

## OMVC Rules Pertaining to Licensing Salespeople

### 465:10-3-3. Salespersons' license

(a) **License.** Contemporaneous with a new Salesperson being employed, an application for Salesperson License shall be submitted to the Commission on forms prescribed by the Commission along with the appropriate fee. A license for a Motor Vehicle Salesperson will not be issued, renewed, or endorsed until the employing Dealer is licensed and has certified that the applicant for said license is in his or her employ. It is not intended that the Dealer pay for licenses for its Salespersons. However, for convenience, the Dealer may do so on a reimbursable basis or any other plan satisfactory to its organization. All Salespersons' licenses will be sent to the Dealer for distribution to his or her respective applicants, and the Dealer will determine that all its personnel required to obtain license have done so. Salesperson Licenses are required for anyone involved in the selling of new or used vehicles, including sales managers and F&I personnel.

(b) **Identification card.** A Salesperson's license shall consist of an identification card. The card shall be carried upon his or her person when acting as a Salesperson.

(c) **Termination of employment.** Upon termination of employment of a licensed Salesperson, the dealership must notify the Motor Vehicle Commission in writing within ten days.

(d) **One license and employer at a time.** No Salesperson may hold more than one license at any one time or be employed by, or sell for, any Dealer other than the Dealer designated on the Salesperson's license, except as follows:

- (1) A Salesperson may hold more than one license only in instances where the salesperson is employed by multiple dealerships which have the same majority ownership;
- (2) The Salespersons' new or renewal license application shall reflect all dealerships which have the same majority ownership for which the Salesperson seeks a Salespersons' license;
- (3) The identification card or cards which are issued in accordance with OAC Title 465:10-3-3(b), shall contain the names of all commonly owned dealerships for which the Salesperson is licensed; and, (4) The Salesperson shall only sell for the dealerships designated on the Salespersons' identification card.

(e) **Change of employment.** A licensed Salesperson shall, on change of employment, surrender the Salesperson's License Certificate to the new employer, who shall submit the License along with the appropriate Transfer form to the Commission for endorsement reflecting the change of employers

**Felony Applicant:** If a Salesperson is a convicted felon, and not previously licensed with your dealership, submit the application with a felony report such as (OSBI, Federal Court Document, or Out-of-State report). This felony document must be signed and dated by the dealer acknowledging awareness of the past history and desire to employ and license the applicant.

**Oklahoma Tax Commission Non-Compliant Applicant:** If a Salesperson has a "non-compliant" status with the OTC, this Commission cannot issue a Salesperson License until such time as the applicant becomes compliant. This is in accordance with Oklahoma Law, Title 68, Section 238.1. Remember, it is illegal for a dealer to employ unlicensed salespersons in a capacity that requires proper licensure.