

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 9, 2015. 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 September 12, 2016 prior to 10:00am; and, announcement of the Board meeting and agenda were posted on the OMVC website www.omvc.ok.gov on September 12, 2016 prior to 10:00am.

The Oklahoma Motor Vehicle Commission met in a regular session at 10:00am on September 13, 2016 in the Conference Room of the Northwest Office Center, 4334 Northwest Expressway in Oklahoma City. Hal Steinke called the meeting to order. A roll call was held; members present were Greg Cable, Carol Carver, Fred Harlan, Curtis Hayes, Fred Malone, Dan Mullins, Hal Steinke and Eric Stuteville. Member absent was Leonard Northcutt.

The Chair 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, 2016 Commission Meeting. Eric Stuteville made a motion, seconded by Greg Cable, to approve the Minutes as submitted. The Chair called for a roll call vote; votes were as follows:

Greg Cable – aye	Curtis Hayes – aye	Hal Steinke – aye
Carol Carver – aye	Fred Malone – aye	Eric Stuteville - aye
Fred Harlan – aye	Dan Mullins - aye	

Motion passed unanimously

The **Claims** and **Financial Reports** for the months of July 2016 and August 2016 were presented by the Director. A motion to approve both the payment claims and financial reports as submitted was made by Eric Stuteville, and seconded by Fred Harlan. The Chair called for a roll call vote; votes were as follows:

Greg Cable – aye	Curtis Hayes – aye	Hal Steinke – aye
Carol Carver – aye	Fred Malone – aye	Eric Stuteville - aye
Fred Harlan – aye	Dan Mullins - aye	

Motion passed unanimously

Budget Update for FY2017

The Director reported that the contract for OMES IT Services had not yet been finalized. Specific language in the Terms and Conditions of the contract are being discussed between the Attorney General's office and OMES. Assistant AG Sandra Balzer is monitoring the situation on behalf of the OMVC. The Director noted that pass-through costs for IT services and Financial Shared Services to the OMVC are being increased quite dramatically for FY2017 and also for FY2018 by OMES.

Discussion and Possible Action Regarding a Request to Cabinet Secretary Doerflinger for Out-of-State Travel, in Accordance with Executive Order 2015-46.

The Director asked the Commission to consider a request to Mr. Doerflinger for approval to attend the concurrent meetings of the National Association of Motor Vehicle Boards and Commissions (NAMVBC) and the National Automobile Dealers Association (NADA) in New Orleans, LA, January 26 to 29, 2017. After questions and discussion, Dan Mullins made a motion, seconded by Hal Malone, to have the OMVC Chair send a letter to Secretary Doerflinger, requesting approval for out-of-state travel for Roy Dockum to attend the NAMVBC/NADA meetings in New Orleans in January 2017, because the travel was essential for the education of the Director and the benefit to the OMVC. The Chair called for a roll call vote; votes were as follows:

Greg Cable – aye
Carol Carver – aye
Fred Harlan – aye

Curtis Hayes – aye
Fred Malone – aye
Dan Mullins - aye

Hal Steinke – aye
Eric Stuteville - aye

Motion passed unanimously

Report and Discussion Regarding Recent Nationally Reported Factory/Dealer Programs and Issues

The Director and Commission members discussed recent reports in the press regarding the Cadillac Pinnacle Project and FCA's issues with sales reporting and subsequent corrections. The Director reported that some dealers believe that the provisions in the Cadillac program may violate certain states' statutes. The Commission asked the Director to keep them informed.

Director's Report:

The Director presented the Summary of Consumer Complaints for the period July 11, 2016 through September 9, 2016. The summary detailed 22 consumer complaint contacts to the OMVC, which were comprised of 10 written inquiries and 12 phone inquiries.

Next, he reported that 6 Attorney General’s Opinions for the proposed Commission actions from the July 12, 2016 meeting, which were submitted on July 13, were approved as proposed by the OMVC on August 4. However, there remains 1 proposed Commission action from the July 12 meeting for which an AG Opinion has not yet been issued.

Roy mentioned that Senator Newberry will be conducting Interim Study S16-016 on the subject “Solutions to North Carolina Board of Dental Examiners v FTC”

Finally, the Director reminded the Board that he and the Deputy Director would be attending the NAMVBC Fall Conference in Denver beginning from September 14-17.

Consideration of Proposed Agreed Settlements and Fines:

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

1. Volkswagen of Edmond, Edmond. \$500 for an advertising violation;
2. David Stanley Chevrolet, Norman. \$500 for an unlicensed salesperson violation;
3. Green Country Mitsubishi, Bixby. \$100 for an unlicensed salesperson violation; and,
4. Midtown Kia, Tulsa. \$100 for an unlicensed salesperson violation.

Curtis Hayes made a motion, seconded by Fred Harlan, to accept the offers to pay a fine in lieu of a hearing, as recommended by the Director, subject to review by the Office of Attorney General. The Chair called for a roll call vote; votes were as follows:

Greg Cable – aye	Curtis Hayes – aye	Hal Steinke – aye
Carol Carver – aye	Fred Malone – aye	Eric Stuteville - aye
Fred Harlan – aye	Dan Mullins - aye	

Motion passed unanimously

Initial License Applications:

The following License Applications were presented for consideration and action:

MANUFACTURERS/DISTRIBUTORS

- a. **Dadee Manufacturing, LLC – Phoenix, AZ**
Application for Manufacturer of Dadee Refuse Trucks
Director recommended approval

- b. **Metro Worldwide, LLC – Clear Lake, IA**
Manufacturer of Metro Link Buses
Director Recommended Approval

DEALERS

- c. **Action Powersports, Inc. – Tulsa**
Application for adding Arctic Cat Powersports
Director recommended approval
- d. **Action Powersports of OKC – Bethany**
Application for adding Arctic Cat Powersports
Director recommended approval
- e. **Ajax Motorsports of OKC – Oklahoma City**
Application for purchase of existing dealership
Director recommended approval pending receipt of dealer agreements
- f. **Green Country Mitsubishi – Bixby**
Application for adding Duruxx Mini Trucks
Director recommended approval
- g. **Hoyte CJDR – Durant**
Application for adding Fiat Automobiles
Director recommended approval
- h. **Joe Cooper Ford Lincoln of Edmond – Oklahoma City**
Application for purchase of existing dealership
Director recommended approval pending franchise agreement
- i. **Metric Cycles, LLC – Tulsa**
Application for adding Cazador Powersports
Director recommended approval
- j. **National Bus Sales – Tulsa**
Application for adding Metro Link Buses
Director recommended approval
- k. **Perfection Truck Parts & Equipment**
Application for new dealership for Perfection Truck Bodies
Director recommended approval
- l. **Road Track and Trail Cycles – Muskogee**
Application for adding Can-Am Powersports
Director recommended approval

- m. **Tractor Supply Company – Cordell**
Application for new dealership for Massimo American Sportworks Powersports
Director recommended approval

- n. **Tractor Supply Company – Guthrie**
Application for new dealership for Massimo American Sportworks Powersports
Director recommended approval

- o. **Tulsa Classic Chevrolet – Sapulpa**
Application for purchase of existing dealership
Director recommended deferral of consideration pending information about the proposed name within the same market as Classic Chevrolet of Owasso

Motion was made by Dan Mullins, seconded by Curtis Hayes, to Defer Consideration on the application for Tulsa Classic Chevrolet pending receipt of information regarding the proposed name within the same market area of Classic Chevrolet in Owasso. The Chair called for a roll call vote; votes were as follows:

Greg Cable – aye	Curtis Hayes – aye	Hal Steinke – aye
Carol Carver – aye	Fred Malone – aye	Eric Stuteville - aye
Fred Harlan – abstain	Dan Mullins - aye	

7 ayes; 0 nays; 1 abstention. Motion passed

Motion was made by Curtis Hayes, seconded by Greg Cable, to approve applications designated “a” through “n”, as recommended by the Director. The Chair called for a roll call vote; votes were as follows:

Greg Cable – aye	Curtis Hayes – aye	Hal Steinke – aye
Carol Carver – aye	Fred Malone – aye	Eric Stuteville - aye
Fred Harlan – aye	Dan Mullins - aye	

Motion passed unanimously

The Chair asked if there was any **New Business**. There being no New Business, he asked if there was a motion to adjourn. Greg Cable made the motion to adjourn, seconded by Fred Harlan. Motion carried unanimously. Meeting adjourned at 11:30am.

Approved by: _____ Date: _____