



USED MOTOR VEHICLE AND PARTS COMMISSION

2401 NW 23rd, Suite 57, Oklahoma City, OK 73107

Phone: (405)521-3600 Fax (405)521-3604

www.usedcarcommission.ok.gov

REBUILDER'S CERTIFICATE INSTRUCTION SHEET

Applications for license are presented to the Commission Board for consideration the second Tuesday of each month. The below requirements must be submitted eleven days prior to that meeting. **Applications that are incomplete will be returned and will delay the application process.** All licenses expire December 31st of each odd numbered year (i.e. 2017, 2019 etc.). The license will be issued only after all of the requirements have been met. Submitting an application does **NOT** authorize you to conduct any business as a rebuilder.

1. **INITIAL APPLICATION**

- ❖ The initial application must be completed in full, signed and notarized.

2. **\$600.00 APPLICATION FEE** must be in the form of check, money order or cashier's check and is nonrefundable unless the Commission denies the application. **We do not accept cash or credit cards.**

3. **\$15,000 REBUILDER'S BOND**

- ❖ You must submit the **original** bond completed by your bonding agent on the enclosed bond form, and must be signed by the owner, reflect the ownership, business name and the lot address as it appears on your initial application.
- ❖ Coverage shall be kept in force at all times with no lapse in coverage during the period of licensure. **A lapse in coverage will result in automatic revocation of the license.**

4. **PHOTOS OF REBUILDING FACILITY AND SIGHT PROOF SCREENING**

- ❖ Submit a photo of the (inside and outside) of the facility and the equipment to be used to rebuild vehicles.
- ❖ The Commission may require that your place of business have sight proof or opaque screening from adjoining property if it appears the use of the property for rebuilding may be offensive to or detrimental to the adjoining properties.

5. **LETTER OR PERMIT FROM THE CITY OR COUNTY**

- ❖ The letter or permit must reflect the lot address and show approval of local zoning requirements for this type of business. If there are no zoning requirements, you will need to submit a letter from the appropriate authority stating such.

6. **INSPECTION AND APPROVAL OF THE LOCATION BY A COMMISSION INVESTIGATOR**

- ❖ A Commission investigator will contact you to schedule an inspection after the Board of Commissioners meet.

7. **ATTENDANCE OF THE EDUCATION PROGRAM**

- ❖ **One owner** - sole proprietor / partner / member / corporate officer must attend the education program **before** the license will be issued. **ATTENDANCE IS MANDATORY. YOUR LICENSE WILL NOT BE ISSUED UNTIL YOUR ATTENDANCE IS VERIFIED.** There will be one class held from 9:00 a.m. - 12:30 p.m. on the Monday prior to the monthly meeting of the Used Motor Vehicle and Parts Commission at 2401 NW 23rd Street, Suite 57 (Shepherd Mall), Oklahoma City, Oklahoma.

FELONY APPLICANTS

Felony applicants must submit copies of the Judgment and Sentencing documents for all convictions and a current OSBI report including all three searches' (Violent Offender, Name Based, and Sex Offender) with their application. Felony applicants are required to make a personal appearance before the Board of Commissioners. All documentation must be in our office **BEFORE** your appearance will be scheduled. You may contact OSBI at (405)848-6724.

STATE OF OKLAHOMA
USED MOTOR VEHICLE AND PARTS COMMISSION

USED MOTOR VEHICLE REBUILDER'S SURETY BOND

Bond Number _____

KNOW ALL BY THESE PRESENTS, that _____

as Principal, whose place(s) of business is/are located at the address(es) set forth above, and

as Surety, are held and firmly bound to the State of Oklahoma and severally to such persons who shall have any right of action under the conditions of this bond against said Principal in its capacity as a used motor vehicle rebuilder in the penal sum of **Fifteen Thousand Dollars (\$15,000.00)**, for the payment of which sum, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

WHEREAS, the above-named Principal is applying for a license as a used motor vehicle rebuilder, AND WHEREAS said Principal has submitted a separate good and sufficient surety bond as a used motor vehicle dealer,

AND WHEREAS, said Principal is required by law to submit a separate good and sufficient surety bond as a used motor vehicle rebuilder, conditioned as set forth below, with said application for license,

THE CONDITION OF THIS OBLIGATION is such that if the Principal shall conduct its business as a used motor vehicle rebuilder without practicing fraud or making fraudulent representations, and without violating any of the provisions of the Oklahoma Used Motor Vehicle Dealer Laws (47 O.S. § 581 et seq.) or any amendments thereto, and the applicable Rules of the Used Motor Vehicle and Parts Commission, or any amendments thereto, and if the Principal shall indemnify and reimburse any person for any loss or damage suffered by reason of said fraud, fraudulent representations or by the issuance of a certificate of title, or any other violation of the above referenced statutes or Rules by the Principal then this obligation shall be void; otherwise to remain in full force and effect.

IT IS UNDERSTOOD AND AGREED that the above obligation shall inure to the benefit of any person, whether a consumer, used motor vehicle dealer or used motor vehicle auction, but shall not extend to financial institutions or parties extending floor plans or financing for the rebuilder's inventory.

IT IS FURTHER UNDERSTOOD AND AGREED that the above obligation shall extend, without notification to the Surety, to any change of officers of the Principal if the Principal is a corporation, to any change in members if the Principal is a Limited Liability Company, to any additional locations or changes of address of the Principal or to any substitution of business name of the Principal wherein ownership is not changed.

IT IS FURTHER UNDERSTOOD AND AGREED that the liability of the Surety hereunder shall, in no event, exceed the amount of this bond and that the Surety shall have the right to cancel the bond upon the giving of thirty (30) days written notice of cancellation to the Principal and the Used Motor Vehicle and Parts Commission.

DATED EFFECTIVE this _____ day of _____, _____ .

Principal

BY: _____

Surety

BY: _____

RULES FOR USED MOTOR VEHICLE REBUILDERS

CHAPTER 11. USED MOTOR VEHICLE REBUILDERS

SUBCHAPTER 1. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:11-1-1. Purpose

The rules of this chapter have been adopted for the purpose of complying with the provisions of 75 O.S. Section 250 et seq. and 47 O.S. Section 582(E). This Chapter will provide a description of the qualifications for obtaining a rebuilder's certificate, operation under this certificate, and the grounds and procedures for denial, suspension or revocation of a Rebuilder's Certificate.

765:11-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning:

"Rebuilder" shall be defined as set forth in 47 O.S. Section 581, as amended.

"Rebuilder's certificate" shall be the license granted by the Used Motor Vehicle and Parts Commission to a qualified rebuilder.

"Rebuilding" shall be defined as the process of reconstructing and repairing a repairable motor vehicle to roadworthy condition, including the completion of cosmetic or aesthetic repairs.

"Repairable motor vehicle" shall include damaged vehicles with an original or salvage certificate of title, but shall not include vehicles for which a junked title has been issued; or which meet the statutory definition of a junked vehicle; or which is sold without a certificate of title; or is sold on a bill of sale or Affidavit of Ownership; or other document which indicates the vehicle is being sold for the sole purpose of dismantling the vehicle or for parts only.

765:11-1-3. Fees

The fees required for an initial application and renewal for a rebuilder's certificate are recited in 47 O.S. Section 591.5.

765:11-1-4. Place of business

(a) An applicant for a rebuilder's certificate shall have an established place of business at the same location for which he is licensed to sell used motor vehicles. An applicant may have a facility separate from the licensed location where the rebuilding or repair of damaged vehicles takes place. Such facility shall be subject to inspection by employees of the Commission or law enforcement personnel to the same extent as authorized by 47 O.S. §581 et seq. and/or 47 O.S. § 591.1 et seq.

(b) The place of business of an applicant for a rebuilder's certificate shall also meet any applicable zoning, occupancy, and other requirement of the appropriate local government for the repair or reconstruction of motor vehicles at the rebuilder's location.

(c) In addition to complying with any local zoning ordinances, the Commission may require

that the rebuilder's place of business have sight proof or opaque screening from adjoining property where it appears the use of the property by the rebuilder may be offensive to or detrimental to the adjoining properties.

765:11-1-5. Application

(a) **Form.** The application for a rebuilder's certificate shall be on a form prescribed by the Commission and shall contain such information as the Commission deems necessary to enable it to fully determine the qualifications and eligibility of the applicant for a rebuilder's certificate.

(b) **Verification.** Applications for rebuilder's certificate shall be verified by the oath or affirmation of the applicant.

765:11-1-6. Qualifications

An applicant for a rebuilder's certificate shall:

- (1) have sufficient facilities or access to sufficient facilities for the rebuilding and reconstructing of repairable motor vehicles to safe and operable condition;
- (2) have sufficient knowledge of the process of rebuilding and reconstructing vehicles to directly supervise said rebuilding process; and
- (3) perform said rebuilding or supervise said rebuilding to insure that the vehicle is safe for operation on the public roadways.

765:11-1-7. Records

(a) In addition to the record keeping requirements for a used motor vehicle dealer, a rebuilder shall keep a separate record of all vehicles bought at salvage pools or salvage disposal sales. The records shall include where and from whom the vehicle was purchased, where and to whom the vehicle was sold, the parts used to repair the vehicle to a roadworthy condition, and the disposition of the parts of the vehicle removed or not used in the repair of the vehicle.

(b) Said records shall be available for inspection by agents of this Commission in the same manner as all other records of a used motor vehicle dealer.

SUBCHAPTER 3. AUTHORITY

765:11-3-1. Authority of a rebuilder

(a) A rebuilder who has been issued a rebuilder's certificate card pursuant to 47 O.S. Section 591.5, shall be authorized to purchase repairable motor vehicles at salvage pools or salvage disposal sales for the purpose of rebuilding those vehicles. A rebuilder shall also be authorized to buy wrecked vehicles for the purpose of using the parts thereof to repair or rebuild the rebuilder's own vehicles.

(b) The holder of a rebuilder's certificate shall not have the authority to act as an automotive dismantler.

765:11-3-3. Authority to dispose of parts

A rebuilder shall be authorized to dispose of the parts not used from a repairable motor vehicle in the rebuilding of the vehicle by selling said parts to a licensed automotive dismantler or selling said parts to a metal processor or crusher for scraps in accordance

with applicable state laws. Any other disposition of said parts shall require a rebuilder to first be licensed as an automotive dismantler.

SUBCHAPTER 4. OPERATION

765:11-4-1. Disclosure

A rebuilder shall disclose to any prospective purchaser on a form approved by the Commission if the rebuilt vehicle was manufactured with or without air bags, whether the air bags were not deployed and are operable, or were deployed and replaced and are operable, or the air bags were deployed and not replaced, or if the air bags are missing and inoperable.

SUBCHAPTER 5. ASSESSMENT OF FINE OR DENIAL, SUSPENSION, OR REVOCATION OF LICENSE

765:11-5-1. Grounds

(a) A rebuilder's certificate may be denied, suspended, or revoked for the following reasons:

(1) Any of the grounds enumerated in 47 O.S. Section 584 for which a used motor vehicle dealer's license may be denied, suspended, or revoked.

(2) Committing any of the following acts may be deemed grounds for denial, suspension, or revocation of a rebuilder's certificate or assessment of fines pursuant to 47 O.S. Section 584(6)(d) and/or 47 O.S. Section 584(6)(e):

(A) Failure of the rebuilder to disclose in writing to the purchaser of the vehicle that the vehicle has been rebuilt;

(B) Failure of the rebuilder to disclose in writing to the purchaser of the vehicle that the vehicle has a rebuilt certificate of title;

(C) Selling a rebuilt vehicle on a salvage certificate of title;

(D) Failing to obtain a rebuilt vehicle inspection and/or obtain a rebuilt certificate of title prior to the sale of the rebuilt vehicle.

(b) The Commission may in addition to any other sanction or penalty assessed, impose a fine as authorized by law.