

## Used Motor Vehicle and Parts Commission Report By ADR Staff

Chairman John Longacre convened the April 12, 2016, session of the Used Motor Vehicle and Parts Commission (UMV&PC). Following roll call and approval of the March 2016 meeting minutes, Longacre called on Commission Director John Maile for his report.

Director Maile reported that Commissioners Jim Davis and Daniel Derr had been reappointed. Norm Latham's six-year term ends this year and a replacement will be appointed by May 1.

Maile reported that HB 3058 deals with revolving funds and "reconciliation." The legislature is looking at taking any surplus funds from non-appropriated agencies to help them solve part of the budget crisis. Maile stated that it was something the Commission would have to deal with in the future. The legislation gives the non-appropriated agencies the opportunity to explain or contest a decision regarding surplus funds.

Maile indicated that he and John Crittenden, the Attorney General's Office liaison to the Commission, had discussed HB 2585 which deals with how various state commission address applicants with a felony record. Title 59 of the Oklahoma Statutes is the general license section of law. The UMV&PC, however, is governed by section of Title 47. Consequently, HB 2585 may not apply to the Commission. If it does, the Commission would have to develop a policy for dealing with felon applicants.

SB 1459 is the bill that authorizes non-profit organizations to have metal dealer plates for transporting and demonstrating vehicles while bypassing the requirement to be licensed. Maile said that he and Curt Roggow, the Commission's legislative liaison, worked with the authors to change the language so that it doesn't give the impression that non-profits are dealers. The author agreed to the change.

The odometer civil liability bill, SB 1175, was approved by the legislature and is on the Governor's desk for her approval and signature.

HB 2624 addresses vehicle sales to scrap metal dealers. As proposed, HB 2624 would require any person selling a vehicle to a scrap metal dealer to provide either a certificate of title or a certificate of ownership. The certificate of ownership must be a form approved by the Oklahoma Tax Commission. Current law requires the seller to provide either a certificate of title or a bill of sale. This legislation eliminates the use of the bill of sale as proof of ownership for sales to scrap metal dealers.

Director Maile indicated that the Attorney General's office had questioned one aspect of a consent agreement that had been submitted. He further stated that they were having some issues with some of the things submitted to the AG's office for review. Maile is working to ensure that the AG does not reject the proposed fines or disciplinary actions.

Commission staff audited wholesale dealers two years ago and audited manufactured housing and used car dealers last year. Audits of used cars dealers will continue throughout 2016. Forty-seven of the dealers that had issues were re-audited and staff has started taking random sampling of others.

Chief Investigator John Lancaster informed the Commissioners that the investigators had completed 27 dealership inspections and had handled 51 complaints: 19 title issues, 9 contract violations, 10 mechanical issues, 13 miscellaneous, and 0 advertising. In addition, staff conducted 12 informal hearings.

A total of 28 dealers attended the on-site education program in March. 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 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.