

BEFORE THE ARKANSAS MOTOR VEHICLE COMMISSION
IN THE MATTER OF THAM CORPORATION D/B/A THAMLEV

NO. H25-008

ORDER

The Arkansas Motor Vehicle Commission (Commission) conducted a formal hearing on October 16, 2024, at 9:30 a.m. in the office of the Arkansas Motor Vehicle Commission, 900 West Capitol Ave, Suite 400, Little Rock, AR 72204, to determine whether Tham Corporation d/b/a Thamlev, (Respondent) violated the Arkansas Motor Vehicle Commission Act (Act), Ark. Code Ann. § 23-112-101 et seq., or Commission rules. Respondent was properly noticed in accordance with Ark. Code Ann. § 23-112-503 and the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et seq. Respondent failed to appear for the hearing, which was conducted in its absence. Assistant Attorney General Michael Bynum appeared on behalf of the Commission. Testimony was taken from Commission Director Daniel Pace.

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

FINDINGS OF FACT

- F1. Respondent, whose last known place of operation is located at 1300 South Elmira Avenue, Russellville, Arkansas, 72802, has at all relevant times engaged in business as, served in the capacity of, and acted as a motor vehicle manufacturer.
- F2. Respondent was issued motor vehicle manufacturer license No. 10364M on October 18, 2022.

- F3. Respondent's license expired on June 30, 2023.
- F4. Respondent continued engaging in business as, serving in the capacity of, or acting as a motor vehicle manufacturer despite its license being in expired status.
- F5. Respondent has not renewed its license as of the date of the hearing in this matter and has accrued \$6,300.00 in late fees.

CONCLUSIONS OF LAW

The Board considered charges that Respondent violated Commission rules and relevant statutes set forth in the notice of hearing. The Board found the following charges to be proven:

- C1. Violation of Ark. Code Ann. § 23-112-308 for failure to comply with provisions of the Act.
- C2. Violation of Ark. Code Ann. § 23-112-301(b) for failing to hold a current motor vehicle manufacturer license.
- C3. Violation of Ark. Code Ann. § 23-112-301(a)(2) for engaging in business as, serving in the capacity of, or acting as a motor vehicle manufacturer without first obtaining and holding a license.
- C4. Violation of Ark. Code Ann. 23-112-303(d)(1) for failure to pay late license renewal application penalties in the amount of \$6,300.00.

ORDER

Based upon the Findings of Fact and Conclusions of Law herein, the Board hereby orders the following:

- 1. Respondent's License is hereby REVOKED effective immediately.

2. Respondent shall pay all late penalties and applicable fees before reapplying for licensure with the Commission.
3. 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 it 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 2nd day of December, 2024.

Joy Blankenship

Joy Blankenship, Chair
Arkansas Motor Vehicle Commission