

MINUTES OF A MEETING
OF THE
OKLAHOMA MOTOR VEHICLE COMMISSION

In conformity with the Oklahoma Open Meeting Act, advance notice of this regularly scheduled meeting was transmitted to the Oklahoma Secretary of State on October 14, 2010; and, 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 9, 2011 at 10:00am. The announcement of the Board meeting and agenda were also posted on the OMVC website www.omvc.ok.gov on August 9, 2011 at 10:00am.

The Oklahoma Motor Vehicle Commission met in a regular session at 10:00 a.m. August 9, 2011 in the Conference Room of the Northwest Office Center, 4334 N.W. Expressway in Oklahoma City. Chairman Randy Coy called the meeting to order. A roll call was held; members present were Greg Cable, Carol Carver, Gene Chumbley, Fred Harlan, Dan Mullins, Dick Reynolds, and Eric Stuteville. Member absent was Leonard Northcutt .

The Chairman announced that there were enough members present to constitute a quorum. Also present were Roy Dockum, Executive Director, Marilyn Maxwell, Deputy Director, and Sandra Balzer, Assistant Attorney General.

Each Commission Member had received a copy of the **Minutes** of the July 12, 2011 Commission Meeting. Dick Reynolds made a motion, seconded by Carol Carver, to approve the Minutes as submitted. The Chairman called for a roll call vote; votes were as follows:

Greg Cable – aye	Randy Coy – aye	Dick Reynolds – aye
Carol Carver – aye	Fred Harlan – aye	Eric Stuteville – aye
Gene Chumbley – aye	Dan Mullins – aye	

Motion carried unanimously

The **Claims** and **Financial Statement** for the month of July 2011 were presented by the Director. A motion to approve both was made by Greg Cable, seconded by Gene Chumbley. The Chairman called for a roll call vote; votes were as follows:

Greg Cable – aye	Randy Coy – aye	Dick Reynolds – aye
Carol Carver – aye	Fred Harlan – aye	Eric Stuteville – aye
Gene Chumbley – aye	Dan Mullins – aye	

Motion carried unanimously.

Consideration of Proposed Protective Order by Consent of the Parties in the Matter of the Protest of the Proposed Establishment of David Stanley Ford Fleet.

The Director and Counsel presented the Commission with a Proposed Protective Order which had been agreed to by all parties in the David Stanley Ford Fleet matter. After questions and discussions, the Chairman asked if there was a motion. Greg Cable made a motion, seconded by Fred Harlan to approve the Proposed Protective Order as presented by Counsel and the Director. The Chairman called for a roll call vote; votes were as follows:

Greg Cable – aye
Carol Carver – aye
Gene Chumbley – aye

Randy Coy – aye
Fred Harlan – aye
Dan Mullins – aye

Dick Reynolds – aye
Eric Stuteville – aye

Motion carried unanimously.

Director's Report:

The Director reported that several Oklahoma Honda Motorcycle Dealers had requested that the Commission assist with attempting to resolve issues with American Honda Motor Company regarding distribution of new vehicles. After having several discussions over the phone with both the dealers and the manufacturer's representatives, a meeting has been scheduled for Thursday August 11 at the OMVC offices, where all participants will have the opportunity to ask questions and express their concerns, with the hope that it will resolve some of the issues in this informal manner. The Director will be the facilitator for the meeting.

Next, the Director introduced Jennifer Bates, who joined the staff of the OMVC on August 1st as Licensing Coordinator. Jennifer previously worked at the Used Motor Vehicle and Parts Commission as the Office Manager.

Finally, the Director reported to the Commission that staff had completed all of the license renewals which began July 1. He noted that the number of franchise license renewals were approximately 15% less than the same period a year ago. In addition, the number of dealerships had declined approximately 7% from a year ago. Much of the reduction in franchises were a result of the elimination of products lines such as Pontiac, Saturn, Hummer, and Mercury; and, the wind-down of dealerships which were terminated in the bankruptcies of GM and Chrysler. Also contributing were the elimination of several scooter dealers, electric vehicle dealers, and the reduction of several RV franchises by dealers.

Consideration of Proposed Agreed Settlements and Fines:

The Commission considered the following proposed Agreed Settlements with offers to pay a fine in lieu of a hearing:

1. David Stanley Chrysler Jeep Dodge, Midwest City. \$1000 for an advertising violation; and,
2. Norman Chrysler Jeep Dodge, Norman. \$1000 for an advertising violation.

Dick Reynolds made a motion, seconded by Dan Mullins, to accept the offers to pay a fine in lieu of a hearing, as recommended by the Director. The Chairman called for a roll call vote; votes were as follows:

Greg Cable – aye
Carol Carver – aye
Gene Chumbley – aye

Randy Coy – aye
Fred Harlan – aye
Dan Mullins – aye

Dick Reynolds – aye
Eric Stuteville – aye

Motion carried unanimously.

Initial License Applications:

The following License Applications were presented for consideration and action:

MANUFACTURERS / DISTRIBUTORS

- a. **Caterpillar, Inc. – Peoria, IL**
Application for a Manufacturer License for CAT trucks
Director recommended approval

- b. **Daco Fire Equipment – Lubbock, TX**
Application for a Distributor License for Central States Fire Trucks
Director recommended approval

DEALERS

- c. **Bob Moore Dodge Chrysler Jeep of Tulsa – Tulsa**
Application for purchase of existing dealership
Director recommended approval pending franchise agreement

- d. **Chris Nikel Fiat – Tulsa**
Application for new dealership
Director recommended approval pending franchise agreement

- e. **J & S Motorsports – Ardmore**
Application for change in majority ownership and addition of a franchise
Director recommended approval

- f. **Mercedes-Benz of Oklahoma City – Oklahoma City**
Application for addition of Smart automobiles
Director recommended approval pending franchise agreement

- g. **Riverside Autoplex of Holdenville – Holdenville**
Application for purchase of existing dealership
Director recommended approval pending franchise agreement

Motion was made by Gene Chumbley, seconded by Greg Cable, to approve the applications as recommended by the Director. The Chairman called for a roll call vote; votes were as follows:

Greg Cable – aye	Randy Coy – aye	Dick Reynolds – aye
Carol Carver – aye	Fred Harlan – aye	Eric Stuteville – aye
Gene Chumbley – aye	Dan Mullins – aye	

Motion carried unanimously.

The Chairman asked if there was any **New Business**. There being no New Business, he asked if there was a motion to adjourn. Dick Reynolds made the motion to adjourn, seconded by Carol Carver. Motion carried unanimously. Meeting adjourned at 10:45 a.m.

Approved by: _____ Date: _____