

# NEWS and VIEWS

JULY 2006

## The Director's Desk....

Roy K. Dockum, Executive Director

### Upcoming Dates for Commission Meetings

August 8

September 12

October 10

Meetings Start at 10:00 a.m.

### "More than Just Advertising?"

I am sometimes asked, "What else does the OMVC do besides regulate dealer advertising?" I have discovered that since advertising enforcement is often the most "talked-about" portion of our activity, many of our licensees don't know what goes on "behind the scenes" at the OMVC. So, here is a small peek at some of our tasks:

- *Consumer protection related.* The OMVC assists consumers by providing information on our website and having a complaint process whereby we try to answer questions, mediate between them and the dealer, and investigate allegations of illegal or fraudulent actions. We work with the Office of Attorney General in certain matters and refer consumers to appropriate organizations and/or agencies specific to their needs.
- *Dealer protection related.* Part of the mission of the OMVC is to protect the new motor vehicle franchise system, and the investments of the dealers. A significant part of my time is spent communicating with manufacturers and dealers regarding franchising issues such as new dealer points, relocations, possible terminations, dealership changes of ownership, and potential litigation. My goal in every instance is to do all I can to explain, mediate, and help solve issues at the earliest stage possible, thereby assisting the dealer and manufacturer to avoid violations of the law and possible litigation.
- *Formal Complaint Process.* If an issue (consumer, dealer, or manufacturer) is unable to be resolved by informal means, it can come before the OMVC Board in an Administrative Hearing format. When this happens, it is my responsibility to see that all parties involved receive a fair hearing. The Board hears the matter and renders a decision based on the evidence and arguments presented.
- *Legislation related.* During the legislative session, I am available to legislators and their staffs to answer questions and provide input as to the potential impact of proposed bills. A part of this is attending Committee meetings when bills affecting the OMVC are heard, in case questions arise from the lawmakers.

I hope this "snapshot" of some of our activities gives you an idea of other things we do. If you have any questions or comments about how we can help you, please feel free to contact us by email or phone.



## WELCOME NEW COMMISSIONER!



At the July 13, 2006 Commission meeting, Chairman Mark Moore introduced the newest member of the Commission, Steve Kissee of Jack Kissee Ford in Claremore. Steve was appointed by Governor Henry and confirmed by the Senate to represent northeast Oklahoma. He replaced David Oakley of Bartlesville, who had faithfully served on the Board for 7 years, including serving as its Chairman in 2003-2004. Thank you David, we'll miss you!

The OMVC Board is comprised of 9 Commissioners who are appointed to staggered 6 year terms by the Governor. Each quadrant of the State is represented, as are the metropolitan areas of Oklahoma County and Tulsa County. In addition, the Board has 2 public members, who are not employed in the motor vehicle industry.

## New Law Makes Changes for ATV and Off-Road Cycle Dealers

This year's legislature began with several bills which proposed changes to existing laws affecting the OMVC. As the session progressed, all of those Bills either died or were amended to the point that none were left as of one week prior to the end of session. However, during the last week in May, a provision was added to an existing bill which repealed part of the ATV law passed in the 2005 session.

According to SB1701, effective November 1, 2006, dealers of ATV and off-road cycles no longer will be required to be licensed by the OMVC. In other words, beginning November 1, 2006, the OMVC will, once again, *only* license dealers, distributors, and manufacturers of "street-legal" motor vehicles.

It is important to note that this does not change the titling and registration requirements of ATVs and off-road cycles which were established last year. If you have questions regarding title and registration, please contact the Tax Commission, Motor Vehicle Division, at 405-521-3217. Should you have questions about how this new law may affect your OMVC license(s), please contact D.J (ext 103) or Marilyn (ext 101) in our office at 405-607-8227.

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## COMMISSION ACTIONS

### April 11, 2006 Meeting

1. \$250 Advertising Fine - Dub Richardson Toyota, OKC
2. \$650 Unlicensed Salesperson Fines issued to 3 dealers
3. Approved License Applications for 3 Manufacturer/Distributors and 11 Dealers

### May 9, 2006 Meeting

1. \$500 Advertising Fine - Fowler Dodge, OKC
2. \$350 Unlicensed Salesperson Fines issued to 2 dealers
3. Approved License Applications for 7 Manufacturer/Distributors and 14 Dealers

### June 13, 2006 Meeting

1. \$750 in Advertising Fines - Dub Richardson Toyota, OKC
2. \$250 Advertising Fine - Bob Howard C-J-D, Edmond
3. \$1300 Unlicensed Salesperson Fines issued to 4 dealers
4. Denied Distributor Application for Tomoto Industries, Pomona, CA
5. Approved License Applications for 7 Manufacturers/Distributors and 8 Dealers
6. Approved License Applications for 20 Dealers of Cycles, Scooters, ATV and Off-Road Cycles

### July 11, 2006 Meeting

1. \$2500 Settlement for Material Misstatement on Salesperson Application
2. \$3000 Settlement for Off-Premise Display Violation - C.R. Moore Motor Co., Vinita
3. \$250 Advertising Fine - York Ford Lincoln/Mercury, Weatherford
4. \$1550 Unlicensed Salesperson Fines issued to 10 dealers
5. Approved License Applications for 4 Manufacturers/Distributors and 7 Dealers
6. Approved License Applications for 14 Dealers of Cycles, Scooters, ATV and Off-Road Cycles

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