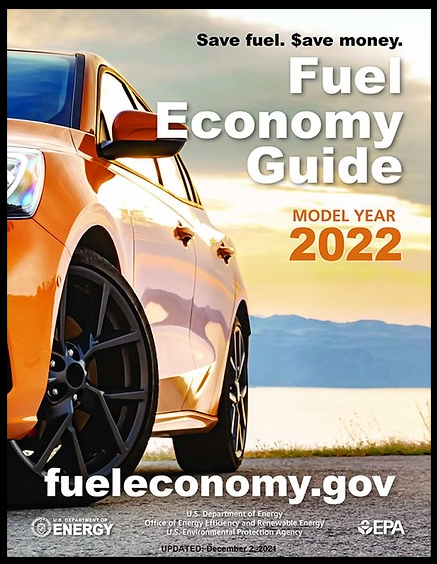
Oklahoma Independent Automobile Dealers Association

DEALERS' RESOURCE

2022



2022 FUEL ECONOMY GUIDE AVAILABLE

Advertising Violations



In This Issue:

- New Director !
- Advertising Violations
- Odometer Requirements
- Newly Licensed Dealers
- Catalytic Converter Theft....

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Oklahoma Independent Automobile Dealers Association
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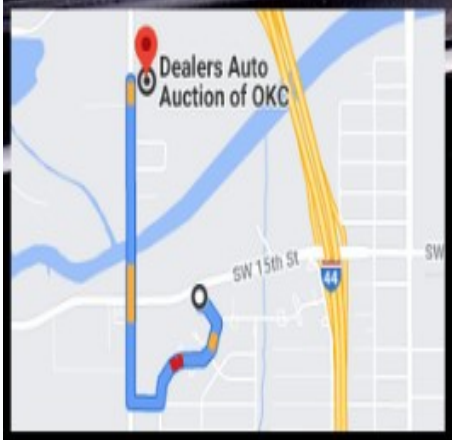
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Monte Freeman

Amber Snook, Executive Director

OIADA Office

813 NW 34th St

Moore, OK 73160

Email: ambersnook@okiada.com

www.okiada.com

For information on how to become a member of OIADA, Please contact Amber Snook at 405-232-2947

Dealers' Resource is publication of Automotive Dealers Resource of Oklahoma (ADR) produced on behalf of the Oklahoma Independent Automobile Dealers Association. PO Box 6905, Moore OK 73153. The Dealers' Resource is published quarterly by ADR of Oklahoma. The statements and opinions expressed herein are those of the individual authors and do not necessarily represent the views of ADR or OIADA. Likewise , the appearance of advertisers, or their identification as members of the OIADA does not constitute an endorsement of the products or services featured. Copyright ©2015 by O&R Morgan, Inc. dba OIADA. All rights reserved. Dealers' Resource is a publication of Automotive Dealers Resource of Oklahoma on behalf of the Oklahoma Independent Automobile Dealers Association, but is mailed to all dealers in the state in effort to educate and encourage non-members to join the Association and support our efforts to improve the image and profit potential of the industry. For 60 years we have worked to represent the independent motor vehicle dealer in Oklahoma. We appreciate your support.

IN THIS ISSUE

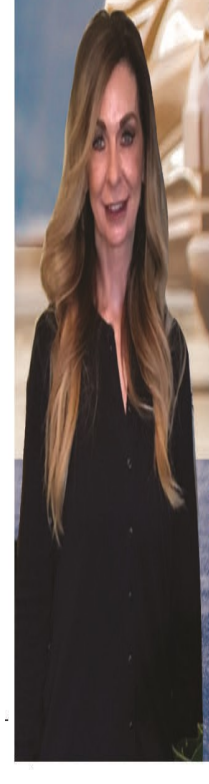
- NEWLY LICENSED DEALERS
- MEET THE DIRECTOR
- ADVERTISING VIOLATIONS
- CONSUMER ALERT
- NEAR $400k FINE FOR OHIO DEALER
- CLEANING OUT THE FILES
- CATALYTIC CONVERTER THEFT
- LEGISLATURE UPDATE
- FTC EXPANDS REQUIREMENTS
- 2022 FUEL ECONOMY GUIDE
- www.okiada.com
- Membership Application

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New License Dealers Jan-Feb-March-April-May 2022

ATLAS AUTO INC#2	ADIL SQUAAID	MOORE, OK	FINE AUTO CARE SALES	JAMAI SAAD	MOUNDS,OK
AUTOLAND, LLC	JIM KOLOSHA	TULSA, OK	GUNTERS HWY 70W	RETHA GUNTER	LONE GROVE, OK
BRYAN'S CAR CORNER	BARTLEY BINGHAM	CHICKASHA, OK	HWY 33 TRUCK& TRAI	RODNEY TIMMS	GUTHRIE, OK
CARILLO AUTO SALES, LLC	DANIEL BYROM	TULSA, OK	HWY 66 AUTO SALES	ANGELA PUTMAN	TULSA,OK
DND AUTO SALES	NATHAN DILLEY	MOORE, OK	LIGHTNING UTO GROU	SUZAN CHACON	TULSA, OK
DON CARLTON HONDA	JENNIFER GREEN	TULSA, OK	777 AUTO , LLC	RYLEE SEWELL	PERKINS, OK
EDEN AUTOPLEX, INC	NANCY ALARCON	TULSA, OK	C&G MOTORS, LLC	GREGORY BEDFORD	FAIRLAND, OK
EDMOND HYUNDAI	THODORE MOORE	OKC, OK	COLDIRON AUTO & EQUIP	PHIL COLDIRON	CHANDLER,OK
E-Z PAY USED CARS MUS	MARVIN BRIGGS	MUSKOGEE,OK	FAYTH'S AUTO SALES	KDREION FREEMAN	OKC, OK
FOREMANS AUTO SALES	ROBERT FOREMAN	VINITA, OK	HERRELSON CAR CO, INC	SAMMY FAIRCHILD	GROVE,OK
HILLTOP CDJR#2	CLIFF UNDERWOOD	ADA, OK	HIGHWAY 39 AUTO	ROBIN FAULKENBERRY	LEXINGTON,OK
KG AUTO SALES,LLC	KENDALL GREEN	OKC, OK	HOUSE OF CARS & CYCLES	TIMOTHY KIRK	TULSA,OK
KIAS AUTO GROUP,LLC	ADNANE ELKIAS	OKC, OK	LONE GROVE EZ CREDIT	ROBIN RABE	ARDMORE,OK
KM AUTOMOTIVE,LLC	REMETIA TILLIS	OKC, OK	POEBOY'S TRUCK & CAR	FREDRICK FLEMING	TULSA, OK
LA SIERRA TRUCK & A	DARIO SANCHEZ JR	NICOMA PARK, OK	PREMIER TRUCK & TRAILER	JASON WEAVER	VINITA,OK
LEGEND DRIVEN BUICK	DAVID DUNN	LAWTON, OK	SURGE TRUCK SALES	DONNIE ARBUCKLE	WOODWARD,OK
LIBERTY TRUCK SALES	FREDRICK WELLS	MOUNDS, OK	AUTO BELL CAR DEALER	THEJUS THOMAS	PRAGUE,OK
NEXT LEVEL AUTO AFFAIRS	KAIEL ANDERSON	CATOOSA, OK	BAJA AUTO SALES	ABRAHAM PICASSO	TULSA,OK
RIVERSIDE AIRPORT A	MICHAEL WEDEL	JENKS, OK	HWY JUNCTION AUTO S	REX HARPER	DRUMRIGHT,OK
RUSTBUSTER USED CARS	TIMOTHY JOHNSON	HYDRO, OK	INFINITE ROUTES AUTO	JULIAN MULINKOVSKYI	TULSA,OK
SEMINOLE FORD-MERC	JIMMY GENTRY JR	SEMINOLE,OK	JUST RIGHT AUTO,LLC	JASON MITCHELL	NEWCASTLE,OK
TEXOMA HEAVY TRUCK	CODY BOEVERS	KINGSTON,OK	LH MOTORS 2	LUIS HEREDIA	BROKEN ARROW,OK
TULSA CAR DEAL CENTER	WAEL AGHA	TULSA, OK	MELROSE AUTO	RON MOHTASHAMI	OKC,OK
4C'S AUTO LLC	TRENTON MITCHELL	LEXINGTON ,OK	MID-AMERICA CYCLE	SMITH LIVING TRUST	EDMOND,OK
ANR AUTO BROKER	FRANK RIOS	MOORE,OK	MTS TRUCK SALES	LANDON SLOAN	MANNFORD,OK
CAMPERLAND OF OK2	EARL ALLEN JR	SAPULPA ,OK	RIGHT PRICE AUTO AUCTION	KATIE HAMILTON	SAPULPA,OK
CAMPERLAND OF OK,	BENARD LAMBRIGHT	TULSA,OK	RVYEAH,LLC	KEVIN LABETH	NEWCASTLE,OK
COPART-OKC	GREGORY DEPASQUALE	OKC,OK	SA AUTO SALES, LLC	HEDYEH AHMADI	YUKON, OK
COPART-TULSA	JEFFREY LIAW	TULSA,OK	SOUTHLAKE AUTO GROUP	MARTY JONES	NOBLE,OK
D&K AUTO FINANCE I	DALLA FLORES	OKC,OK	SUNSHINE MOTORS	KEITH WIERSIG	BARTLESVILLE,OK
DIEGO'S AUTO SALES	ERNESTO AGUIRRE	TULSA,OK	TOP NOTCH USED CARS	BRELAND MARQUEZ	EDMOND,OK
FAMILY MOTORS OF T	MARIA PLATEADO	TULSA,OK	TRIPLE S AUTO SALES	JUSTIN STONE	PADEN,OK
FAST STREET AS	REYES LOPEZ	TULSA,OK	PHAGAN MOTORS	BLAKE PHAGAN	OKC,OK
			LAMB AUTO	BILLY GREEN	NORMAN,OK
			T-TOWN MOTORS	TONY COLLINS	TULSA,OK
			WILSON FORD PARTS	LARRY WILSON	OKC,OK

OIADA New Executive Director

Amber Snook

I am excited and honored to join your organization as the new executive director. I want to thank everyone for your warm welcome. Also, I want to thank Rose Morgan, staff and the board for their support and assistance in helping me transition into this position.

Rose and Odell Morgan spent decades in this honorary position, and I have cherished the time working along side them , Rose and I continue to do so.

My face may be familiar. I have worked for the OIADA and ADR of Oklahoma since 2007.

I am humbled and excited to take on the role of executive director at OIADA, an incredible opportunity that speaks to my passions, skillset, and guiding principle. Over the last decade, I have dedicated my personal and professional talents toward making a positive change in the lives of our Automobile Dealers. There is no denying that the last few years has been an incredibly challenging years for us all, especially our industry, but our dedicated staff continues to exceed expectations, finding innovative ways to support our dealers through the pandemic. We have all worked together to keep the wheels turning. Thank you for your generosity, and continued support in the association. Your support has never been more critical to fulfilling our mission. I am confident that with you by our side our industry will continue to thrive and emerge from this crisis stronger than ever.

A little background on myself: At an early age my parents exposed us to a whole different world. Different Countries. Different Religions. Different Cultures. At the time they were shamed by many with questions of "why would you take your children into such a dangerous country." "How could you risk their safety like that?" But you see… we never saw it like that. We lived in countries where the freedoms and security we have here were not. I learned quickly about how blessed we truly are. We learned valuable lessons. With every move to a different country my parents make sure of a few things, and we were told…" you respect their culture, you respect their religion, you respect their language, and always keep your eyes open so you can see how blessed you are as an American."

Those words never left me. Even on my worst day, I've seen worse. I am truly blessed to wake up every day in this country. Every plane trip home to Oklahoma we would cry at the sight of the American Flag at the airport when we landed. The sight of that flag was home, it was freedom. We did not have to read about it in our history books. We did not have to hear about it in Grandpa's stories of the war. We did not see it on the TV. We felt it in our hearts. We had lived and seen the difference. Not a day goes by that I don't remember those people, those children, those faces, those cultures and those countries. They are forever a part of me. I am truly blessed as an American.

So you can see my passion for America started young. The American Dream is still alive in this county and in so many of you.



On the walls of the OIADA office reads "Our Mission; Your Success" and it so incredibly true. May that statement stay with you when you think of us.

Nobody panic! Rose is still here guiding me and you. She is concentrating more with the Automotive Dealer Resources of Oklahoma in her efforts to still bring you compliant forms, tags, and supplies. You may notice a few changes in the appearance of invoicing and revision in contact as we advance to new software systems. I am here for you in any adjustments.

I look forward to each and every one of you moving forward with me in the Oklahoma Independent Auto Dealers Association.

Thank you again for your support.

Amber Snook



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5% restock fee

Date of Order:_____

Requested By:

SHIP TO NAME

ADDRESS

CITY, STATE, ZIP CODE

PH._____ FAX_____

E-MAIL_____

☐ Discover ☐ MasterCard ☐ Visa ☐ American Express

Credit Card Account Number: Expire Date:___/___ Code #_____

Signature:_____

Item No.	Item Description Items per 100 unless otherwise noted	Unit Price	No. Ordered	Total $ Amount
F 01	Dealer Warranty Disclaimer	15.00		
F 02	Odometer Disclosure Statements (3 Part)	15.00		
F 03	30 Day Notice (Title Receipt) (pad 100)	8.00		
F 04	Buyers Guides - FTC AS IS	21.00		
F 04 A	Buyers Guides - (4 seal) (2 part)	52.00		
F 04 B	Buyers Guides - Spanish	29.00		
F 04 C	Hanging Buyers Guide	27.00		
F 04.1	Vehicle Inventory Record - per book	14.00		
F 05	R			
F 05 A	Wholesale Buyers Order (per 50)	18.00		
F 05.0	Vehicle Inspection Form (2 part)	26.00		
F 05.3	Repo Notice of Sale (2 part)	26.00		
F 05.4	Repo Calculation of Return (2 part)	26.00		
F 06	RPA/Bill of Sale (3 part) Short Form	40.00		
F06.2	RPA Multiform (3 part) LONG Form	65.00		
K 07	Stock Window Stickers	13.00		
K 07.1	Red___ Blue___ Gr___ Wht___ Yel___ Poly Stock Window Stickers per 250	39.00		
F 08	White___ Yellow___ Retail Install Contract (4 part) 50$55	109.00		
F 08.3	Simple Interest Contract (5 part)	109.00		
K 10	Rigid Key Tags (per 125) Wht___ Yel___	12.00		
K 10.1	(Per 250) Yellow___ White___ Top Stripe Key Tags (per 250) Red___	24.00		
K 10.2	Orange___ Black___ Blue___ Gr___ Protek Key Tags per 250	24.00		
F 09.0	Wht___ Yel___ Blue___ Red___ Agreement to Provide Ins.	24.00 45.00		
F 10.3	We Owe Forms	18.00		
X 123	Delivery Confirmation (new We Owe)	33.00		
F 11	Deal Jacket (9x12) Tan___ Green___	30.00		
X 125	Good Will Repair Agreement	33.00		
F 13C P	Credit Application or Personal Loan App.	29.00		
F 13.1	Spot Delivery Form	26.00		
F 14	Plastic Folders for FTC AS IS (25 ea)	30.00		
F 14.1	Plastic Folder Kits for AS IS (100 ea)	65.00		
F 14.0	Plastic Clip-on Kits for AS IS (50 ea)	40.00		
F 14.6	Consignment forms	20.00		
X 102	Vehicle Test Drive Agreement	33.00		
S 15	Dealer Tag Magnet (each)	9.00		
S 15.1	Screws - Pan Hex Met (Box 100)	12.00		
S 15.5	Nylon Tag Screw Inserts (Box 50)	12.00		
S 15.1	Screws – Thumb (Box 50)	14.00		
S 16	Magnet/Rubber Dealer Tag Holder (each)	16.00		
	Rubber Dealer Tag Holder (each)	12.00		
S 18	Key Board (32 peg) (each)	53.00		
S 18.1	Key Board (55 peg) (each)	76.00		
S 18.2	Key Board (105 peg) (each)	145.00		
S 18.3	Key Board (38 peg) (each)	54.00		
S 18.4	Key Board (75 peg) (each)	98.00		
S 20	Floor Mats – plastic/paper – per 500	75.00		
F 205	Privacy Notice			
	Special Action Required Call (405)232-2947			

Item No.	Item Description	Unit Price	No. Ordered	Total $ Amount
S 17	Uni Posca Marker (small) (each)	6.00		
S 17.1	Uni Posca Marker (medium) (each) Gr___Or___Pink___Red___Yel___	6.00		
S 17.2	Uni Posca Marker (jumbo) (each) Red___Yel___Wht___Pink___	8.00		
S 17.4	Solid Marker Paint Stick (each) White___Yellow___	4.95		
S 17.6	Uni Posca Marker (Wide) Yel___ Gr___ Or___Wht___Pink___Red___	9.50		
S 20	Rear View Mirror Signs per 50	20.00		
S 21.2	Windshield Signs (msg) per dozen	3.50		
S 21.4	Windshield # Signs 7 1/2" dozen	3.50		
S 21.5	Windshield # Signs 9 1/5" dozen	4.00		
S 21.6	Bubble No. Pkg. 12	2.50		
	Oval Year Signs–Pk 12 –Red/Yel___ Blue/Yellow___ Green/Black___	7.00		
	Metallic Streamers – 60 feet	30.00		
	Clip on U. S. Flags – 1 dozen	43.0		
	8"Monster Ring	15.95		
	10" Monster Ring	16.95		
	12 " Monster Ring	72.95		
	Temp Tags Car Minimum order 30 2.00 e			
	Temp Tags Motorcycle Min. order 12 2.00e			

Postage & Handling Chart

Order Value	Amount
$ 1.00 - $ 30.00	$13.32
$ 30.01 - $ 50.00	$14.37
$ 50. 01 - $ 100.00	$16.46
$ 100.01 - $ 130.00	$18.55
$ 130.01 - $ 150.00	$19.07
$ 150.01 - $ 200.00	$20.12

Add $8.00 for residential addr.

RETURNED CHECK CHARGE = $30.00

ORDER TOTAL	
DISCOUNT	
SUB-TOTAL	
SALES TAX	
POSTAGE	
C.O.D.	
TOTAL DUE OIADA	

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CHECK #

MAKE CHECKS PAYABLE TO: OIADA
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2% PER

ADVERTISING VIOLATIONS

The UMV&PC sent out an email in March to Licensed dealers with a copy of the Commission Advertising Rules. Be Sure to Read and Comply with it.
False or Misleading Advertising is prohibited. If the advertising you are doing is not specifically prohibited in the rest of the Rules, but is clear that it is false or misleading, there can still be a fine assessed.

They are seeing many advertising violations.
Please be sure you read your email or contact the commission or OIADA for a copy.

Members please see chapter 3 of the OIADA Member Handbook.

- Purpose
- Definitions
- Bait Advertisement
- Clear and conspicuous
- "Demonstrator"
- Program Vehicle
- Rebate or Cash Back
- Availability
- Selling Price
- Qualification
- Prohibited statements
- Dealership Name



The UMV&PC sent out emails concerning Advertising. Here is an example of those emails.
These were sent out for Dealers informational purposes, not allegations of misconduct. If you have and questions on Advertising on social media, please contact the UMV&PC .

State of Oklahoma
USED MOTOR VEHICLE AND PARTS COMMISSION
421 N.W. 13th Street, Suite 330, Oklahoma City, OK 73103
Phone (405)521-3600 Fax (405)521-3604
Email: umvpc@umvpc.ok.gov

ADVERTISING

The Used Motor Vehicle and Parts Commission is initiating a review of dealer advertising. By the time you receive this email, we will have begun this review process. April 1, 2022, we will begin assessing fines for the advertising violations we find after that date. This is your opportunity to review your advertising and make sure you are in compliance with the Commission Rules before a fine is assessed.

A COPY OF THE COMMISSION ADVERTISING RULES ARE BELOW. READ IT AND COMPLY WITH IT.

The first rule concerning advertising is that false or misleading advertising is prohibited. If the advertising you are doing is not specifically prohibited in the rest of the Rules, but it is clear that it is false or misleading, there can still be a fine assessed.

Common advertising violations that we are seeing now are:

The price listed is not the actual price. The only cost items Commission Rules allow a dealer to exclude from the advertised price are tag, title and tax and the processing fee. Any of the various add-on charges used because of "inventory acquisition fees" or additional costs for "no trade-in" or for "not financing with dealer" must be included in the advertised price.

Salespeople doing their own advertising. Usually, the dealer the salesperson is working for is not identified. The phone number given is the phone number of the salesperson, and the dealer's phone number is not given.

All dealer advertising must conspicuously display the name of the dealership. Sometimes the price the salesperson gives is not the same as the price on the dealer's website.

The down payment is listed as the price of the vehicle. The advertisement does not state the full price of the vehicle.

Documentary fees or administrative fees are considered processing fees. Some dealer advertising programs include language that indicate the fees are negotiable or different for financed or cash vehicles. Processing fees, if charged, must be charged on vehicle transactions, cash or finance, and must be the same for every vehicle sold.

While this Commission does not have any authority over new vehicle advertising, it is inevitable that in our review of franchise dealer used vehicle advertising, we will come across new vehicle advertising violations. We will forward the violations we find to the Motor Vehicle Commission.

The Commission is not seeking to be punitive when it finds advertising violations. It is common knowledge, however, that advertising, particularly over the last few years has become more misleading. The Commission, in seeking to protect the consuming public and to level the playing field for all dealers, believes that monitoring this activity is of primary importance.

CHAPTER 16. ADVERTISING

SUBCHAPTER 1. GENERAL PROVISIONS

765:16-1-1. Purpose

The purpose of this Chapter is to implement the intent of the legislature as declared in the Oklahoma Used Motor Vehicle and Parts Commission Law by regulating the advertising of the Commission licensees by requiring truthful and accurate advertising practices for the benefit of the citizens of this State.

765:16-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Advertisement" means an oral, written, graphic, or pictorial statement made in the course of soliciting business, including, without limitation, a statement or representation made in a newspaper, magazine, or other publication, or contained in a notice, sign, poster, display, circular, pamphlet, or letter, or on radio or on television or on the Internet.

"Bait advertisement" means an alluring but insincere offer to sell a product but which has as its primary purpose of obtaining leads of persons interested in buying the advertised product in order to sell some other product at a higher price or on a basis more advantageous to the advertiser.

"Clear and conspicuous" means that the statement, representation, or disclosure is of such size, color, contrast, and audibility and is presented so as to be readily noticed and understood. All language and terms, including abbreviations, shall be used in accordance with their common or ordinary usage and meaning. This standard shall be met by the following:

(1) In print advertisement:
  (A) The type size of 5 ½ caps or larger shall be used in all disclosures.
  (B) Disclosures shall be located adjacent to the price or in an area clearly marked with reference symbols. All reference symbol marks, such as asterisks, must be type size 5 ½ caps or larger.

(2) In an audio advertisement:
  (A) The disclosure shall be clear and understandable in pace and volume; and,
  (B) The disclosure shall be placed at the end of the advertisement.

(3) In a television advertisement:
  (A) The disclosure shall be in visual form so that the average viewer may easily read and understand it.
  (B) The disclosure size shall be at least twenty (20) scan lines and each disclosure shall appear continuously on the screen for at least ten (10) seconds.

"Demonstrator" means those vehicles that are of the current or previous model year which have not been sold, titled, or registered to any type of purchaser and are used by dealership personnel for demonstration purposes. Service vehicles, courtesy cars, daily rentals, loners, driver education and factory executive cars shall not be described as "demonstrator" vehicles. Demonstrators may be advertised for sale, as such, only by a franchised dealer of the same line-make of vehicle.

"Disclosure" means required information that is clear, conspicuous, and accurate.

"Factory Executive/Official Vehicle" means a new motor vehicle with an original Manufacturer's Statement of Origin or used motor vehicle with a Certificate of Title that has been used exclusively by an executive or official of the dealer's franchising manufacturer, distributor, or their subsidiaries. The advertiser shall state clearly whether the vehicle is a new or used vehicle.

"Licensee" means any person required to obtain a license from the Oklahoma Used Motor Vehicle and Parts Commission.

"Program vehicle" means a vehicle that is purchased at a manufacturer's closed auction or sold by or directly from the manufacturer or distributor which is a current or previous year model that has been previously tagged and/or titled, and returned to the manufacturer for disposal.

"Rebate or cash back" means a sum of money refunded to a purchaser or for the benefit of the purchaser. The purchaser may choose to reduce the amount of the purchase price by the sum of money or the purchaser may opt for the money to be returned to the purchaser for his or her benefit.

SUBCHAPTER 3. SPECIFIC ADVERTISING REGULATIONS

765:16-3-1. General prohibitions

A licensee shall not use false or misleading advertising.

765:16-3-2. Availability of vehicles

(a) **Specific advertising.** A licensee may advertise a specific vehicle for sale if:
(1) the specific vehicle is in the possession of the licensee at the time the advertisement is placed, or the vehicle may be obtained from the manufacturer or distributor or some other source, and this information is disclosed in the advertisement; and,
(2) the advertisement sets forth the number of vehicles available if the dealer does not have a supply of the advertised vehicles available to satisfy a reasonable expectable public demand. If an advertisement pertains to only one specific vehicle, then the advertisement must disclose that vehicle's stock number.

(b) **General advertising.** This section does not prohibit general advertising of vehicles by a manufacturer, dealer advertising association, or distributor, and the inclusion of the names and addresses of the dealers selling such vehicles in the particular area.

765:16-3-3. Accuracy

All advertised statements shall be accurate, clear and conspicuous.

765:16-3-4. Bait advertisement

Any advertising of a "Bait" or "Bait and Switch" nature is prohibited.

765:16-3-5. Layout

The layout, headlines, illustrations, or type size of a printed advertisement and the broadcast words or pictures of radio/TV advertisements shall not convey or permit an erroneous or misleading impression as to which vehicle or vehicles are offered at featured prices. No advertised offer, expression, or display of price, terms, down payment, trade-in allowance, cash difference, savings, or other such material terms shall be misleading and any necessary qualifications shall be clearly, conspicuously, and accurately set forth to prevent any misunderstandings.

765:16-3-6. Dealer price advertising

(a) **Selling price.** The most conspicuous price of a used motor vehicle, when advertised by a dealer, must be the full and total selling price for which the dealer will sell the vehicle. The only charges that may be excluded from the advertised price are:
(1) state and local taxes,
(2) license,
(3) title, and
(4) processing fee.

(b) **Qualification.** A qualification may not be used when advertising the cash price of a vehicle such as "with trade", "with acceptable credit", "with dealer-arranged financing", or "with down payment".

(c) **Rebate or savings claim.** If a price advertisement discloses a rebate, cash back, discount savings claim, or other incentive, the full cash price of the vehicle must be disclosed as well as the price of the vehicle after deducting the incentive.

765:16-3-7. Identification

(a) when the price, payment or savings claim of a vehicle is advertised, the following must be disclosed:
(1) model year;
(2) make;
(3) trade, brand or style name; and
(4) if other than a new vehicle, the vehicle must be identified as a used, demonstrator, factory executive/official vehicle, or a program vehicle.

(b) An illustration of a motor vehicle used in an advertisement must be that of the motor vehicle advertised. If an illustration of the advertised vehicle is not available then the dealer must clearly and conspicuously disclose the difference between the illustration and the vehicle being advertised.

765:16-3-8. Auction

Terms such as "auction" or "auction special" and other terms of similar import shall be used only in connection with a vehicle offered or sold at bona fide auction.

765:16-3-9. Lease advertisements

Vehicle lease advertisements shall clearly and conspicuously disclose that the advertisement is for the lease of a vehicle. Statements such as "alternative financial plan", "drive away for $_____ per month", or other terms or phrases that do not use the term "lease", do not constitute adequate disclosure of a lease. Lease terms that are not available to the general public shall not be included in advertisements directed at the general public. All limitations and qualifications applicable to the lease terms advertised shall be clearly and conspicuously disclosed as per Federal Trade Commission Regulation "M".

765:16-3-10. Payment disclosure

All payment advertising shall be in compliance with Federal Trade Commission Regulations "M"(Lease Regulation) and "Z" (Truth in Lending act).

765:16-3-11. Prohibited statements

The following statements are presumptively false and misleading, and the burden of proving otherwise shall be on the advertiser/licensee:
(1) Statements such as 'write your own deal', 'name your own price', 'name your own monthly payment', or statements with similar meaning.
(2) Statements such as 'everybody financed', 'no credit rejected', 'guaranteed approval', you are 'pre-approved', and other similar statements representing or implying that no prospective credit purchaser will be rejected because of his inability to qualify for credit.
(3) Statements representing that no other dealer grants allowances for trade-ins, however stated, unless such is the case.
(4) Statements representing that because of its large sales volume a dealer is able to purchase vehicles for less than another dealer, unless such is the case.
(5) No merchandise or enticement may be described as 'free' if the vehicle can be purchased for a lesser price without the merchandise or enticement, or if the price of the vehicle has been increased to cover the cost or any part of the cost of the merchandise or enticement. The advertisement shall clearly and conspicuously disclose the conditions under which the 'free' offer may be obtained.
(6) The term "dealer's cost", or other reference to the cost of the vehicle to the dealer shall not be used.
(7) No trade-in amount or range of amounts shall be advertised.
(8) A used vehicle shall not be advertised in any manner that creates the impression it is new.
(9) The use of the terms 'liquidation', 'going out of business', or statements with similar meaning, are prohibited unless a dealer is actually going out of business and ceasing its operations at the licensed location. If a dealer is going out of business, these terms may only be advertised during the period between the execution of a buy-sell agreement with the proposed buyer and the actual effective date of the sale.
(10) An offer of a buy down rate is prohibited without the appropriate disclaimer: 'This is a buy down rate. The amount of the buy down may affect the price of the vehicle.'
(11) Terminology such as 'we pay off your trade no matter how much you owe' or statements with similar meaning shall not be used, unless accompanied by a disclaimer indicating that payoff is dependent upon approved credit.

765:16-3-12. Dealership name

All advertisements must conspicuously display the licensed name of the used motor vehicle dealership.

SUBCHAPTER 5. FINDING OF VIOLATION

765:16-5-1. Violation

The violation of an advertising rule shall be considered by the Commission as a violation of the Oklahoma Used Motor Vehicle and Parts Commission Law, created by Title 47 of Oklahoma State Statute. In addition to the specific advertising regulations, referenced in Subchapter 3, any other advertising or advertising practices found by the Commission to be false or misleading shall be deemed violations of the law, and shall also be considered violations of the general prohibition.

765:16-5-2. Hearing

No licensee shall be held to be in violation of the foregoing rules of this Chapter including the general prohibition in OAC 765:16-3-1, except upon a finding thereof made by the Commission after notice and hearing as provided in the Oklahoma Used Motor Vehicle and Parts Commission Law.



CONSUMER ALERT:

Changes to Odometer Disclosure Requirements.

Model Year 2011 or newer vehicles will only be exempt from the odometer rules after 20 years. To comply with Federal law, anyone transferring ownership of a Model Year or newer vehicle will be required to provide an odometer disclosure to the new owner.

Federal requirements for odometer disclosures

•The seller of a vehicle must disclose the odometer when they transfer their ownership in a vehicle. The buyer must sign and acknowledgment of the mileage disclosure given.• At least one owner shown on the title must make their disclosure on the actual title. The buyer must sign the title, acknowledging the disclosure on the same title. Other buyers must make disclosures on controlled secure forms which contain security features that meet federal requirements.• Vehicles with "not readable" odometer readings are still subject to federal odometer requirements

Exemptions from odometer disclosures

Based on age of vehicle . See Chart Above.*

• Vehicles with a manufacturer's gross vehicle weight rating over 16,000 pounds

. • Snowmobiles

. • ATVs (all-terrain vehicles).

• Vehicles that are not self-propelled

. • Vehicles not equipped with an odometer at the time of manufacture.

• Unrecovered stolen vehicles.

• Title transfers that only add or remove a security interest

. • Title transfers when at least one of the registered owners is staying the same, except when the title submitted is from out of state.

• Replacement title only

. * DMV will record voluntary odometer readings only on vehicle types that are required to disclose odometer readings under the federal odometer law. A voluntary odometer reading must be provided on a document submitted to DMV in connection with a title transaction and must include the date of the reading.

Contents of disclosure

The odometer disclosure must contain all of the following

• The odometer reading at the time of transfer

• The date of transfer.

• The vehicle identifiers, including the year, make, model, body style, and vehicle identification number (VIN)

. • The printed name and current address of the seller, and the signature of the seller. If the seller is a business, the printed name of both the business and the person signing for the business shall be included.

• The printed name and current address of the buyer, and the signature of the buyer acknowledging the disclosure made by the seller.

A certification as to whether the reading represents the actual mileage, mileage in excess of the odometer's mechanical limits, or does not represent the actual mileage.* * Voluntary odometer readings may include an odometer message that states to the best of the person's knowledge that:

• The mileage stated is in excess of the odometer's mechanical limits

•

• The reading does not reflect the actual mileage; or •

•

•The odometer is not readable.

Multiple sales of a vehicle

Federal odometer law requires an odometer disclosure between buyer and seller for each vehicle sale. However, DMV requires submission of only two odometer disclosures : • The disclosure between the owner of record shown on the title and the first buyer, and

• The disclosure from the last seller to the last buyer (applicant for title).

More than one owner on title

If there is more than one owner on the title, DMV requires an odometer disclosure from only one owner. A disclosure from that owner/seller may also include a release of interest for that party. DMV must still receive a release of interest from all owners.

Providing copies to buyers and sellers

Dealers must always provide copies of odometer disclosures to all buyers and sellers of vehicles that they acquire or sell. This may mean taking photocopies of the front and back of the title or other state-issued forms.

Out-of-state title

If a dealer obtains a vehicle with an out-of-state title, the owner shown on the title must have made a disclosure on the title itself. If the owner did not disclose on the title, the dealer must attempt to obtain the required disclosure, the dealer must provide a statement explaining why the disclosure is not on the title and why it is not available.

Odometer Exemption Applicability to Model Year Vehicles (49 CGR 5800.17)

Vehicle Model Year	Date Vehicle Becomes Exempt from Disclosure	Applicability of Exemption
2000	1/1/2010	10-year exemption
2001	1/1/2011	10-year exemption
2002	1/1/2012	10-year exemption
2002	1/1/2013	10-year exemption
2004	1/1/2014	10-year exemption
2005	1/1/2015	10-year exemption
2006	1/1/2016	10-year exemption
2007	1/1/2017	10-year exemption
2008	1/1/2018	10-year exemption
2009	1/1/2019	10-year exemption
2010	1/1/2020	10-year exemption
2011	1/1/2031, (continue to require odometer disclosure on model year 2011 until 1/1/31)	20-year exemption
2012	1/1/2032, (continue to require odometer disclosure on model year 2012 until on 1/1/32)	20-year exemption
2013	1/1/2033 (continue to require odometer disclosure on model year 2013 until 1/1/33)	20-year exemption
2014	1/1/2034 (continue to require odometer disclosure on model year 2014 until 1/1/34)	20-year exemption
2015	1/1/2035 (continue to require odometer disclosure on model year 2015 until 1/1/35)	20-year exemption
2016	1/1/2036 (continue to require odometer disclosure on model year 2016 until 1/1/36	20-year exemption
2017	1/1/2037 (continue to require odometer disclosure on model year 2017 until 1/1/37	20-year exemption
2018	1/1/2038 (continue to require odometer disclosure on model year 2018 until 1/1/38)	20-year exemption
2019	1/1/2039 (continue to require odometer disclosure on model year 2019 until 1/1/39)	20-year exemption
2020	1/1/2040 (continue to require odometer disclosure on model year 2020 until 1/1/40)	20-year exemption
2021	1/1/2041 (continue to require odometer disclosure on model year 2021 until 1/1/41)	20-year exemption



Near $400K Settlement for Ohio Dealer shows employment compliance pitfalls

BHPH Report Staff and Compliance expert Randy Henrick, shared a costly example of how not following federal statues when making personal decisions can inflict significant financial pain on independent and BHPH dealers. According to Henrick an Ohio dealer has agreed to pay a settlement of $390K to three employees for a lawsuit brought by the federal Equal Employment Opportunity Commission (EEOC).

In addition to paying the $390K to three former employees, the dealer must report all hiring and termination decisions to the EEOC for the next 2 years as well as attending an established training program aimed at preventing age discrimination. The dealer also must post notices of the settlement in conspicuous locations.

Here is the scoop... The dealer refused to hire a former employee because of her age (52) and terminated two sales employees because of their ages (67 and 70).

This conduct violated the Age Discrimination in Employment Act of 1967 (ADEA), which prohibits discrimination in employment against people who are age 40 or older.

Be prepared to document in detail your reasons for terminating or failing to hire any such person. Train your employees on age discrimination which extends to the terms and conditions of employment such as promotions, compensation, and workplace policies.

Now would be good time to update your policies and practices.

Read more on Oklahoma HR Employment Discrimination

Oklahoma Age Discrimination laws & HR compliance analysis

Cleaning Out The File Cabinet?

The new year has arrived! It is time to close out books for the old year and make preparations for the new. For many of you, that will include disposing of customer and employee records that have exceeded their retention dates. It may also mean replacing older computer equipment with new. As with most things in the used car business, however, the federal government has "Rules." Two "Rules" in fact, governing disposition of personal information, whether stored on paper or in a digital format. The Rules say you cannot just throw certain records in the trash.

All institutions under the Federal Trade Commission's FTC jurisdiction that hold consumer report information are subject to the Disposal Rule. In addition, all financial institutions under the FTC's jurisdiction are subject to the Safeguards Rule with regards to nonpublic personal information. (If your dealership is involved in the consumer credit process than you are considered a financial institution for purposes of this Rule. Accepting credit applications and/or referring applicants to specific third-party lenders and activities considered to be involvement in the credit process.

For purposes of these two Rules, sensitive consumer information is much more than just an individual's social security number. The Disposal Rule dictates that any information compiled listing of information, based upon or drawn from Consumer Reports must be disposed of in a specified manner. The information may be relevant to employees or to customers.

The Safeguards Rule is concerned with personally identifiable financial information, whether presented individually or in a compiled list. This information includes any information a consumer provided to you in order to obtain credit, as well as any information regarding or referencing that credit.
Cleaning Out The File Cabinet?
Examples of sensitive consumer information cover by the two Rules include:

•Consumer Report information for employees or customers.

•Information they provide to you on an application to obtain credit.

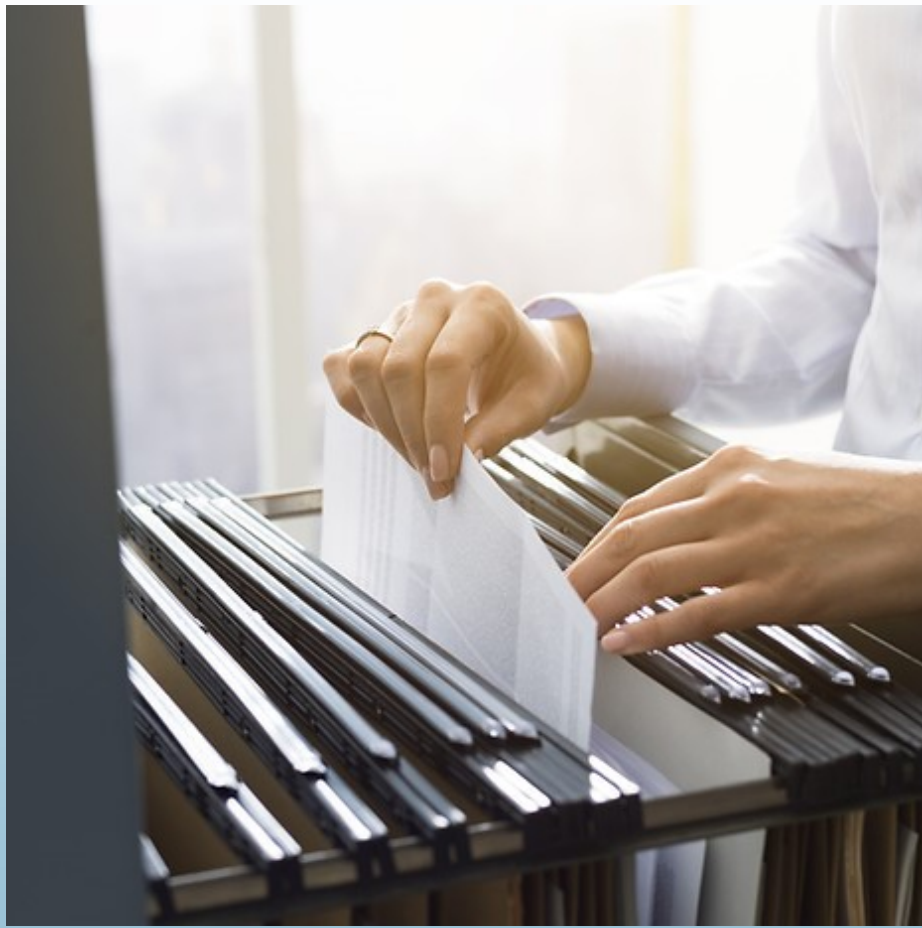
•Customer account balance information.

•Customer payment history.

•Any information about our customer if it is disclosed in a manner that indicates that the individual is or has been your customer in a credit transaction.

In accordance to with the Disposal Rule, paper or hard-copy records containing sensitive consumer information should be burned, pulverized, or shredded so that the information can not be read or reconstructed. Digital records should be erased or the media physically destroyed. Be aware that deleting a computer file is not adequate destruction.
So this year when you are ready to clean out files, remember - you can't just throw them away. The federal government has "Rules".

Note: this article is provided for informational purposes only. It is not legal advice. For legal advice, consult an attorney.



Catalytic converter theft increasing in Oklahoma City despite new regulation of their sale

Jana Hayes—Oklahoman

Oklahoma City police say catalytic converter theft has increased in Oklahoma City, despite a new law making it harder than ever to resell them.

Starting Nov. 1, scrap metal dealers in Oklahoma were no longer allowed to buy a catalytic converter without proof the seller owns the car it was taken off of, along with a signed declaration from the seller stating they are the owner.

Lawanda Grayson, owner of All Metals Recycling, said around six people a day come in trying to sell a converter without the required proof of ownership.

An external piece of a vehicle's exhaust system, catalytic converters contain precious metals like platinum and are an easy target for thieves who can sell them for up to $1,000 to a metal recycler. Vehicles in parking lots are most often the victims of this theft, OKC police said, and prevention is difficult.

Read the full article in the Oklahoman link below

OKC police are seeing an increase in catalytic converter theft



OIADA lobbyist monitored several bills this session, Particularly the catalytic converter bills . One of which the Governor did sign May 11th, 2022 HB 4373 will take effect Nov. 1st

Listed are multiple bills this session: Please keep checking in on www.okiada.com/legislature for updates.

Senate Bill 1243 – Exempts vehicles which require a transfer to a salvage or junked title resulting from an insurance claim from a tribal of out of state title from certain inspection requirements and allows electronic signatures for certain documents.

Senate Bill 1276 – Deals with make some electronic titles valid.

Senate Bill 1318 – Changes the temporary tag from 30 days to 60 days. Title is stricken on the bill.

Senate Bill 1474 – Prohibits the transfer of a motor vehicle title that is subject to financial lien unless the transferee's name or trust is included on the loan for which the lien is placed or from a deceased person without a death certificate.

Senate Bill 1485 – Rental vehicle are to exempt from out of state vin inspections.

Senate Bill 1487 – Allows sales tax to be paid in two installments. Bill is double assigned.

Senate Bill 1605 – Creates Service Oklahoma, a division of the Oklahoma Office of Management and Enterprise Services (OMES)-part of the consolidations under OMES includes Driver License Services Division of the DPS and the Motor Services Division of the Oklahoma Tax Commission.

Senate Bill 1722 – Relates to value of vehicles: providing exception to requirement that value of vehicle be within certain percent of average retail price. The bill is double assigned.

Senate Bill 1772 – Removes the one and a quarter percent sales tax on the sale of motor vehicles, The bill is double assigned.

Senate Bill 1743 – Relates to financial protection products- Includes gap insurance

Senate Bill 1765 – Requires Oklahoma Motor Vehicle Commission to provide owners of a motor vehicle written notice of all open recalls. (This is probably an Oklahoma Tax Commission function)

Senate Bill 1851 – Eliminates the one and quarter percent sales tax on the sale of motor vehicles.

House Bill 2986 – Adjusts motor vehicle excise tax calculations to reflect the vehicles price and any discounts or credits and directs the Oklahoma Tax Commission to report the financial impact of vehicle excise taxes over three years to the Governor and Legislature.

House Bill 3005 – Upon conviction, the person who stole catalytic converter shall receive a felony conviction.

House Bill 3096 – Requires scrap metal dealer to verify vehicle to be crushed is not stolen.

House Bill 3131 – Repeals various laws pertaining to excise tax.

House Bill 3271 – Adds 3 full time equivalent employees to the Used Motor Vehicle and Parts Commission.

House Bill 3419 – Bill to transfer certain powers, duties, responsibilities, and employees to the newly formed Service Oklahoma.

House Bill 3674 – Makes it unlawful for any person to lend or to sell to, or knowingly permit the use of by, one not entitled thereto any certificate of title, license plate or decal issued to or in the custody of the person so lending or permitting the use.

House Bill 3850 – Creates foreign export title – exempts those vehicles form excise tax.

House Bill 3964 – Relates to removed, falsified, or unauthorized identification : penalizing certain removal or falsification of trailer identification numbers.

House Bill 3965 – Creates the Oklahoma Commercial Auction and Consignment Dealers Act under the Oklahoma Department of Agriculture Food, and Forestry.

House Bill 3994 – Franchised new motor vehicle dealer bill.

House Bill 4373 – Prohibits the theft of catalytic converters and establishes the penalty for such crime.

House Bill 4375 – Prohibits the use of tools by an individual previously convicted of larceny of a catalytic converter with the intent to employ, or allow the same to be used or employed, in the commission of a crime.

STATE OF OKLAHOMA
HOUSE of REPRESENTATIVES

Communications & Public Affairs
May 11, 2022

For Immediate Release:
Contact: Rep. Ross Ford
Phone:405-557-7347

Governor Signs Ford's Catalytic Converter Theft Bill Into Law

OKLAHOMA CITY– The Governor today signed into law a bill that increases the punishment for theft of catalytic converters, tires and wheels from a vehicle.

House Bill 4373 by Rep. Ross Ford, R-Broken Arrow, modifies the elements of third-degree burglary to include the theft of these vehicles parts and provides that the fine for such crime will be up to $5,000.

"As a former police officer, I've seen the hardship caused by the theft of catalytic converters and other vehicle parts and how such crimes are on the rise" Ford said. "With months'-long delays in getting replacement parts, these thefts come at great expense and can be debilitating to law abiding vehicle owners."

Ford said this is one measure among several aimed at preventing such thefts and punishing those who commit or contribute to these crimes.

Sen. Darrell Weaver, R-Moore is the principal Senate author of the bill.

"This particularly timely issue, as catalytic converter theft is on the rise, and the situation for victims of this crime has been worsened by supply chain problems," Weaver said. " the people of Oklahoma need this common-sense legislation, and I'm very gratified that it's become law."

HB4373 takes effect Nov. 1

Unless you can answer "**YES**" to **ALL** of the questions below, you cannot afford **NOT** to Join the **OIADA** today !

1. Can you qualify for and afford a $500,000 Dealer Bond? There has been proposed legislation in the past to do so.
2. Can you afford to offer a warranty (NOT Service Contract) on EVERY unit you sell? There was proposed legislation to do away with ALL "As Is" sales.
3. Do you want to be obligated to provide EVERY buyer with 7 to 14 days to change their mind and return your vehicle, NO STRINGS ATTACHED? Again, there was proposed legislation to do so.
4. Do you want the Federal government to subsidize NEW Vehicle sales by providing a guaranteed trade in value on ALL units 2001 and older AND to require these vehicles to be crushed once they have been traded in? Ask about the "Cash for Clunkers" bill that was circulated.
5. Based upon **ONLY** the 4 items above, can you afford **NOT** to spend $295 yearly dues for being a OIADA member?
6. **IF** you were given incentives every year that exceeded your yearly dues, **WHY WOULDN'T YOU JOIN TODAY?**

Whether you realize it or not, your livelihood has been greatly affected by the actions of your state independent dealer associations. Today's legislative climate is far scarier that ever before. The above legislation could put up to 80% of All used Motor Vehicle Dealers out of business. It's your choice. Please call your state association for a membership application today. Visit us online at www.okiada.com to learn more about what the Oklahoma Independent Automobile Dealers Association, or stop by at your convenience.

Our mission is your success. We need your support.

YOUR AD HERE

CLICK NOW

Contact OIADA
Amber Snook
ambersnook@okiada.com
405-232-2947
Multiple Advertising packages available.



FTC Expands Requirements Impacting Dealers

Late October the Federal Trade Commission (FTC) announced its expansion of the Safeguards Rule to better protect consumers financial information from cyberattacks and security breaches. These "Rule Requirements" will take effect and Dealers will need to comply likely by the end of this year.

*SECURITY FOR WRITTEN PROGRAMS
*ONE QUALIFIED EMPLOYEE
*LESS THAT 5000 CUSTOMERS
*DEFINE FINANCIAL INSTITUTION
*REPORTING DATA BREACHES
*WHAT SHOULD YOU DO ?

FTC Strengthens Security Safeguards for Consumer Financial Information Following Widespread Data Breaches | Federal Trade Commission

2022 Fuel Economy Guide Now Available

Federal law requires new-car dealers to provide the Guide to Customer upon request.

The U.S Department of Energy and Environmental Protection Agency have just released the 2022 Fuel Economy Guide. The guide provides detailed fuel economy estimates for model year 2022 light-duty vehicles, along with estimated fuel costs and other information for prospective purchasers. By Law dealers must display the GUIDE and provide copies to customers upon request.



Available at fueleconomy.gov

We are thrilled to announce that OIADA

(Oklahoma Independent Automobile Dealers Association)

/ ADR Of Oklahoma has launched a new website at

www.okiada.com



NEW SITE, NEW STYLE

EASIER, FASTER

SHOPPING

INFORMATION

Please log in from any device and take a look around.

- **Visit the ADR store for faster , easier shopping for your compliant forms, temp tags, and supplies. Same Day Shipping on most orders!**
- **Renew your OIADA Membership or Get Information on membership and fill out a member application !**
- **Updates on Legislature concerning Oklahoma Dealers.**
- **Newsletter of "Dealers Resource" and current events.**
- **Dealer Resources links**
- **Compliance**

OIADA

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1-800-346-4232 1-405-232-2947

ADR Of Oklahoma ™

OIADA

OKLAHOMA INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION

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71B Auto Auction
ADESA Tulsa
AutoMats
Floorplan Express
Route 66 Auto Auction
Z66 Auto Auction

MEMBERSHIP APPLICATION

☐ Enclosed are my annual dues of $295 to make sure that my business has all the advantages membership in the OIADA provides to help put me at the forefront of my industry.

Please send application with payment to:
OIADA
P.O. Box 6905
Moore, OK 73153
or fax toll free to 1-877-804-3449

Dealer License Number: _____
Firm Name: _____
Owner or Principal: _____
Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
Email: _____
Credit Card #: _____ CCV Code: _____ Exp: _____
Name on Card: _____
Card Billing Address: _____
Signature: _____ Date: _____

By completing this form, I agree to abide by the Code of Ethics. Also, I am consenting to and giving OIADA, its affiliates and subsidiaries, my permission to (until I give written notice to discontinue) contact me and provide information to me at the mailing and email addresses, telephone and fax number(s) I have provided.

OIADA

OKLAHOMA INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION

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71B Auto Auction	4635 N Thompson Springdale AR 72764 479-756-5001	One Buy Fee up to $100 One Sell Fee up to $100 Tuesday, 8:30 am
ADESA Tulsa	16015 E Admiral Place Tulsa OK 74116 888-526-7326	One Sell Fee up to $50 One Buy Fee up to $50 Friday, 9:00 am
AutoMats, LLC	125 Park Avenue, Suite 200 Oklahoma City OK 73102 405-831-4478	$100 off first order
Dealers Auto Auction of OKC	1028 S Portland Oklahoma City OK 73108 405-947-2886	One Sell Fee up to $100 One Buy Fee up to $100 Thursday, 8:30 am
Floorplan Xpress	4300 Highline Blvd, Suite B330 Oklahoma City OK 73108 855-605-6991	1 Free Floor Fee up to $75
Route 66 Auto Auction	4399 East Highway 66 El Reno OK 73036 405-262-5471	One Buy Fee up to $150 One Sell Fee up to $150 Friday, 10:00 pm
Z66 Auto Auction	66 N Mingo Tulsa OK 74116 918-794-0660	One Sell Fee up to $75 One Buy Fee up to $75 Friday, 7:00 am

Seven Reason to Join your State Independent Automobile Dealers Association

by Used Car News

1)Education
2)Representation
3)Networking
4)Reputation
5)Savings
6)Consumer Advocacy
7)Community Service

Read full article in Used Car News:

[Seven Reasons to Join Your State's Independent Automobile Dealers Association (usedcarnews.com)]



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