

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 June 13, 2011 at 10:00am. The announcement of the Board meeting and agenda were also posted on the OMVC website [www.omvc.ok.gov](http://www.omvc.ok.gov) on June 13, 2011 at 10:00am.*

The Oklahoma Motor Vehicle Commission met in a regular session at 10:00 a.m. June 14, 2011 in the Conference Room of the Northwest Office Center, 4334 N.W. Expressway in Oklahoma City. Chairman Greg Cable called the meeting to order. A roll call was held; members present were Greg Cable, Bruce Barber, Carol Carver, Randy Coy, David Howe, Dick Reynolds, and Eric Stuteville. Members absent were Gene Chumbley, and Steve Kissee.

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 May 10, 2011 Commission Meeting. Dick Reynolds made a motion, seconded by David Howe, to approve the Minutes. The Chairman called for a roll call vote; votes were as follows:

|                    |                     |                       |
|--------------------|---------------------|-----------------------|
| Greg Cable – aye   | Randy Coy – aye     | Eric Stuteville – aye |
| Bruce Barber – aye | David Howe – aye    |                       |
| Carol Carver – aye | Dick Reynolds – aye |                       |

Motion carried unanimously.

**HEARING: OMVC vs Tri-County Autoplex. Hugo, OK**  
**Consideration and Possible Action regarding the Recommendation by the Executive Director of Denial of the Applicant’s Dealer License Renewal**

The Chairman asked OMVC Counsel Sandra Balzer to introduce the Hearing. Eric Stuteville announced that he would recuse himself from this hearing. Executive Director Roy Dockum appeared on behalf of the OMVC; no one appeared on behalf of Tri-County Autoplex. After presenting the evidence on behalf of the Commission, and answering questions from the members, Mr. Dockum recommended that the members of the Commission affirm his recommendation of denial of the Renewal of Dealer Licenses for Tri-County Autoplex.

Dick Reynolds made a motion, seconded by Bruce Barber, to affirm the recommendation of denial of renewal Dealer Licenses for Tri-County Autoplex of Hugo, OK. The Chairman called for a roll call vote; votes were as follows:

|                    |                     |                          |
|--------------------|---------------------|--------------------------|
| Greg Cable – aye   | Randy Coy – aye     | Eric Stuteville – recuse |
| Bruce Barber – aye | David Howe – aye    |                          |
| Carol Carver – aye | Dick Reynolds – aye |                          |

Motion carried; 6 ayes, 0 nays, 1 recuse.

## **Election of OMVC Officers for Fiscal Year July 1, 2011 through June 30, 2012**

The Chairman asked for nominations for OMVC Officers to serve July 1, 2011 through June 30, 2012. Dick Reynolds nominated Randy Coy for Chairman; Dick Reynolds also nominated Eric Stuteville for Vice Chairman; and, Randy Coy nominated Dick Reynolds for Secretary. There being no other nominations, the Chairman asked if there was a second to this slate of nominees; Bruce Barber seconded the nominations. The Chairman called for a roll call vote; votes were as follows:

|                    |                     |                       |
|--------------------|---------------------|-----------------------|
| Greg Cable – aye   | Randy Coy – aye     | Eric Stuteville – aye |
| Bruce Barber – aye | David Howe – aye    |                       |
| Carol Carver – aye | Dick Reynolds – aye |                       |

Motion carried unanimously.

The **Claims** and **Financial Statement** for the month of May 2011 were presented by the Director. A motion to approve both was made by Randy Coy, seconded by Eric Stuteville. The Chairman called for a roll call vote; votes were as follows:

|                    |                     |                       |
|--------------------|---------------------|-----------------------|
| Greg Cable – aye   | Randy Coy – aye     | Eric Stuteville – aye |
| Bruce Barber – aye | David Howe – aye    |                       |
| Carol Carver – aye | Dick Reynolds – aye |                       |

Motion carried unanimously.

The Chairman asked Roy Dockum to present the **OMVC Proposed Budget for the Fiscal Year July 1, 2011 through June 30, 2012**. Mr. Dockum reviewed the current budget year's figures, and the estimated revenue and expenditures for the FY2012 year. After questions and discussion by the members of the Commission, a motion was made by Randy Coy, seconded by Eric Stuteville to approve the proposed budget FY2012 as recommended by the Director, totaling \$415,800. The Chairman called for a roll call vote; votes were as follows:

|                    |                     |                       |
|--------------------|---------------------|-----------------------|
| Greg Cable – aye   | Randy Coy – aye     | Eric Stuteville – aye |
| Bruce Barber – aye | David Howe – aye    |                       |
| Carol Carver – aye | Dick Reynolds – aye |                       |

Motion carried unanimously.

### **Director's Report:**

The Director reported on specific bills which passed this year, and could affect the operations or functions of the OMVC and its licensees. The ones which he reviewed with the Board were SB0902, HB1601, SB0772, HB1044, HB1304, HB2140, SB0325, and SB0038.

Next, the Director announced that he and the staff were busy working renewal applications for all licenses which expire June 30. Approximately, ninety percent of all renewal applications had been received by the June 1<sup>st</sup> deadline.

## **Consideration of Proposed Agreed Settlements and Fines:**

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

1. Lawton Chrysler Jeep Dodge, Lawton. \$250 for an advertising violation;
2. McKay Ford Lincoln, Woodward. \$300 for an unlicensed salesperson violation;
3. Fenton Honda, Ardmore. \$200 for an unlicensed salesperson violation;
4. Route 66 RVs, Claremore. \$100 for an unlicensed salesperson violation; and,
5. Regional Hyundai. Tulsa. \$100 for an unlicensed salesperson violation.

Dick Reynolds made a motion, seconded by Bruce Barber, 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   | Randy Coy – aye     | Eric Stuteville – aye |
| Bruce Barber – aye | David Howe – aye    |                       |
| Carol Carver – aye | Dick Reynolds – aye |                       |

Motion carried unanimously.

## **Initial License Applications:**

The following License Applications were presented for consideration and action:

### **MANUFACTURERS / DISTRIBUTORS**

- a. **Daimler Vehicle Innovations USA – Montvale, NJ**  
Application to be a Distributor of Smart Automobiles  
Director recommended approval
- b. **Legion Motorcycle Company LLC – Tulsa, OK**  
Application to be a Manufacturer of Sport Pro Street Motorcycles  
Director recommended approval
- c. **Sunright International of America – Suwanee, GA**  
Application to be a Distributor of Linhai Scooters  
Director recommended approval

### **DEALERS**

- d. **The Affordable Store – Tulsa, OK**  
Application for adding Tao-Tao Scooters  
Director recommended approval
- e. **Durant Honda Yamaha – Durant, OK**  
Application for adding Huansong LSVs  
Director recommended approval

- f. **Gilles Bros. Inc. – Yukon, OK**  
Application for adding PCC Scooters  
Director recommended approval effective July 1, 2011
- g. **Legion Motorcycle Company – Tulsa, OK**  
Application to be a new dealer for Sport Pro Street Motorcycles  
Director recommended approval
- h. **McAlary ATV & Cycle, LLC – Elk City, OK**  
Application for purchase of existing dealership (Canard ATV & Cycle)  
Director recommended approval pending franchise agreements
- i. **Outdoors ‘n More – Broken Arrow, OK**  
Application to be a new dealer for Linhai Scooters  
Director recommended approval
- j. **Don Thornton Cadillac – Tulsa, OK**  
Application for adding Fisker automobiles  
Dealer recommended approval
- k. **Sam Wampler Ford – Purcell, OK**  
Application for purchase of existing dealership (Marc Heitz Ford)  
Director recommended approval pending franchise agreement

Motion was made by Dick Reynolds, seconded by Bruce Barber, 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     | Eric Stuteville – aye |
| Bruce Barber – aye | David Howe – aye    |                       |
| Carol Carver – aye | Dick Reynolds – aye |                       |

Motion carried unanimously.

**Recognition of Commission Members with Expiring Terms**

The Chairman expressed appreciation to Bruce Barber, David Howe, and Steve Kisse (absent) for their dedicated and valued service as members of the OMVC these past six years. On behalf of the Commission, the Director presented a plaque to each, and also thanked them for their support, participation, and their leadership.

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 11:10 a.m.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_