

Used Motor Vehicle and Parts Commission Report By ADR Staff

Chairman John Longacre convened the May 9, 2017, session of the Used Motor Vehicle and Parts Commission (UMV&PC). Following roll call and approval of the April 2017 meeting minutes with a correction to “Jim Holman” rather than “John Holman”, Longacre called on Commission Director John Maile for his report.

Director John Maile reported that the new office space at 421 N. W. 13th Street, Suite 330 was being built. The move is scheduled to occur at the end of June with occupation beginning in July. A much larger conference room will be available for the Commission meetings that has sufficient room for much larger groups. Maile also reported that the audit had been completed. It covers a 3 ½ year period at a cost of \$8,967.50.

In the absence of Curt Roggow, the legislative liaison, Maile provided an update on legislative issues. The Commission, as well as many other agencies, had received inquiries from the state regarding expenditures for legislative liaisons. Considering the state’s current budget constraints, the expenditure may become an issue at some point. Another revenue issue being reviewed by the state is the exemption for excise tax on motor vehicle transfers between relatives. Maile pointed out that revenue measures must be submitted at least five days before the end of the session, which gives legislators approximately two weeks to submit the budget. Governor Fallin has indicated her intention to veto any budget bill that does not contain revenue measures. According to Roggow, the state is still reluctant to allow agency fee increases. Maile noted that both the UMV&PC and the Motor Vehicle Commission are suffering declines in revenue because the number of licensees is trending downward. Beyond the budget issues, Maile reported that two pieces of legislation address agency rule making. One bill would sunset all rules. Another bill would require agencies to justify each rule by reference to a statute.

During the course of the meeting, it was reported that investigators had a policy of telling dealers that postings could be placed in “by owner” sections of online marketplaces as long as disclosure was made that it was a dealer posting. The investigators considered a photo of the dealership sign to be adequate disclosure. Commissioner Shreve objected to the practice on the grounds that it was misleading the public for a dealer to advertise in the “by owner” section when a “by dealer” section was available. Chairman Longacre and other Commissioners agreed. Director Maile will notify the investigators and auditors that the policy will be to require dealers to post in the “by dealer” rather than the “by owner” section of Craigslist and similar venues.

Commissioners reviewed the list of dealers whose consent agreement payments were delinquent. Commissioner Shreve recommended, and the Board agreed, that a policy be adopted to send a delinquent letter at 60 days requiring payment along with notice that failure to pay will result in a hearing to revoke the license at 90 days.

Chief Investigator John Lancaster informed the Commissioners that staff had completed 24 inspections and had handled 26 complaints. Twenty-one audits were conducted.

Lancaster reported that an education class is going to be scheduled in June or July at the Z66 Auto Auction in Tulsa. A total of 28 dealers attended the on-site education program in May. 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. Attendees are asked to make reservations so staff can be prepared to accommodate everyone. Call the Commission at 405-521-3600 to make reservations.