

MINUTES OF THE ARKANSAS MOTOR VEHICLE COMMISSION

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

January 18th, 2012

The regularly scheduled meeting of the Arkansas Motor Vehicle Commission was called to order at 9:35 a.m. by Chairman Joe Morgan. Staff present were Executive Director Greg Kirkpatrick, License Supervisor Vicki Wright, Fiscal Manager Jennifer Padgett, Secretary Angela Stoffer, Investigators Otis Hogan and Danny Holmes and Legal Counsel Arnold Jochums. All Commissioners were present except Clyde Noel. Also in attendance were Chris Kloster and Tyler Brown with Superior Automotive, Dennis Jungmeyer with AADA, Brett Russell with Russell Chevrolet, and Frank Hug with Hug Chevrolet, Buick, GMC.

The minutes from November 16th, 2011, were reviewed and approved as written.

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

Licensing Supervisor Vicki Wright updated the Commission on the 2012 dealership renewal status.

Legal Counsel Arnold Jochums updated the Commission on the current legal status of Duncan Outdoors\Gregory Polaris\Valley Powersports vs. Carter Brothers. Carter Brothers has appealed the Commission ruling, and the scheduled oral argument on this matter is for April 5, 2012. Mr. Jochums also updated the Commission on Rainbow Cycles\Siloam Springs Cycles vs. Voltage Vehicles. Voltage appealed the Circuit Court decision upholding the Commission order to the Arkansas Court of Appeals.

Director Kirkpatrick presented an explanation and description of a new dealer referral service called TrueCar that possibly violates Commission statutes and rules. Dennis Jungmeyer, Brett Russell, and Chris Kloster provided additional statements explaining the method that TrueCar utilizes to operate. The Commission voted to send a letter to TrueCar advising them to discontinue operations in Arkansas until they become compliant with Commission statutes and rules on brokering and invoice price advertising. Director Kirkpatrick also discussed the Team National program that violates Commission advertising guidelines due to invoice price advertising. The Commission approved notifying Team National to discontinue operations in Arkansas until they become compliant with Commission statutes and rules on advertising.

The Commission voted and approved the motion to provide reimbursements and stipend payments for the Commission members for the 2012 calendar year.

Director Kirkpatrick asked the Commission to approve a request to add clarification to Rule 8 Dealer Service and Handling Fee that reflects the exemption of fleet vehicles. The Commission approved this motion.

The Commission Chairman discussed a possible amendment to the Warranty Audit process for consideration for the Commission's legislative package during the 2013 session.

The meeting was adjourned by Chairman Morgan following a motion from Mr. Ferguson.

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

Joe Morgan, Chairman
Bobby Ferguson, Vice Chairman
Joy Blankenship, Secretary