

MINUTES OF A MEETING
OF THE
OKLAHOMA NEW MOTOR VEHICLE COMMISSION

In conformity with the Oklahoma Open Meeting Act, advance notice of this Regular meeting was transmitted to the Oklahoma Secretary of State on November 1, 2024. Public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Northwest Office Center, 4334 NW Expressway, Oklahoma City, on August 11, 2025, prior to 10am, and, announcement of the Board meeting and agenda were posted on the ONMVC website www.oklahoma.gov/onmvc on August 11, 2025 prior to 10am.

The Oklahoma New Motor Vehicle Commission met in a Regular Meeting at 10:00 am, August 12, 2025. Chair Curtis Hayes called the meeting to order. A roll call was held; members present were Jackie McClintock, Jack Hodge, Sam Wampler, Seth Wadley, Jeff Johnson, Jared Glover and Curtis Hayes. Commissioners Cassie McGlothlin and Jim Norton were absent.

The Chair announced that there were enough members present to constitute a quorum. Also present were Brad Bailey, Executive Director, Marilyn Maxwell, Deputy Executive Director, Niki Batt, Deputy Attorney General, Ty Mowdy, Assistant Attorney General and Attorney Tom Wolfe of Phillips Murrah P.C.

Each Commission Member received a copy of the **Minutes** from the June 10, 2025 Commission Meeting, carried over from the July 17, 2025 Commission meeting. Sam Wampler made a motion, seconded by Seth Wadley, to accept the Minutes as presented. The Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – abstain	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – abstain	Jared Glover - aye
Curtis Hayes - aye		

Motion passed unanimously.

Each Commission Member received a copy of the **Minutes** from the July 17, 2025 Commission Meeting. Jared Glover made a motion, seconded by Jeff Johnson, to accept the Minutes as presented. The Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- abstain
Seth Wadley – aye	Jeff Johnson – abstain	Jared Glover - aye
Curtis Hayes - aye		

Motion passed.

Hearing in the Matter of the Complaint against Joe Cooper CDJR of Yukon, LLC – Advertising Violation - Case No. C-2025-51.

Board Advisor, Deputy Attorney General Niki Batt asked each Commissioner if they knew of any reason why they could not afford a fair and impartial hearing in the Matters before the Commission. A roll call was called; responses were as follows:

Jackie McClintock – no
Seth Wadley – no
Curtis Hayes – yes

Jack Hodge – no
Jeff Johnson – no

Sam Wampler- no
Jared Glover – no

Upon completion of the roll call, Chairman Curtis Hayes recusal was acknowledged, and he was asked to step out of the Hearing. Vice Chairman Sam Wampler took Chair Hayes' place for the duration of this hearing and subsequent hearings.

The Board Advisor asked if the parties to the Hearing were present and to identify themselves. The individuals who were party to the Hearing were: David Ty Mowdy, Prosecutor for the Oklahoma New Motor Vehicle Commission, Brad Bailey, Executive Director for the Oklahoma New Motor Vehicle Commission, and Tom Wolfe, Counsel for the Cooper entities, Respondents for Case's C-2025-51 through C-2025-55.

The Board Advisor asked if any of the parties had an announcement to make. Prosecutor Mowdy announced that the parties had reached an agreed Consent Order to propose to the Commission. Commissioner Wadley asked if there would be a single Consent Order for all cases. Board Advisor Batt responded that there would be separate cases to be considered separately. Commissioner Glover asked if the cases were all similar or same intent. Prosecutor Mowdy responded that all cases are separate, and all are of a similar nature. Prosecutor Mowdy then provided a summary of Case C-2025-51 and recommended that the agreed Consent Order in the amount of \$6,000 be accepted by the Commission. Commissioner Glover asked if there was a record of previous enforcement actions under the penalty scale for the dealership subject to the Consent Orders. Prosecutor Mowdy responded that, for the Consent Order currently under consideration, it was the second violation. Commissioner Jack Hodge asked if there was previous fine. The Director responded that there had been a previous fine applied to Joe Cooper CDJR of Yukon. Board Advisor Batt asked if Tom Wolfe, attorney for the respondent, had anything he wished to add. Mr. Wolfe did not.

Seth Wadley made a motion, seconded by Jared Glover, to enter into Executive Session, The Vice-Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye
Seth Wadley – aye

Jack Hodge – aye
Jeff Johnson – aye

Sam Wampler- aye
Jared Glover - aye

Motion passed unanimously.

Jackie McClintock made a motion, seconded by Jared Glover, to exit the Executive Session. The Vice-Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye
Seth Wadley – aye

Jack Hodge – aye
Jeff Johnson – aye

Sam Wampler- aye
Jared Glover - aye

Motion passed unanimously.

Jared Glover made a motion, seconded by Jeff Johnson, to accept the Consent Order as presented for Case No. C-2025-51. The Vice-Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye

Motion passed unanimously.

Hearing in the Matter of the Complaint against Joe Cooper CDJR of Shawnee, LLC – Advertising Violation - Case No. C-2025-52.

The Board Advisor asked if parties had reached an agreed Consent Order to propose to the Commission. Commissioner Wadley asked if this case represented a second violation. Prosecutor Mowdy answered in the affirmative and provided a summary of Case C-2025-52 and recommended that the agreed Consent Order of \$6,000 be accepted by the Commission. Board Advisor Batt asked if Tom Wolfe, attorney for the Respondent, had anything he wished to add. Mr. Wolfe did not.

Seth Wadley made a motion, seconded by Jackie McClintock, to accept the Consent Order as presented for Case No. C-2025-52. The Vice-Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye

Motion passed unanimously.

Hearing in the Matter of the Complaint against Joe Cooper Ford of Shawnee, LLC – Advertising Violation - Case No. C-2025-53.

The Board Advisor asked if parties had reached an agreed Consent Order to propose to the Commission. The Board Advisor asked Mr. Mowdy if this case represented a tier one violation. Prosecutor Mowdy answered in the affirmative and provided a summary of Case C-2025-53 and recommended that the agreed Consent Order in the amount of \$3,000 be accepted by the Commission. Board Advisor Batt asked if Tom Wolfe, attorney for the respondent, had anything to add. Mr. Wolfe did not.

Jared Glover made a motion, seconded by Jack Hodge, to accept the Consent Order as presented for Case No. C-2025-53. The Vice-Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye

Motion passed unanimously.

Hearing in the Matter of the Complaint against Joe Cooper Ford of Yukon, LLC – Advertising Violation - Case No. C-2025-54.

The Board Advisor asked if parties had reached an agreed Consent Order to propose to the Commission. The Board Advisor asked Mr. Mowdy if this case represented a tier one violation. Prosecutor Mowdy answered in the affirmative and provided a synopsis of Case C-2025-54 and recommended that the agreed Consent Order in the amount of \$3,000 be accepted by the Commission. Board Advisor Batt asked if Tom Wolfe, attorney for the respondent, had anything

to add. Mr. Wolfe did not.

Jeff Johnson made a motion, seconded by Jackie McClintock, to accept the Consent Order as presented for Case No. C-2025-54. The Vice-Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye

Motion passed unanimously.

Hearing in the Matter of the Complaint against Joe Cooper H of Midwest City, LLC – Advertising Violation - Case No. C-2025-55.

The Board Advisor asked if parties had reached an agreed Consent Order to propose to the Commission. The Board Advisor asked Mr. Mowdy if this case represented a tier two violation. Prosecutor Mowdy answered in the affirmative and provided a synopsis of Case C-2025-55 and recommended that the agreed Consent Order in the amount of \$6,000 be accepted by the Commission. Board Advisor Batt asked if Tom Wolfe, attorney for the respondent, had anything to add. Mr. Wolfe did not.

Jared Glover made a motion, seconded by Jackie McClintock to accept the Consent Order as presented for Case No. C-2025-55. The Vice-Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye

Motion passed unanimously. This concluded the Joe Cooper matters.

Chairman Curtis Hayes rejoined the meeting.

Review and Action on Claims and Financial Statements for July 2025

The **Claims and Financial Statements** for the month of July 2025 were presented by the Deputy Executive Director. After discussion, a motion to approve both the payment claims and financial reports as submitted by the Deputy Executive Director was made by Sam Wampler, seconded by Seth Wadley. The Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye
Curtis Hayes - aye		

Motion passed unanimously.

Director's Report

The Executive Director informed the Commissioners that there have been seven new complaints since the last meeting, with four complaints resolved and three complaints closed. There were four carryover complaints since the last meeting and two of those had been closed.

The Director provided an update on the ongoing agency expansion with delivery of the office furniture and investigator office setup scheduled for the next day, August 13th.

The Director provided a summary of efforts related to the legislative priority of creating a Multi-Stage Vehicle license category.

The Director provided a summary of the advertising rule enforcement efforts for the previous month, including thoughts on the thoroughness of the process and the results achieved. The Director also spoke about the need to engage the advertising committee in discussions of how best to modernize the advertising rules and make them a better fit and more responsive to today's dealer advertising environment. Finally, the Director provided a recap of the demonstration of ComplyAuto's Guardian advertising compliance software offering and its impressive performance in identifying potential state and federal advertising rule violations and suggestions for correction. The Director shared the partnership between ComplyAuto and the Oklahoma Auto Dealers Association to bring a limited time, free website compliance scan to Oklahoma new motor vehicle dealers.

The Commissioners and the Director engaged in discussion about advertising rule topics including third-party website pricing, manufacturer influence on dealer presentation of conditional offers, manufacturer finance assistance in math boxes and most conspicuous pricing.

FINES: Consideration and Action on the following Consent Orders, all for Alleged Advertising Violations:

- \$5,000 - Lawton KIA, Lawton
- \$5,000 - Edmond Hyundai, Edmond
- \$5,000 - Tulsa Hyundai, Tulsa
- \$2,000 - Nelson Mazda, Broken Arrow
- \$2,000 - Nelson Mazda, Norman
- \$6,000 - Bob Howard Chrysler Dodge Jeep RAM, OKC
- \$6,000 - Bob Howard Toyota, OKC
- \$6,000 - Bob Howard Chevrolet, OKC
- \$3,000 - Patriot Chevrolet, Bartlesville
- \$6,000 - Patriot GMC Hyundai, Bartlesville
- \$3,000 - Merit CDJR of Duncan, Duncan
- \$3,000 - Bartlesville CDJR, Bartlesville
- \$2,000 - Hudiburg Ford, Wellston

The Director presented information relating to each of the alleged advertising violations listed above. He indicated that each dealer had signed a Consent Order and paid the associated fine. The Commission may accept or reject any of the fines as presented. The Commission asked the Director about the criteria and rationale used for determining fine amounts. The Director and Deputy Director shared that 1st level fine amounts in the \$2,000 range were assigned based on the fact these dealers had not had an advertising violation in many years and have not had any recent history of consumer complaints. Jack Hodge expressed concern for consistency on 1st level violations. At the end of the discussion, Seth Wadley made a motion, seconded by Sam Wampler, to accept the first twelve Consent Orders as presented and save the thirteenth Consent Order for a separate vote. The Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye
Curtis Hayes - aye		

Motion passed unanimously.

Board Advisor Batt asked if there were any further questions from the Commissioners on Consent Order Thirteen. There was none.

Seth Wadley made a motion, seconded by Sam Wampler, to reject the thirteenth Consent Order as presented. The Chair called for a roll call vote; votes were as follows:

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye
Curtis Hayes – nay		

Motion passed.

Board Advisor Batt recommended that the Board direct Director Bailey and Prosecutor Mowdy to revisit the Consent Order and bring back a new Consent Order to the Board for consideration at the September meeting. This Direction was provided.

Discussion of Advertising Practices and Monthly Report

The Director presented the advertising enforcement report reflecting the number and nature of anonymous reports, mystery shops, random on-site investigations and consent orders in process. As part of the discussion the Commission offered advice and directions on public posting of enforcement action results from 2025 on the ONMVC website and Facebook page.

The Director continued discussion of effective and appropriate enforcement procedures designed to speed up the enforcement process by presenting communications sent to dealers. The Chair and Commissioners contributed observations and ideas including questions about the use of mystery shops in investigations and enforcement and the projected number of enforcement actions to be considered at the next meeting.

Initial License Applications:

The Deputy Executive Director presented an update of applications completed since the last meeting along with applications still pending. Application “a” was withdrawn. The remaining License Applications were then presented for consideration and action:

MANUFACTURER:

- b. Vactor Manufacturing, LLC – Streator, IL
Manufacturer of Vactor Sewer Cleaning Trucks
Director recommended approval

DEALERS:

- c. Macks Motorsports – Guymon, OK
Addition of Can-AM Powersports
Director recommended approval pending receipt of Dealer Agreement
- d. Ron Hoover RV & Marine Center - Claremore, OK
Purchase of Lazydays RV
Director recommended approval
- e. Tractor Supply – Locust Grove, OK
New Dealer for Massimo, Coleman, American Landmaster, Hisun Powersports
Director recommended approval pending receipt of Dealer Agreements

A motion was made by Jared Glover, seconded by Seth Wadley, to accept the Executive Director's recommendations for applications “b-d” as submitted. The Chair called for a roll call vote; votes were as follows.

Jackie McClintock – aye	Jack Hodge – aye	Sam Wampler- aye
Seth Wadley – aye	Jeff Johnson – aye	Jared Glover - aye
Curtis Hayes - aye		

Motion passed unanimously.

Seeing no new business, the Chair adjourned the meeting at 11:38am.

Approved by: _____ Date: _____