attempt to undo changes to the possessory lien process that were made on behalf of dealers and lien holders.

Director Maile reported that there has been discussion about getting OSBI reports or federal reports on new applicants for any license. The objective is to reliably identify applicants who are felons. The current procedure relies on disclosure by the applicant. One approach would be to require the applicant to provide the report at a cost of \$17.

Chief Investigator John Lancaster informed the Commissioners that the investigators had completed 18 dealership inspections and had handled 30 complaints. Of the complaints, 11 were related to title issues, five to contract issues, nine to mechanical issues, five to miscellaneous issues, and none to advertising issues. The Commission held four informal hearings involving Hollis Auto Sales, Floorplan Express, Cars Plus, Maxey Homes/Legacy Homes-Brian Johnston.

Fourteen dealers attended the on-site education program in January. Applicants for a new license and dealers involved in significant rule violations are required to attend the Commission's on-site education program as a part of acquiring or maintaining a state license. These education sessions are being held in the 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. You are asked to make reservations so staff can be prepared to accommodate you. Call the Commission at 405-521-3600 to make your reservations.