

MINUTES OF THE ARKANSAS MOTOR VEHICLE COMMISSION

**Business Meeting
101 East Capitol Avenue, Suite 204
Little Rock, Arkansas**

October 17th, 2012

The regularly scheduled meeting of the Arkansas Motor Vehicle Commission was called to order at 9:37 a.m. by Chairman Sandy Stroope. Staff present were Executive Director Greg Kirkpatrick, Fiscal Manager Jennifer Padgett, Secretary Angela Stoffer, Investigators Danny Holmes and Otis Hogan and Legal Counsel Mark Ohrenberger. All Commissioners were present with the exception of Clyde Noel. Also in attendance were Tim Butler, with Orr-Pre Owned Super Center in Hot Springs, Frank Hug with Hug Chevrolet, Court Reporter Susan Whitson and Hearing Officer Kendra Akin-Jones.

The minutes from the August 15th, 2012, meeting were reviewed and approved unanimously as written following a proper motion and second.

The Commission unanimously approved the expenditures for the October 17th, 2012, meeting following a proper motion and second.

The fiscal reports were reviewed and approved unanimously following a proper motion and second.

Director Kirkpatrick reviewed the Advertising, Consumer Assistance, Investigations and Licensing Activities reports with the Commission.

Legal Counsel Mark Ohrenberger updated the Commission on the progress towards collecting the ordered amount owed to the Commission from Nathan Pruss and Bruno's Powersports. Mr. Ohrenberger also informed the Commission that the AMVC vs. Voltage Vehicles matter, which Voltage appealed following a hearing of Rainbow and Siloam Springs Cycles vs. Voltage Vehicles, was reversed and remanded for a new hearing before the Commission.

Director Kirkpatrick informed the Commission of the approval of the Commission's budget for the 2013-2014 fiscal years. The Joint Budget Special Language subcommittee approved the deletion of

the special language currently approving a fund transfer to the Department of Workforce Education in order to develop a new education and training grant program. Director Kirkpatrick explained the effort to remove the recreational vehicle industry from the current statutes, and create a new section for this industry. Director Kirkpatrick also discussed possible legislation regarding dealer facility improvements within a certain timeframe and fleet sale language regarding the dealer service and handling fees.

The Commission moved on the agenda to hearing #12-004, AMVC vs. Orr Pre-Owned Super Center in Hot Springs. Tim Butler with Orr Pre-Owned admitted the dealership utilized false and misleading advertisement in the form of a mailer. Mr. Butler explained the dealership paid a previous fine for a similar offense, attempted to stop the mailer discussed in hearing #12-004, but were not able to stop it from being mailed to consumers. Orr Pre-Owned did stop two additional mailers. The Commission found the dealership guilty of false and misleading advertising but waived the fine recommended in the Notice of Violation.

Director Kirkpatrick informed the Commission the current proposed revision to the statutes would be available at the next meeting on November 14th, 2012 for approval.

Chairman Stroope accepted a motion and second to adjourn the meeting.

These minutes are subject to approval by
The Arkansas Motor Vehicle Commission

Sandy Stroope, Chairman
Bobby Ferguson, Vice Chairman
Joy Blankenship, Secretary