

MINUTES OF THE ARKANSAS MOTOR VEHICLE COMMISSION

**Business Meeting
101 East Capitol Avenue, Suite 212
Little Rock, Arkansas**

September 20, 2006

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 Legal Counsel Arnie Jochums, Executive Director Greg Kirkpatrick, License Supervisor Vicki Wright, Investigators Danny Holmes and Otis Hogan, Fiscal & Communications Manager Dana Brown, License Agent Susie Wallace and Secretary Angela Stoffer. All Commissioners were present with the exception of Keith Cogswell, Darrell Teeter, & Gordon McCoy. Also present: Mike Lemons with Superior Chevrolet.

The minutes from the August 17, 2006 meeting were approved as written.

The Director's report was reviewed and accepted. The Director informed the Commission of the upcoming Russellville Advertising seminar scheduled for September 17, 2006.

In legal findings, Mr. Jochums informed the Commission of the current status of Gulf Stream vs. National Travelers RV Center and each Commissioner and Jones vs. Isuzu Motor Corporation.

Mr. Jochums and Director Kirkpatrick informed the Commission of the Ad Hoc Committee findings and recommendations. The recommendations were approved as presented.

Director Kirkpatrick discussed with the Commission the advertising program of graduated payments. The Commission members approved a motion to allow the Director to write a letter informing the dealers that as of October 1, 2006 dealerships may not use this form of advertising unless all of the payments for later months are as prominent as the first initial few months.

H# 06-012, Rule 9 Delivery Prior to Sale/Spot Delivery was approved by the Commission. This Rule will be sent to the Legislature for review.

Mr. Jochums and Director Kirkpatrick requested that the Commission's Hearing Officer, Charles Moulton be granted the authority to initiate pre-hearing conference orders prior to a dealer versus a manufacturer issue. This step should help avoid a lengthy hearing in the near future. The motion was granted.

The Commission proceeded onto H#06-009 AMVC vs. Superior Chevrolet in regards to false and misleading advertising. The Commission voted to combine all of the charges as one. The Commission found the dealer guilty of the charges levied against them. The Commission fined the dealer ten thousand dollars (\$10,000.) in lieu of revocation.

The Commission then reviewed advertising flyers and mailers that have deemed false and misleading and voted to add to the letter that will be going out to dealers in reference to graduated payments, a statement advising the dealers about the false and misleading flyers and mailers and recommend they be extremely careful in using them. If a dealer decides to utilize this form of advertising it will be reviewed by the Commission and the dealer will be held responsible.

The meeting was then adjourned by Chairman Stroope.

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

F.S. Stroope, Chairman
Scott Wallace, Vice Chairman
Joy Blankenship, Secretary