

Used Motor Vehicle and Parts Commission Report By ADR Staff

Chairman John Longacre convened the September 12, 2017, session of the Used Motor Vehicle and Parts Commission (UMV&PC). Following roll call and approval of the August 2017 meeting minutes, Longacre called on Commission Director John Maile for his report.

Director Maile reported that the State Auditor's report for March 1, 2012, through December 31, 2016, was completed. The fee for the audit was almost \$12,000.

Maile also reported that the new Commission Rule 765-16-3-1 went into effect September 11. Maile also provided an advertising rule notice for dealers. Rules require that all advertisements must conspicuously display the licensed name of the used motor vehicle dealership. Commission staff has been directed to inform dealers that all advertisements must be made under the "For Sale by Dealer" category, clearly including the name of the dealership in the heading or body of the advertisement to conform with Commission Rules. Maile stated that the license renewal package would include notice concerning the new rules and use of the We Owe form.

Maile reported that the Commission had received a request from State Senator Roger Thompson for financial information. The Legislature is going into special session September 25. Director Maile took the opportunity to explain the commission's funding to the Senator.

There will be a legislative interim study conducted September 25 at 9:00 am regarding the motor vehicle license plate remaining with the individual rather than the vehicle. An interim study regarding two-year license plates will be conducted September 27.

An injunction was granted against a former licensed used car dealer. The individual decided to return to the business, but did not want to be licensed. He was informed by the Commission in January that he could not function as a dealer and needed a license. The unlicensed individual did not comply and an injunction was filed. The injunction was granted by the court and the unlicensed dealer had to pay the court costs.

The Commissioners approved a consent agreement with a licensed dealer. The dealer had allowed two unlicensed individuals to offer and/or sell vehicles for the dealer. The dealer had been advised to obtain salespersons' licenses for them but failed to do so. The dealer also failed to make copies of certificates of title after the sale, failed to execute title receipts, failed to use "We Owe" forms, and failed to execute odometer statements in some instances. The dealer agreed to pay the Commission the total sum of \$3,000.

Chief Investigator John Lancaster informed the Commissioners that staff had completed 19 inspections and had handled 31 complaints. Audits are suspended until after year end so that staff may concentrate on renewals.

A total of 18 dealers attended the on-site education program. 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. The education sessions are held in the first floor conference room at 421 NW 13th, 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.