

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 November 7, 2011 at 10:00am. The announcement of the Board meeting and agenda were also posted on the OMVC website www.omvc.ok.gov on November 7, 2011 at 10:00am.

The Oklahoma Motor Vehicle Commission met in a regular session at 10:00 a.m. November 8, 2011 in the Conference Room of the Northwest Office Center, 4334 N.W. Expressway in Oklahoma City. Vice Chairman Eric Stuteville called the meeting to order. A roll call was held; members present were Carol Carver, Dan Mullins, Leonard Northcutt, Dick Reynolds, and Eric Stuteville. Members absent were Greg Cable, Gene Chumbley, Randy Coy, and Fred Harlan.

The Vice 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 October 11, 2011 Commission Meeting. Dan Mullins made a motion, seconded by Leonard Northcutt, to approve the Minutes as submitted. The Vice Chairman called for a roll call vote; votes were as follows:

Carol Carver – aye	Leonard Northcutt – aye	Eric Stuteville – aye
Dan Mullins – aye	Dick Reynolds – aye	

Motion carried unanimously.

The **Claims** and **Financial Statement** for the month of October 2011 were presented by the Director. A motion to approve both was made by Dick Reynolds, seconded by Carol Carver. The Vice Chairman called for a roll call vote; votes were as follows:

Carol Carver – aye	Leonard Northcutt – aye	Eric Stuteville – aye
Dan Mullins – aye	Dick Reynolds – aye	

Motion carried unanimously.

Discussion and Possible Action on the Interpretation and Application of the Financial Standing Requirement for Licensure

Sandra Balzer, Assistant Attorney General and OMVC legal counsel, presented an Informal Advice Memorandum which she had prepared at the request of the Executive Director and the Chairman of the OMVC. The memorandum addressed the question, “What are the potential legal implications of using the applicant’s financial position as reported on an unaudited balance sheet as the basis for denial of a license?” After questions and discussion, the members of the Commission accepted the report as presented.

Director's Report:

The Director reported that he attended the Oklahoma Recreational Vehicle Dealers Association Convention in Tulsa, for the purpose of explaining and answering questions regarding the new RV law which goes into effect on January 1, 2012.

He also reported that he and Marilyn had attended the National Association of Motor Vehicle Boards and Commissions Meeting (NAMVBC) October 12-15. The meeting focused on factory and dealer issues which have come before various states' motor vehicle commissions.

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. Fowler Toyota, Norman. \$600 for 6 unlicensed salesperson violations;
2. Miami Auto Super Center, Miami. \$300 for 3 unlicensed salesperson violations;
3. Suburban Chevrolet, Claremore. \$300 for 3 unlicensed salesperson violations;
4. David Stanley Hyundai, OKC. \$200 for 2 unlicensed salesperson violations;
5. Brad Fenton Motors, Poteau. \$100 for an unlicensed salesperson violation;
6. Billingsley Hyundai, Lawton. \$100 for an unlicensed salesperson violation;
7. Bob Hurley Buick GMC, Tulsa. \$100 for an unlicensed salesperson violation;
8. Bolin Ford, Bristow. \$100 for an unlicensed salesperson violation;
9. Danny Beck Chevrolet, Tulsa. \$100 for an unlicensed salesperson violation;
10. Dean's RV Superstore, Tulsa. \$100 for an unlicensed salesperson violation;
11. Fenton Nissan East, OKC. \$100 for an unlicensed salesperson violation;
12. Fenton Nissan West, OKC. \$100 for an unlicensed salesperson violation;
13. James Hodge Ford, Idabel. \$100 for an unlicensed salesperson violation;
14. Joe Marina Honda, Tulsa. \$100 for an unlicensed salesperson violation;
15. Maxey's Cycle, OKC. \$100 for an unlicensed salesperson violation;
16. Melton Sales, Claremore. \$100 for an unlicensed salesperson violation;
17. Momentum Chevrolet, Broken Arrow. \$100 for an unlicensed salesperson violation;
18. Nelson Nissan, Broken Arrow. \$100 for an unlicensed salesperson violation;
19. Rick Jones Buick GMC, El Reno. \$100 for an unlicensed salesperson violation;
20. Roberts Auto Center, Pryor. \$100 for an unlicensed salesperson violation;
21. Roberts Dodge Chrysler Jeep, Pryor. \$100 for an unlicensed salesperson violation;
22. Starr Motor Company, Stilwell. \$100 for an unlicensed salesperson violation; and,
23. Vespa Oklahoma, Tulsa. \$100 for an unlicensed salesperson 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 Vice Chairman called for a roll call vote; votes were as follows:

Carol Carver – aye
Dan Mullins – aye

Leonard Northcutt – 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. **Rugged Electric Vehicles – Oklahoma City, OK**
Application for a Manufacturer License for Rugged Electric Vehicle
Director recommended approval

DEALERS

- b. **Cabin Sportchassis, LLC – Big Cabin**
Application for Initial Dealer License for Sportchassis Trucks
Director recommended approval pending franchise agreement
- c. **Dean’s RV Superstore – Tulsa**
Application for adding franchises to an existing dealership
Director recommended approval
- d. **GKU Electric Vehicles – Oklahoma City**
Application for adding a franchise to an existing dealership
Director recommended approval
- e. **Newell Coach Corporation – Miami**
Application for adding a franchise to an existing dealership
Director recommended approval

Motion was made by Dick Reynolds, seconded by Carol Carver, to approve all applications as recommended by the Director. The Vice Chairman called for a roll call vote; votes were as follows:

Carol Carver – aye	Leonard Northcutt – aye	Eric Stuteville – aye
Dan Mullins – aye	Dick Reynolds – 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 Dan Mullins. Motion carried unanimously. Meeting adjourned at 11:10 a.m.

Approved by: _____ Date: _____