

MINUTES OF A MEETING  
OF THE  
OKLAHOMA MOTOR VEHICLE COMMISSION

The Oklahoma Motor Vehicle Commission met in a regular session at 10:00 a.m. June 8, 2010 in the Conference Room of the Northwest Office Center, 4334 N.W. Expressway in Oklahoma City. Chairman David Howe called the meeting to order. A roll call was held; members present were Bruce Barber, Greg Cable, Carol Carver, Gene Chumbley, Randy Coy, David Howe, Dick Reynolds, and Eric Stuteville. Member absent was Steve Kissee.

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

The Chairman welcomed Carol Carver from Elk City as the newest member of the OMVC. She was recently appointed by Governor Henry to fill the unexpired term which was due to the resignation of George Butch Mellor.

Each Commission Member had received a copy of the **Minutes** of the May 11, 2010 Commission Meeting. Bruce Barber made a motion, seconded by Gene Chumbley, to approve the Minutes. The Chairman called for a roll call vote; votes were as follows:

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

Motion carried unanimously.

The **Claims** and **Financial Statements** for the month of May 2010 were presented by the Director. A motion to approve both was made by Greg Cable, seconded by Dick Reynolds. The Chairman called for a roll call vote; votes were as follows:

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

Motion carried unanimously.

**Presentation and Action on OMVC Budget for FY2011**

The Director presented the proposed budget for the fiscal year July 1, 2010 through June 30, 2011. The total proposed budget is \$399,300, which represents no increase over the previous year. Roy noted that the estimated net revenues (after the ten percent required payment to the state general fund) should be at least \$400,000; this conservative estimate is based upon factoring in the fee increases passed by the legislature in 2009 and some offset due to the decrease in number of licensees. Motion was made by Bruce Barber, seconded by Gene Chumbley, to approve the proposed budget as presented. The Chairman called for a roll call vote; votes were as follows:

Bruce Barber – aye  
Greg Cable – aye  
Carol Carver – aye

Gene Chumbley – aye  
Randy Coy – aye  
David Howe – aye

Dick Reynolds – aye  
Eric Stuteville – aye

Motion carried unanimously.

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

The Director updated the Board on legislation from the session which ended May 28, 2010 which could affect the OMVC and/or its licensees. He reviewed the following bills: HB2883, HB2698, HB3024, HB3422, and HB2852.

Next, Roy reminded the Board that the OMVC staff was working on license renewals for all licensees of the OMVC. He noted that they are seeing a significant reduction in the number of license renewals in all types of vehicles and in the number of salespersons per dealership. Preliminary numbers may be ready for the July meeting, and final renewal numbers will be given to the Board at the August meeting.

### **Discussion regarding Spot Deliveries:**

The Director reported to the Board some issues regarding an Oklahoma Tax Commission Rule 710:60-5-78, as it applies to new vehicle deliveries made prior to completion of financing. The Rule seems to be in conflict with certain statutes which are a part of the OMVC sections of law. Roy indicated that there are several people looking at ways to resolve the issues.

### **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) Hudiburg Nissan, OKC. \$500.00 for an advertising violation; and,
- 2) Wayne Eidson Chevrolet Buick, Sulphur. \$100 for an unlicensed salesperson violation.

Dick Reynolds made a motion, seconded by Gene Chumbley, 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:

Bruce Barber – aye  
Greg Cable – aye  
Carol Carver – aye

Gene Chumbley – aye  
Randy Coy – aye  
David Howe – aye

Dick Reynolds – aye  
Eric Stuteville – aye

Motion carried unanimously.

### **Initial License Applications:**

The following License Applications were presented for consideration and action:

#### **MANUFACTURER / DISTRIBUTORS**

- a. **Fouts Bros Fire Equipment – Smyrna, GA**  
Application to be a Manufacturer of Fouts Fire Trucks  
Director recommended approval
- b. **Husqvarna Motorcycles NA, LLC – Woodcliff Lake, NJ**  
Application to be a Distributor of Husqvarna Motorcycles  
Director recommended approval
- c. **Puma Cycles Corporation – Anaheim, CA**  
Application to be a Distributor of Puma Scooters  
Director Recommended Approval
- d. **Super Products LLC**  
Application to be a Manufacturer of Super Products Specialty Vehicles  
Director Recommended Approval

### **DEALERS**

- e. **Doenges Bartlesville – Bartlesville, OK**  
Application for a change in majority ownership  
Director recommended approval pending franchise agreement
- f. **Frontier Equipment Sales LLC – El Reno, OK**  
Application for adding Super Products Specialty Vehicles  
Director recommended approval
- g. **McAlester Motorsports – McAlester, OK**  
Application for adding Victory Motorcycles  
Director recommended approval
- h. **Morris Motorsports – Chickasha, OK**  
Application for adding Kawasaki Motorcycles  
Director recommended approval
- i. **Chris Nikel Mitsubishi – Tulsa, OK**  
Application to be a dealer for Mitsubishi  
Director recommended approval pending franchise agreement
- j. **Quantie Sales – Locust Grove, OK**  
Application to be a dealer for Ural Motorcycles  
Director recommended approval pending franchise agreement
- k. **Route 66 Motorcycles, LLC – Tulsa, OK**  
Application for purchase of existing dealership  
Director recommended approval pending franchise agreement
- l. **Sooner Cycles & Powersports – Oklahoma City, OK**  
Application for adding Peace Scooters and Puma Scooters  
Director recommended approval

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:

Bruce Barber – aye

Gene Chumbley – aye

Dick Reynolds – aye

Greg Cable – aye

Randy Coy – aye

Eric Stuteville – aye

Carol Carver – aye

David Howe – 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. Bruce Barber made the motion to adjourn, seconded by Dick Reynolds. Motion carried unanimously. Meeting adjourned at 11:15 a.m.

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

Date: \_\_\_\_\_