

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 529

By: Sacchieri

AS INTRODUCED

An Act relating to used motor vehicle and parts dealers; amending 47 O.S. 2021, Sections 581, as amended by Section 1, Chapter 107, O.S.L. 2022, 582, as last amended by Section 4, Chapter 236, O.S.L. 2024, 583, as last amended by Section 19, Chapter 29, O.S.L. 2023, and 584, as last amended by Section 58, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2024, Sections 581, 582, 583, and 584), which relate to the Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing Commission; modifying certain definitions; defining terms; authorizing Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing Commission to regulate used powersports vehicle dealers; requiring used powersports vehicle dealers to purchase certain license; setting certain fees for used powersports vehicle dealer license; requiring used powersports vehicle dealers to procure certain bond; requiring used powersports vehicle dealers to acquire certain liability insurance; creating conditions to revoke certain used powersports vehicle dealer license; providing for noncodification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as "Cody's Law".

1 SECTION 2. AMENDATORY 47 O.S. 2021, Section 581, as  
2 amended by Section 1, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2024,  
3 Section 581), is amended to read as follows:

4 Section 581. As used in Section 581 et seq. of this title:

5 1. "Commission" means the Oklahoma Used Motor Vehicle,  
6 Dismantler, and Manufactured Housing Commission;

7 2. "Compensation" means anything of value including money,  
8 merchandise, rebates on purchases, trading stamps or any other thing  
9 of value;

10 3. "Consignment sale" means the sale of used motor vehicles  
11 belonging to another by a used motor vehicle dealer, whether or not  
12 title is transferred from the consignor to the used motor vehicle  
13 dealer;

14 4. "Factory" means a manufacturer, distributor, factory branch,  
15 distributor branch, factory representative, or distributor  
16 representative, which manufactures or distributes vehicle products;

17 5. "Manufactured home" means a residential dwelling in one or  
18 more sections built in accordance with the National Manufactured  
19 Housing Construction and Safety Standards Act of 1974, 42 U.S.C.,  
20 Section 5401 et seq. and rules promulgated pursuant thereto;

21 6. a. "Manufactured home dealer" means any person who:

- 22 (1) works for a commission or with intent to make a  
23 profit or gain of money or other thing of value,  
24 sells, offers to sell, or attempts to negotiate a

1 sale or exchange of interest in, new or used  
2 manufactured homes,

3 (2) is engaged wholly or in part in the business of  
4 selling any new and unused, or used, or both new  
5 and used manufactured homes, or

6 (3) is engaged wholly or in part in the business of  
7 leasing any new and unused, or used, or both new  
8 and used manufactured homes, that are considered  
9 personal property, with an option to purchase or  
10 own in any form at any time after beginning of  
11 the lease term.

12 A valid franchise letter as proof of authorization to sell any  
13 new manufactured home product line or lines shall be attached to the  
14 application for a dealer license to sell manufactured homes.

15 "Manufactured home dealer" shall include a manufactured home  
16 auction. A manufactured home auction shall mean any person selling  
17 more than five manufactured homes in an auction or liquidation  
18 format. Only licensed manufactured home dealers shall be authorized  
19 to purchase manufactured homes at such auctions.

20 b. "Manufactured home dealer" shall not include any  
21 person who sells or contracts for the sale of a  
22 personally titled manufactured home or homes which  
23 they have used as their personal residence, or any  
24 person acting as an auctioneer who has been engaged by

1 a seller to direct, conduct, control, or be  
2 responsible for the sale of such manufactured homes as  
3 a part of an auction or liquidation of an estate, or  
4 any Oklahoma licensed real estate broker or sales  
5 associate when buying or selling manufactured homes  
6 which have become real property as a part of a real  
7 estate business. No person shall be considered a  
8 manufactured home dealer as to any manufactured home  
9 purchased or acquired by the person for purposes other  
10 than resale or lease-purchase in any form; provided,  
11 that the restriction set forth in this sentence shall  
12 not prevent an otherwise qualified person from  
13 utilizing a single manufactured home as a sales  
14 office.

15 c. A holder of a lien on a personally titled manufactured  
16 home may sell the repossessed manufactured home and  
17 shall not be required to be licensed pursuant to this  
18 title. Any person other than a bona fide full-time  
19 employee of the lienholder who participates in the  
20 sale of the repossessed manufactured home shall be  
21 licensed as a manufactured home dealer pursuant to  
22 this title.

23 d. "Manufactured home dealer" shall not include a  
24 restricted manufactured home park dealer;

1           7. "Manufactured home salesperson" means any person who has  
2 been engaged by a manufactured home dealer or restricted  
3 manufactured home park dealer to buy, sell, exchange, negotiate, or  
4 act as an agent for the purchase, sale, or exchange of an interest  
5 in a manufactured home;

6           8. "Manufactured home installer" means a person who is engaged  
7 in the business of installing or setting up manufactured homes  
8 and/or mobile homes as defined herein;

9           9. "Manufactured home manufacturer" means a person who  
10 manufactures, assembles, sells or distributes new manufactured  
11 homes, whether directly or indirectly, to new manufactured home  
12 retailers or a restricted manufactured home park dealer for resale  
13 or use in this state;

14           10. "Mobile home" means a residential dwelling fabricated in an  
15 off-site manufacturing facility, designed to be a permanent  
16 residence, but which is still transportable, that was built prior to  
17 the enacting of the National Manufactured Housing Construction and  
18 Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq.;

19           11. "Person" means an individual, business, corporation,  
20 partnership, association, limited liability corporation, trust,  
21 firm, or company or legal entity, but does not include any political  
22 subdivision;

23           12. "Ready for occupancy" means a mobile or manufactured home  
24 which is installed and anchored properly by a manufactured home

1 installer licensed in this state and has utilities connected to  
2 service;

3 13. "Rebuilder" means a used motor vehicle dealer or used  
4 powersports vehicle dealer who is engaged in the business of  
5 rebuilding repairable motor vehicles or powersports vehicles and who  
6 has paid the fee for and been issued a rebuilder certificate as  
7 provided by Section 591.5 of this title;

8 14. "Restricted manufactured home park dealer" means any person  
9 operating a mobile or manufactured home park who, for a commission  
10 or with intent to make a profit or gain of money or other thing of  
11 value, sells, offers to sell, or attempts to negotiate a sale or  
12 exchange of interest in, new or used manufactured homes, or that is  
13 engaged wholly or in part in the business of selling or leasing  
14 manufactured homes which are personal property with an option to  
15 purchase or own in any form at any time after the beginning of the  
16 lease term any new and unused, or used, or both new and used  
17 manufactured homes; provided, every mobile or manufactured home sold  
18 pursuant to a restricted manufactured home park dealer license shall  
19 be located in the licensed mobile or manufactured home park and  
20 ready for occupancy. Provided further, manufactured home dealer  
21 license plates shall not be issued to a restricted manufactured home  
22 park dealer;

23 15. "Retail implement dealer" means a business engaged  
24 primarily in the sale of farm tractors as defined in Section 1-118  
25

1 of this title or implements of husbandry as defined in Section 1-125  
2 of this title or a combination thereof and is exempt from licensing  
3 by the Commission for the sale of all-terrain vehicles, utility  
4 vehicles, and motorcycles used exclusively for off-road use;

5 16. "Sale" or "sell" means the act of selling, brokering,  
6 exchanging, exchanging of an interest in, or renting with the option  
7 to purchase or own in any form at any time after the beginning of  
8 the lease term, a new or used manufactured home for commission,  
9 profit, gain of money or other thing of value;

10 17. "Used motor vehicle" means any motor vehicle, as that term  
11 is defined in the Oklahoma Vehicle License and Registration Act, but  
12 not including any all-terrain vehicles, utility vehicles, and  
13 motorcycles used exclusively for off-road use which are sold by a  
14 retail implement dealer, which has been sold, bargained, exchanged,  
15 given away or the title thereto transferred from the person who  
16 first took title from the manufacturer, importer, or dealer or agent  
17 of the manufacturer or importer, or so used as to have become what  
18 is commonly known as a "secondhand motor vehicle". In the event of  
19 transfer, on the statement of origin, from the original franchised  
20 dealer to any other dealer or individual other than a franchised  
21 dealer of the same make of vehicle, the vehicle shall be considered  
22 a used motor vehicle and must be titled in the new owner's name.

23 The term used motor vehicle does not include used powersports  
24 vehicles;

1 18. "Used motor vehicle auction" means any business other than  
2 salvage pools which regularly engages in the sale or trade, or  
3 negotiates the sale or trade, of used motor vehicles by auction,  
4 whether by open or closed bid or by sale to or purchase by used  
5 motor vehicle dealers or individuals;

6 19. a. "Used motor vehicle dealer" means any person who, for  
7 a commission or with intent to make a profit or gain  
8 of money or other thing of value, sells, brokers,  
9 exchanges, rents with option to purchase, or offers or  
10 attempts to negotiate a sale or exchange of an  
11 interest in used motor vehicles, or who is engaged  
12 wholly or in part in the business of selling used  
13 motor vehicles, whether or not such motor vehicles are  
14 owned by the person.

15 b. "Used motor vehicle dealer" shall not include:

16 (1) receivers, trustees, administrators, executors,  
17 guardians, or other persons appointed by or  
18 acting pursuant to the judgment or order of any  
19 court,

20 (2) public officers while performing their official  
21 duties,

22 (3) employees of persons enumerated in the definition  
23 of "used motor vehicle dealer" when engaged in  
24



1 the specific performance of their duties as such  
2 employees,

3 (4) mortgagees or secured parties as to sales of  
4 motor vehicles constituting collateral on a  
5 mortgage or security agreement, if the mortgagees  
6 or secured parties shall not realize for their  
7 own account from such sales any monies in excess  
8 of the outstanding balance secured by such  
9 mortgage or security agreement, plus the costs of  
10 collection,

11 (5) any person acting as an auctioneer who has been  
12 engaged by a seller to direct, conduct, control,  
13 or be responsible for the sale of used motor  
14 vehicles as part of an estate auction or  
15 liquidation,

16 (6) any person, firm, corporation, or other legal  
17 entity who sells, or contracts for the sale of,  
18 the vehicles of the person, firm, corporation, or  
19 other legal entity when such vehicles are sold in  
20 liquidation, and any person, firm, corporation,  
21 or other legal entity who serves as an agent in  
22 such sale. The exclusion provided in this  
23 paragraph shall not extend to any person, firm,  
24 corporation, or other legal entity whose business

1 is the purchase, sale, or rental with option to  
2 purchase, of motor vehicles, or to a location  
3 used for such purposes,

- 4 (7) any person acting as an auctioneer who has been  
5 engaged by a seller to direct, conduct, control,  
6 or be responsible for the sale of used motor  
7 vehicles as part of an auction held at a licensed  
8 used motor vehicle dealer location. The  
9 exclusion provided in this division shall not  
10 extend to a person who auctions five or more used  
11 motor vehicles in a nonliquidation sale held at a  
12 licensed used motor vehicle dealer location which  
13 is not regularly used as a vehicle auction, ~~or~~  
14 (8) any retail implement dealer that sells all-  
15 terrain vehicles, utility vehicles, and  
16 motorcycles used exclusively for off-road use, or  
17 (9) a used powersports vehicle dealer;

18 20. "Used motor vehicle salesperson" means a person employed by  
19 a licensed used motor vehicle dealer or used powersports vehicle  
20 dealer to sell, broker, exchange, or negotiate a purchase, sale, or  
21 rental with option to purchase, used motor vehicles or used  
22 powersports vehicles or an interest in used motor vehicles or in  
23 used powersports vehicles. The term "used motor vehicle  
24 salesperson" shall not include any person who:

- 1 a. uses the person's own funds for such transactions, or  
2 b. operates independently as a used motor vehicle dealer  
3 or used powersports vehicle dealer using a licensed  
4 used motor vehicle dealer's license number or used  
5 powersports vehicle dealer's license number; and

6 21. "Used powersports vehicle" means any used motorcycle,  
7 scooter, moped, all-terrain vehicle, and utility vehicle required to  
8 be registered under the Oklahoma Vehicle License and Registration  
9 Act, with the exception of all-terrain vehicles, utility vehicles,  
10 and motorcycles used exclusively for off-road use which are sold by  
11 a retail implement dealer;

12 22. "Used powersports vehicle dealer" means any person, firm,  
13 or corporation, resident or nonresident, that is in the business of  
14 selling any used powersports vehicles except for retail implement  
15 dealers; and

16 23. "Wholesale used motor vehicle dealer" means any person who,  
17 for a commission or with intent to make a profit or gain of money or  
18 other thing of value, sells, brokers, exchanges, rents with option  
19 to purchase, or offers or attempts to negotiate a sale or exchange  
20 of interest in used motor vehicles exclusively to used motor vehicle  
21 dealers, or who is engaged in the business of selling used motor  
22 vehicles exclusively to used motor vehicle dealers, whether or not  
23 such motor vehicles are owned by the person.

1 SECTION 3. AMENDATORY 47 O.S. 2021, Section 582, as last  
2 amended by Section 4, Chapter 236, O.S.L. 2024 (47 O.S. Supp. 2024,  
3 Section 582), is amended to read as follows:

4 Section 582. A. There is hereby created the Oklahoma Used  
5 Motor Vehicle, Dismantler, and Manufactured Housing Commission, to  
6 be composed of ten (10) members who shall be selected as follows:

7 1. One member shall be appointed from each congressional  
8 district and any remaining members, including the chair, shall be  
9 appointed from the state at large. However, when congressional  
10 districts are redrawn, each member appointed prior to July 1 of the  
11 year in which such modification becomes effective shall complete the  
12 current term of office and appointments made after July 1 of the  
13 year in which such modification becomes effective shall be based on  
14 the redrawn districts. Appointments made after July 1 of the year  
15 in which such modification becomes effective shall be from any  
16 redrawn districts which are not represented by a board member until  
17 such time as each of the modified congressional districts are  
18 represented by a board member; provided, the chair shall be  
19 appointed at large without regard to congressional district  
20 representation on the board;

21 2. All members shall be appointed by the Governor, by and with  
22 the advice and consent of the Senate;

23 3. a. Each of the members appointed from a congressional  
24 district shall, at the time of appointment, be a

1 resident in good faith of the congressional district  
2 from which appointed, and

3 b. Each of the members appointed from the state at large  
4 shall, at the time of appointment and during the  
5 period of service, be residents in good faith of the  
6 state;

7 4. Each member shall be of good moral character and, for the  
8 ten-year period immediately preceding appointment, each of the used  
9 motor vehicle dealer and used powersports vehicle dealer  
10 representatives shall have been licensed for and actually engaged in  
11 the distribution or sale of used motor vehicles or used powersports  
12 vehicles; each of the dismantler representatives shall have actually  
13 been licensed for and engaged in the principal business of  
14 dismantling or disassembling motor vehicles for the purpose of  
15 selling the parts thereof; and the manufactured housing  
16 representative shall have been licensed for and actually engaged in  
17 the principal business of selling manufactured homes; and

18 5. Eight members plus the chair shall be engaged in the used  
19 motor vehicle industry, the used powersports vehicle industry, or  
20 the automotive dismantler industry. There shall not be fewer than  
21 five members engaged in the principal business of the sale of used  
22 motor vehicles or used powersports vehicles and there shall not be  
23 fewer than two members engaged in the principal business of  
24 dismantling or disassembling motor vehicles for the purpose of

1 selling the parts thereof. One of the at-large members shall be  
2 engaged in the principal business of selling manufactured homes as a  
3 licensed manufactured home dealer. Being engaged in one or more of  
4 such pursuits shall not disqualify a person otherwise qualified from  
5 serving on the Commission.

6 B. 1. The term of the chair shall be coterminous with that of  
7 the Governor making the appointment, and until a successor is  
8 appointed and is qualified.

9 2. The terms of office of each member of the Commission shall  
10 be subject to the following:

11 a. the Commission shall determine and certify the trade  
12 associations of manufactured home dealers that  
13 represent ten percent (10%) or more of the number of  
14 licensed manufactured home dealers in the state and  
15 shall certify each such association to the Governor.  
16 The Governor shall request a minimum of ten names from  
17 each such association and shall select one member from  
18 the manufactured home industry from the names  
19 provided,

20 b. each member actively serving July 1, 2000, who was  
21 appointed on or before June 30, 2000, shall remain and  
22 fulfill the term of his or her membership as set forth  
23 at the appointment,

- 1 c. except for the chair, the term of office of each  
2 member of the Commission shall be for six (6) years,  
3 d. except for the chair and the at-large members, the  
4 term of office of any member will automatically expire  
5 if the member moves out of the congressional district  
6 from which appointed; however, if the congressional  
7 districts are modified each member shall complete the  
8 current term of office as provided in this section,  
9 e. in event of death, resignation, or removal of any  
10 person serving on the Commission, the vacancy shall be  
11 filled by appointment as aforesaid for the unexpired  
12 portion of the term, and  
13 f. except for the chair, when the term of a member  
14 automatically expires, the vacancy shall be filled by  
15 appointment of a qualified successor for a term of six  
16 (6) years as aforesaid, except that the member shall  
17 serve until a successor is appointed and qualified.

18 3. The chair and each member of the Commission shall take and  
19 subscribe to the oath of office required of public officers.

20 C. The chair and members of the Commission shall receive Thirty  
21 Dollars (\$30.00) for each and every day actually and necessarily  
22 spent in attending the meetings of the Commission, and shall be  
23 reimbursed for subsistence and traveling expenses incurred in the  
24 performance of their duties hereunder as provided by the State

1 Travel Reimbursement Act; provided that such meeting payments shall  
2 not exceed the sum of Six Hundred Dollars (\$600.00) per annum to any  
3 one person.

4 D. 1. a. The Commission shall appoint a qualified person to  
5 serve as Executive Director who shall have had  
6 sufficient management and organizational experience in  
7 the automotive industry to direct the functions of the  
8 Commission.

9 b. The Executive Director shall be appointed for a term  
10 of six (6) years, and shall not be subject to  
11 dismissal or removal without cause.

12 c. The Commission shall fix the salary and define and  
13 prescribe the duties of the Executive Director.

14 d. The Executive Director shall be in charge of the  
15 Commission's office, shall devote such time as  
16 necessary to fulfill the duties thereof, and, before  
17 entering upon these duties, shall take and subscribe  
18 to the oath of office.

19 2. The Commission may employ such clerical, technical, legal,  
20 and other help and incur such expenses as may be necessary for the  
21 proper discharge of its duties under Section 581 et seq. of this  
22 title and Section 2 of this act.



1           3. The Commission shall maintain its office and transact its  
2 business in Oklahoma City, and is authorized to adopt and use a  
3 seal.

4           E. 1. a. The Commission is hereby vested with the powers and  
5 duties necessary and proper to enable it to fully and  
6 effectively carry out the provisions and objectives of  
7 Section 581 et seq. of this title and Section 2 of  
8 this act, and is hereby authorized and empowered,  
9 pursuant to the Administrative Procedures Act, to make  
10 and enforce all reasonable rules and to adopt and  
11 prescribe all forms necessary to accomplish such  
12 purpose.

13           b. The Commission shall promulgate rules for the  
14 licensing of manufactured home installers and the  
15 installation, which is the blocking, anchoring, and  
16 leveling of mobile and manufactured homes that meet  
17 the standards of the manufacturer's manual or the  
18 Commission.

19           c. The Commission shall promulgate rules to prescribe the  
20 contents of manufactured home sales agreements and to  
21 require that each manufactured home manufacturer issue  
22 with each new manufactured home a warranty comparable  
23 to warranties generally in use in the industry  
24

1 warranting the manufactured home to be free from  
2 material defects.

3 d. The enumeration of any power or authority herein shall  
4 not be construed to deny, impair, disparage, or limit  
5 any others necessary to the attainment thereof.

6 e. A copy of all rules adopted by the Commission shall be  
7 filed and recorded in the Office of the Secretary of  
8 State and the State Librarian and State Archivist, and  
9 same may be amended, modified, or repealed from time  
10 to time.

11 2. The Commission's powers and duties shall include, but not be  
12 limited to, the following:

13 a. to license used motor vehicle dealers, used  
14 powersports vehicle dealers, wholesale used motor  
15 vehicle dealers, dismantlers, manufactured home  
16 dealers, manufactured home manufacturers, and  
17 manufactured home installers,

18 b. to inspect used motor vehicle dealer, used powersports  
19 vehicle dealer, dismantler, and manufactured home  
20 dealer locations, and manufactured home manufacturers'  
21 factories or assembly sites to ensure that they are in  
22 an approved location, meet local zoning or other  
23 municipal requirements, and have sufficient facilities  
24 which shall include, but not be limited to, for retail

- 1 businesses, a business sign, a listed and usable  
2 telephone number, a restroom, and a sales office,  
3 c. to inspect wholesale used motor vehicle dealer  
4 locations to ensure that they are in an approved  
5 location, meet local zoning or other municipal  
6 requirements, and have sufficient facilities which  
7 shall include, but not be limited to, a listed and  
8 usable telephone number in the dealer's name and a  
9 business office where records of the business are  
10 kept,  
11 d. to require all dealer sales to have a condition of  
12 sale such as a warranty disclaimer, implied or written  
13 warranty, or a service contract approved by the  
14 Commission,  
15 e. to work with consumers and dealers to hear complaints  
16 on used vehicles and manufactured homes, including  
17 installation, and  
18 f. to serve as a dispute resolution panel for binding  
19 arbitration in accordance with Section 1851 et seq. of  
20 Title 12 of the Oklahoma Statutes in contract  
21 controversies between licensed used motor vehicle  
22 dealers, used powersports vehicle dealers,  
23 dismantlers, and manufactured housing dealers,  
24 manufactured home dealers, installers, and

1 manufacturers and their consumers when, by mutual  
2 written agreement executed after the dispute between  
3 the parties has arisen, both parties have agreed to  
4 use the Commission as their arbitration panel for  
5 contract disputes.

6 F. 1. All fees and charges collected under the provisions of  
7 Section 581 et seq. of this title and Section 2 of this act shall be  
8 deposited by the Executive Director in the State Treasury in  
9 accordance with the depository laws of this state in a special fund  
10 to be known as the "Oklahoma Used Motor Vehicle, Dismantler, and  
11 Manufactured Housing Commission Fund", which fund is hereby created.  
12 Except as hereinafter provided, the monies in the fund shall be used  
13 by the Commission for the purpose of carrying out and enforcing the  
14 provisions of Section 581 et seq. of this title and Section 2 of  
15 this act. Expenditures from the fund shall be warrants issued by  
16 the State Treasurer against claims submitted by the Commission to  
17 the Director of the Office of Management and Enterprise Services for  
18 approval.

19 2. At the close of each fiscal year, the Commission shall file  
20 with the Governor and the State Auditor and Inspector a true and  
21 correct report of all fees and charges collected and received by it  
22 during the preceding fiscal year and shall at the same time pay into  
23 the General Revenue Fund of the state a sum equal to ten percent  
24 (10%) of the gross fees and charges so collected and received.

1           3. All expenses incurred by the Commission in carrying out the  
2 provisions of Section 581 et seq. of this title and Section 2 of  
3 this act including, but not limited to, per diem, wages, salaries,  
4 rent, postage, advertising, supplies, bond premiums, travel, and  
5 subsistence for the Commissioners, the Executive Director,  
6 employees, and legal counsel, and printing and utilities, shall be a  
7 proper charge against the fund, exclusive of the portion thereof to  
8 be paid into the General Revenue Fund as above set out; provided,  
9 that in no event shall liability ever accrue hereunder against the  
10 state in any sum whatsoever, or against the Oklahoma Used Motor  
11 Vehicle, Dismantler, and Manufactured Housing Commission Fund, in  
12 excess of the ninety percent (90%) of the fees and charges deposited  
13 therein.

14           SECTION 4.           AMENDATORY           47 O.S. 2021, Section 583, as last  
15 amended by Section 19, Chapter 29, O.S.L. 2023 (47 O.S. Supp. 2024,  
16 Section 583), is amended to read as follows:

17           Section 583. A. 1. It shall be unlawful and constitute a  
18 misdemeanor for any person to engage in business as, or serve in the  
19 capacity of, or act as a used motor vehicle dealer, used powersports  
20 vehicle dealer, wholesale used motor vehicle dealer, manufactured  
21 home dealer, restricted manufactured home park dealer, manufactured  
22 home installer, or manufactured home manufacturer selling directly  
23 to a licensed manufactured home dealer in this state without first  
24

1 obtaining a license or following other requirements therefor as  
2 provided in this section.

3 2. a. Any person engaging, acting, or serving in the  
4 capacity of a used motor vehicle dealer, used  
5 powersports vehicle dealer, a manufactured home  
6 dealer, restricted manufactured home park dealer, a  
7 manufactured home installer, or a manufactured home  
8 manufacturer, or having more than one place where any  
9 such business, or combination of businesses, is  
10 carried on or conducted shall be required to obtain  
11 and hold a current license for each such business, in  
12 which engaged.

13 b. If after a hearing in accordance with the provisions  
14 of Section 585 of this title, the Oklahoma Used Motor  
15 Vehicle, Dismantler, and Manufactured Housing  
16 Commission shall find any person installing a mobile  
17 or manufactured home to be in violation of any of the  
18 provisions of Section 581 et seq. of this title, such  
19 person may be subject to an administrative fine not  
20 more than Five Hundred Dollars (\$500.00) for each  
21 violation. Each day a person is in violation of  
22 Section 581 et seq. of this title may constitute a  
23 separate violation. All administrative fines  
24 collected pursuant to the provisions of this

1           subparagraph shall be deposited in the fund  
2           established in Section 582 of this title.  
3           Administrative fines imposed pursuant to this  
4           subparagraph may be enforceable in the district courts  
5           of this state.

6           3. Any person, except persons penalized by administrative fine,  
7 violating the provisions of this section shall, upon conviction, be  
8 punished by a fine not to exceed Five Hundred Dollars (\$500.00). A  
9 second or subsequent conviction shall be punished by a fine not to  
10 exceed One Thousand Dollars (\$1,000.00); provided that each day such  
11 unlicensed person violates this section shall constitute a separate  
12 offense, and any vehicle involved in a violation of this subsection  
13 shall be considered a separate offense.

14           B. 1. Applications for licenses required to be obtained under  
15 the provisions of the Oklahoma Used Motor Vehicle, Dismantler, and  
16 Manufactured Housing Commission shall be verified by the oath or  
17 affirmation of the applicant and shall be on forms prescribed by the  
18 Commission and furnished to the applicants, and shall contain such  
19 information as the Commission deems necessary to enable it to fully  
20 determine the qualifications and eligibility of the several  
21 applicants to receive the license or licenses applied for. The  
22 Commission shall require in the application, or otherwise,  
23 information relating to:

24           a. the applicant's financial standing,

- 1           b. the applicant's business integrity,
- 2           c. whether the applicant has an established place of
- 3           business and is engaged in the pursuit, avocation, or
- 4           business for which a license, or licenses, is applied
- 5           for,
- 6           d. whether the applicant is able to properly conduct the
- 7           business for which a license, or licenses, is applied
- 8           for, and
- 9           e. such other pertinent information consistent with the
- 10          safeguarding of the public interest and the public
- 11          welfare.

12           2. All applications for license or licenses shall be

13 accompanied by the appropriate fee or fees in accordance with the

14 schedule hereinafter provided. In the event any application is

15 denied and the license applied for is not issued, the entire license

16 fee shall be returned to the applicant.

17           3. All bonds and licenses issued under the provisions of

18 Section 581 et seq. of this title shall expire on December 31,

19 following the date of issue and shall be nontransferable. All

20 applications for renewal of licenses shall be submitted by November

21 1 of each year of expiration, and licenses for completed renewals

22 received by November 1 shall be issued by January 10. If

23 applications have not been made for renewal of licenses, such

24 licenses shall expire on December 31 and it shall be illegal for any



1 person to represent himself or herself and act as a dealer  
2 thereafter. Tag agents shall be notified not to accept dealers'  
3 titles until such time as licenses have been issued. Beginning  
4 January 1, 2016, all licenses shall be issued for a period of two  
5 (2) years and the appropriate fees shall be assessed. The  
6 Commission shall adopt rules necessary to implement the two-year  
7 licensing provisions.

8 4. A certificate of registration shall permit the registered  
9 person to engage in the activities of a used motor vehicle  
10 salesperson. A salesperson shall be deemed to be temporarily  
11 approved and allowed to sell vehicles when applications and fees are  
12 on file with the Commission.

13 C. The schedule of license and inspection fees to be charged  
14 and received by the Commission for the licenses and inspections  
15 issued hereunder shall be as follows:

16 1. For each used motor vehicle dealer's license or used  
17 powersports vehicle dealer's license and each wholesale used motor  
18 vehicle dealer's license, Six Hundred Dollars (\$600.00). If a used  
19 motor vehicle dealer, used powersports vehicle dealer, or a  
20 wholesale used motor vehicle dealer has once been licensed by the  
21 Commission in the classification for which he or she applies for a  
22 renewal of the license, the fee for each subsequent renewal shall be  
23 Three Hundred Dollars (\$300.00); provided, if an applicant holds a  
24 license to conduct business as an automotive dismantler and parts

1 recycler issued pursuant to Section 591.1 et seq. of this title, the  
2 initial fee shall be Two Hundred Dollars (\$200.00) and the renewal  
3 fee shall be Two Hundred Dollars (\$200.00). If an applicant is  
4 applying simultaneously for a license under this paragraph and a  
5 license under paragraph 1 of Section 591.5 of this title, the  
6 initial application fee shall be Four Hundred Dollars (\$400.00).  
7 For the reinstatement of a used motor vehicle dealer's license or a  
8 used powersports vehicle dealer's license after revocation for  
9 cancellation or expiration of insurance pursuant to subsection F of  
10 this section, the fee shall be Two Hundred Dollars (\$200.00);

11 2. For a used motor vehicle dealer's license or used  
12 powersports vehicle dealer's license, for each place of business in  
13 addition to the principal place of business, Two Hundred Dollars  
14 (\$200.00);

15 3. For each holder who possesses a valid new motor vehicle  
16 dealer's license from the Oklahoma Motor New Vehicle Commission, Two  
17 Hundred Dollars (\$200.00) shall be the initial fee for a used motor  
18 vehicle license and the fee for each subsequent renewal shall be Two  
19 Hundred Dollars (\$200.00);

20 4. a. For each manufactured home dealer's license or a  
21 restricted manufactured home park dealer's license,  
22 Six Hundred Dollars (\$600.00), and for each place of  
23 business in addition to the principal place of  
24 business, Four Hundred Dollars (\$400.00), and

1           b. For each renewal of a manufactured home dealer's  
2           license or a restricted manufactured home park  
3           dealer's license, and renewal for each place of  
4           business in addition to the principal place of  
5           business, Three Hundred Dollars (\$300.00);

6           5.    a. For each manufactured home installer's license, Four  
7           Hundred Dollars (\$400.00), and

8           b. For each renewal of a manufactured home installer's  
9           license, Four Hundred Dollars (\$400.00);

10          6.    a. For each manufactured home manufacturer selling  
11          directly to a licensed manufactured home dealer in  
12          this state, One Thousand Five Hundred Dollars  
13          (\$1,500.00), and

14          b. For each renewal of a manufactured home manufacturer's  
15          license, One Thousand Five Hundred Dollars  
16          (\$1,500.00);

17          7. Any manufactured home manufacturer who sells a new  
18          manufactured home to be shipped to or sited in this state shall pay  
19          an installation inspection fee of Seventy-five Dollars (\$75.00) for  
20          each new single-wide manufactured home and One Hundred Twenty-five  
21          Dollars (\$125.00) for each new multi-floor manufactured home; and

22          8. A used manufactured home inspection fee of Seventy-five  
23          Dollars (\$75.00) shall be paid by the installer at or before the  
24

1 time of installation of any used manufactured home sited and  
2 installed in this state; and

- 3     9. a. For a used powersports vehicle dealer's license, Five  
4             Hundred Dollars (\$500.00), and for each place of  
5             business in addition to the principal place of  
6             business, Three Hundred Dollars (\$300.00), and  
7             b. For each renewal of a used powersports vehicle  
8             dealer's license, and renewal for each place of  
9             business in addition to the principal place of  
10            business, Two Hundred Fifty Dollars (\$250.00).

11     D. 1. The license issued to each used motor vehicle dealer,  
12 used powersports vehicle dealer, each wholesale used motor vehicle  
13 dealer, ~~each~~ restricted manufactured home park dealer, and ~~each~~  
14 manufactured home dealer shall specify the location of the place of  
15 business. If the business location is changed, the Oklahoma Used  
16 Motor Vehicle, Dismantler, and Manufactured Housing Commission shall  
17 be notified immediately of the change and the Commission may endorse  
18 the change of location on the license. The fee for a change of  
19 location shall be One Hundred Dollars (\$100.00), and the fee for a  
20 change of name, Twenty-five Dollars (\$25.00). The license of each  
21 licensee shall be posted in a conspicuous place in the place or  
22 places of business of the licensee.

23     2. The license issued to each manufactured home installer and  
24 each manufactured home manufacturer shall specify the location of

1 the place of business. If the business location is changed, the  
2 Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing  
3 Commission shall be notified immediately of the change and the  
4 Commission may endorse the change of location on the license without  
5 charge. The license of each licensee shall be posted in a  
6 conspicuous place in the place or places of business of the  
7 licensee.

8 3. Every manufactured home installer shall have the license  
9 available for inspection at the primary place of business of the  
10 licensee. This license shall be valid for the licensee and all of  
11 the employees of the licensee. Any person who is not an employee of  
12 the licensee must obtain a separate manufactured home installer  
13 license regardless of whether such person is acting in the capacity  
14 of a contractor or subcontractor.

15 E. 1. a. Each applicant for a used motor vehicle dealer's or  
16 used powersports vehicle dealer's license shall  
17 procure and file with the Commission a good and  
18 sufficient bond in the amount of Twenty-five Thousand  
19 Dollars (\$25,000.00). Each new applicant for a used  
20 motor vehicle dealer's license or used powersports  
21 vehicle dealer's license for the purpose of conducting  
22 a used motor vehicle auction shall procure and file  
23 with the Commission a good and sufficient bond in the  
24 amount of Fifty Thousand Dollars (\$50,000.00). An

1 applicant who intends to conduct a used motor vehicle  
2 auction who provides proof that the applicant has  
3 check and title insurance in an amount not less than  
4 Fifty Thousand Dollars (\$50,000.00) shall only be  
5 required to have a bond in the amount of Twenty-five  
6 Thousand Dollars (\$25,000.00).

7 b. Each new applicant for a used motor vehicle dealer  
8 license or used powersports vehicle dealer license for  
9 the purpose of conducting a used motor vehicle  
10 business which will consist primarily of non-auction  
11 consignment sales which are projected to equal Five  
12 Hundred Thousand Dollars (\$500,000.00) or more in  
13 gross annual sales shall procure and file with the  
14 Commission a good and sufficient bond in the amount of  
15 Fifty Thousand Dollars (\$50,000.00). The Commission  
16 shall prescribe by rule the method of operation of the  
17 non-auction consignment dealer in order to properly  
18 protect the interests of all parties to the  
19 transaction and to provide sanctions against dealers  
20 who fail to comply with the rules.

21 c. Each applicant for a wholesale used motor vehicle  
22 dealer's license shall procure and file with the  
23 Commission a good and sufficient bond in the amount of  
24 Twenty-five Thousand Dollars (\$25,000.00).

1 d. Any used motor vehicle dealer or used powersports  
2 vehicle dealer who, for the purpose of being a  
3 rebuilder, applies for a rebuilder certificate, as  
4 provided in Section 591.5 of this title, whether as a  
5 new application or renewal, shall procure and file  
6 with the Commission a good and sufficient bond in the  
7 amount of Fifteen Thousand Dollars (\$15,000.00), in  
8 addition to any other bonds required.

9 e. Each applicant for a manufactured home dealer's  
10 license or a restricted manufactured home park  
11 dealer's license shall procure and file with the  
12 Commission a good and sufficient bond in the amount of  
13 Thirty Thousand Dollars (\$30,000.00).

14 f. Each manufactured home manufacturing facility selling  
15 directly to a licensed manufactured home dealer or  
16 restricted manufactured home park dealer in this state  
17 shall procure and file with the Commission a good and  
18 sufficient bond in the amount of Thirty Thousand  
19 Dollars (\$30,000.00). In addition to all other  
20 conditions and requirements set forth herein, the bond  
21 shall require the availability of prompt and full  
22 warranty service by the manufacturer to comply with  
23 all warranties expressed or implied in connection with  
24 each manufactured home which is manufactured for

1 resale or use in this state. A manufacturer may not  
2 sell, exchange, or lease-purchase with an option to  
3 own in any form a manufactured home to a person in  
4 this state directly or indirectly through a  
5 distributor or third party who is not a licensed  
6 manufactured home dealer or a restricted manufactured  
7 home park dealer.

8 g. The bond shall be approved as to form by the Attorney  
9 General and conditioned that the applicant shall not  
10 practice fraud, make any fraudulent representation, or  
11 violate any of the provisions of Section 581 et seq.  
12 of this title in the conduct of the business for which  
13 the applicant is licensed. One of the purposes of the  
14 bond is to provide reimbursement for any loss or  
15 damage suffered by any person by reason of issuance of  
16 a certificate of title by a used motor vehicle dealer,  
17 used powersports vehicle dealer, a wholesale used  
18 motor vehicle dealer, a restricted manufactured home  
19 park dealer or a manufactured home dealer.

20 2. The bonds as required by this section shall be maintained  
21 throughout the period of licensure. Should the bond be canceled for  
22 any reason, the license shall be revoked as of the date of  
23 cancellation unless a new bond is furnished prior to such date.  
24



1 F. Any used motor vehicle dealer, used powersports vehicle  
2 dealer, or wholesale used motor vehicle dealer is required to  
3 furnish and keep in force a minimum of Twenty-five Thousand Dollars  
4 (\$25,000.00) of single liability insurance coverage on all vehicles  
5 offered for sale or used in any other capacity in demonstrating or  
6 utilizing the streets and roadways in accordance with the financial  
7 responsibility laws of this state.

8 G. Any manufactured home dealer or restricted manufactured home  
9 park dealer is required to furnish and keep in force a minimum of  
10 One Hundred Thousand Dollars (\$100,000.00) of garage liability or  
11 general liability with products and completed operations insurance  
12 coverage.

13 H. Any manufactured home installer is required to furnish and  
14 keep in force a minimum of Twenty-five Thousand Dollars (\$25,000.00)  
15 of general liability with products and completed operations  
16 insurance coverage.

17 SECTION 5. AMENDATORY 47 O.S. 2021, Section 584, as last  
18 amended by Section 58, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2024,  
19 Section 584), is amended to read as follows:

20 Section 584. A. The Oklahoma Used Motor Vehicle, Dismantler,  
21 and Manufactured Housing Commission may deny an application for a  
22 license, impose a fine not to exceed One Thousand Dollars  
23 (\$1,000.00) per occurrence and/or revoke or suspend a license after  
24

1 it has been granted, when any provision of Sections 581 through 588  
2 of this title is violated or for any of the following reasons:

3 1. On satisfactory proof of unfitness of the applicant or the  
4 licensee, as the case may be, under the standards established by  
5 Sections 581 through 588 of this title;

6 2. For fraud practices or any material misstatement made by an  
7 applicant in any application for license under the provisions of  
8 Sections 581 through 588 of this title;

9 3. For any willful failure to comply with any provision of  
10 Section 581 et seq. of this title or with any rule promulgated by  
11 the Commission under authority vested in it by Sections 581 through  
12 588 of this title;

13 4. Change of condition after license is granted resulting in  
14 failure to maintain the qualifications for license;

15 5. Continued or flagrant violation of any of the rules of the  
16 Commission;

17 6. Being a used motor vehicle dealer, used powersports vehicle  
18 dealer, a used motor vehicle salesperson, a wholesale used motor  
19 vehicle dealer, or a manufactured home dealer, a restricted  
20 manufactured home park dealer, a manufactured home installer, a  
21 manufactured home salesperson or a manufactured home manufacturer  
22 who:

23 a. resorts to or uses any false or misleading advertising  
24 in connection with business as a used motor vehicle  
25

1 dealer, used powersports vehicle dealer, wholesale  
2 used motor vehicle dealer or a restricted manufactured  
3 home park dealer or manufactured home dealer,  
4 installer or manufacturer,

5 b. has committed any unlawful act which resulted in the  
6 revocation of any similar license in another state,

7 c. has been convicted of a felony crime that  
8 substantially relates to the occupation of a used  
9 motor vehicle dealer, a used powersports vehicle  
10 dealer, a wholesale used motor vehicle dealer, a  
11 manufactured home dealer, a restricted manufactured  
12 home park dealer, a manufactured home installer or a  
13 manufactured home manufacturer and poses a reasonable  
14 threat to public safety,

15 d. has committed a fraudulent act in selling, purchasing  
16 or otherwise dealing in motor vehicles, powersports  
17 vehicles, or manufactured homes or has misrepresented  
18 the terms and conditions of a sale, purchase, or  
19 contract for sale or purchase of a motor vehicle,   
20 powersports vehicle, or manufactured home or any  
21 interest therein including an option to purchase such  
22 motor vehicles, powersports vehicle, or manufactured  
23 homes,

- e. has engaged in business under a past or present license issued pursuant to Sections 581 through 588 of this title, in such a manner as to cause injury to the public or to those with whom the licensee is dealing,
- f. has failed to meet or maintain the conditions and requirements necessary to qualify for the issuance of a license,
- g. has failed or refused to furnish and keep in force any bond required under Sections 581 through 588 of this title,
- h. has installed or attempted to install a manufactured home in an unworkmanlike manner, or
- i. employs a person in connection with the sale of manufactured homes without first obtaining a certificate of registration for the person;

7. Being a used motor vehicle dealer who:

- a. does not have an established place of business,
- b. employs a person in connection with the sale of used vehicles without first obtaining a certificate of registration for the person,
- c. fails or refuses to furnish or keep in force single limit liability insurance on any vehicle offered for sale and otherwise required under the financial responsibility laws of this state, or

1 d. is not operating from the address shown on the license  
2 if this change has not been reported to the  
3 Commission; ~~or~~

4 8. Being a manufactured home dealer or a restricted  
5 manufactured home park dealer who:

- 6 a. does not have an established place of business,  
7 b. fails or refuses to furnish or keep in force garage  
8 liability and completed operations insurance, or  
9 c. is not operating from the address shown on the license  
10 if this change has not been reported to the  
11 Commission; or

12 9. Being a used powersports vehicle dealer who:

- 13 a. does not have an established place of business,  
14 b. employs a person in connection with the sale of used  
15 powersports vehicles without first obtaining a  
16 certificate of registration for the person, or  
17 c. is not operating from the address shown on the license  
18 if this change has not been reported to the  
19 Commission.

20 B. 1. The Commission shall deny an application for a license,  
21 or revoke or suspend a license after it has been granted, if a  
22 manufactured home dealer does not meet the following guidelines and  
23 restrictions:

- a. a display area for manufactured homes which is easily accessible, with sufficient parking for the public,
- b. an office for conducting business where the books, records, and files are kept, with access to a restroom for the public,
- c. a place of business which meets all zoning, occupancy and other requirements of the appropriate local government and regular occupancy by a person, firm, or corporation engaged in the business of selling manufactured homes, and
- d. a place of business which is separate and apart from any other dealer's location.

2. The Commission shall deny an application for a restricted manufactured home park dealer license, or revoke or suspend a license after it has been granted, if a manufactured home park dealer does not satisfy the following guidelines and restrictions:

- a. only mobile or manufactured homes that are "ready for occupancy" are sold or offered for sale,
- b. maintains an office for conducting business where the books, records, and files are kept, with access to a restroom for the public,
- c. maintains a place of business which meets all zoning, occupancy and other requirements of the appropriate local government and regular occupancy by a person,

1 firm or corporation engaged in the business of selling  
2 manufactured homes inside a park, and

3 d. maintains a place of business which is separate and  
4 apart from any other dealer's location.

5 C. The Commission shall deny an application for a license, or  
6 revoke or suspend a license after it has been granted, if a  
7 manufactured home installer:

8 1. Installs or attempts to install a manufactured home in a  
9 manner that is not in compliance with installation standards as set  
10 by the Commission pursuant to rule; or

11 2. Violates or fails to comply with any applicable rule as  
12 promulgated by the Commission concerning manufactured home  
13 installers.

14 D. The Commission shall deny an application for a license, or  
15 revoke or suspend a license after it has been granted, if a  
16 manufactured home manufacturer violates or fails to comply with any  
17 applicable rule as promulgated by the Commission concerning  
18 manufactured home manufacturers.

19 E. The Commission shall deny an application for a license by a  
20 motor vehicle manufacturer or factory if the application is for the  
21 purpose of selling used motor vehicles to any retail consumer in the  
22 state, other than through its retail franchised dealers, or acting  
23 as a broker between a seller and a retail buyer. This subsection  
24 does not prohibit a manufacturer from selling used motor vehicles

1 where the retail customer is a nonprofit organization or a federal,  
2 state, or local government or agency. This subsection does not  
3 prohibit a manufacturer from providing information to a consumer for  
4 the purpose of marketing or facilitating the sale of used motor  
5 vehicles or from establishing a program to sell or offer to sell  
6 used motor vehicles through the manufacturer's retail franchised  
7 dealers as provided for in Sections 561 through 580.2 of this title.  
8 This subsection shall not prevent a factory from obtaining a  
9 wholesale used motor vehicle dealer's license or the factory's  
10 financing subsidiary from obtaining a wholesale used motor vehicle  
11 dealer's license.

12 F. If the Commission denies issuance of a license the  
13 Commission shall provide the grounds for the action to the applicant  
14 in writing and allow the applicant sixty (60) days to resolve any  
15 issues that are the grounds for the action.

16 G. Each of the aforementioned grounds for suspension,  
17 revocation, or denial of issuance or renewal of license shall also  
18 constitute a violation of Sections 581 through 588 of this title,  
19 unless the person involved has been tried and acquitted of the  
20 offense constituting such grounds.

21 The suspension, revocation or refusal to issue or renew a  
22 license or the imposition of any other penalty by the Commission  
23 shall be in addition to any penalty which might be imposed upon any  
24



1 licensee upon a conviction at law for any violation of Sections 581  
2 through 588 of this title.

3 H. As used in this section:

4 1. "Substantially relates" means the nature of criminal conduct  
5 for which the person was convicted has a direct bearing on the  
6 fitness or ability to perform one or more of the duties or  
7 responsibilities necessarily related to the occupation; and

8 2. "Poses a reasonable threat" means the nature of criminal  
9 conduct for which the person was convicted involved an act or threat  
10 of harm against another and has a bearing on the fitness or ability  
11 to serve the public or work with others in the occupation.

12 SECTION 6. This act shall become effective November 1, 2025.

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