

**BEFORE THE ARKANSAS MOTOR VEHICLE COMMISSION**

**IN THE MATTER OF:  
WHITE RIVER POWERSPORTS**

**Hearing # 21-014**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

A hearing on the above-referenced matter was held before the Arkansas Motor Vehicle Commission (“AMVC”) on June 16, 2021 at the Arkansas Department of Labor and Licensing, 900 West Capitol Avenue, Little Rock, Arkansas 72201. A representative of the Respondent, White River PowerSports, did not appear, although properly served with the Notice of Hearing. Assistant Attorney General Juliane Chavis appeared on behalf of the AMVC.

Finding proper notice had been given Respondent, the AMVC, from all the evidence presented, makes the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

1. White River PowerSports, located at 702 East Michigan, Stuttgart, AR, was a new cycle dealer formerly licensed to sell Argo UVs, Yamaha ATVs, MCs, Scooters, and UTVs.
2. White River PowerSports’s license expired on December 31, 2020.
3. As of May 11, 2021, White River PowerSports had not renewed its license.

**CONCLUSIONS OF LAW**

1. Recreational vehicle dealers and their representatives are required to conform their conduct to the AMVC Act, Ark. Code Ann. § 23-112-101, *et seq.*, and the rules promulgated by the AMVC pursuant to Ark. Code Ann. § 23-112-204.

2. According to Ark. Code Ann. § 23-112-301, it is unlawful for a person to engage in business as a new cycle dealer without obtaining a license from AMVC.
3. All applications for licenses shall be accompanied by the appropriate fees in accordance with the schedule set out in Ark. Code Ann. § 23-112-303.
4. Failure to comply with any provision of the AMVC Act or any rule promulgated by the AMVC may result in revocation or suspension of the license per Ark. Code Ann. § 23-112-308(a)(4), or may result in a monetary penalty in lieu of revocation or suspension as set out in Ark. Code Ann. § 23-112-309.
5. White River PowerSports violated Ark. Code Ann. § 23-112-303 by failing to comply with provisions of the AMVC Act due to its failure to renew its dealer's license as set out in Findings of Fact 2 and 3 above.

**ORDER**

1. The new cycle dealer license of White River PowerSports is hereby terminated.
2. Pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-212, Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the county in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service of this order.

IT IS SO ORDERED this 21<sup>st</sup> day of June, 2021.

Arkansas Motor Vehicle Commission



Joy Blankenship  
Chairperson

**CERTIFICATE OF SERVICE**

I, F. S. "Sandy" Stroope, Director of the Arkansas Motor Vehicle Commission, do hereby certify that I have served a copy of these Findings of Fact, Conclusions of Law and Order by mailing a copy of same, U.S. Mail, postage prepaid, on this 21<sup>st</sup> day of June, 2021 to the following:

White River PowerSports  
Attn: Michael Smith  
702 East Michigan  
Stuttgart, AR 72160

F. S. Stroope  
F. S. "Sandy" Stroope  
AMVC Director