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LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
OCTOBER 17, 2022
BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

MR. RICHARD WATTS

4

COMMISSIONERS PRESENT:

5

MR. TRAVIS BROWN

6

MR. JEFFEREY BRITT

7

MR. RICKY DONNELL

8

MR. GEORGE FLOYD

9

MR. ROBERT "BOBBY" HINES

10

11

12

13

14 REPRESENTING THE LOUISIANA USED MOTOR

15 VEHICLE COMMISSION:

16

17

ROBERT W. HALLACK, ESQUIRE
HALLACK LAW OFFICE
13007 JUSTICE AVENUE
BATON ROUGE, LOUISIANA 70816

18

19

SHERI MORRIS, ESQUIRE
DAIGLE, FISSE & KESSENICH, PLC
8480 BLUEBONNET BOULEVARD, SUITE F
BATON ROUGE, LOUISIANA 70810

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1 ALSO PRESENT:

2 MS. KIM BARON

3 MR. DEREK PARNELL

4 MR. MONTIE WISENOR

5 MS. TONYA BURKS

6 MR. MONROE ALLMOND

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1 MR. WATTS:
2 All right. Call to order.
3 MS. BARON:
4 Richard Watts?
5 MR. WATTS:
6 Here.
7 MS. BARON:
8 John Poteet?
9 MR. POTEET:
10 (No response.)
11 MS. BARON:
12 George Floyd?
13 MR. FLOYD:
14 Here.
15 MS. BARON:
16 Tony Cormier?
17 MR. CORMIER:
18 (No response.)
19 MS. BARON:
20 Matthew Pederson?
21 MR. PEDERSON:
22 (No response.)
23 MS. BARON:
24 Jefferey Britt?
25 MR. BRITT:

1 Here.

2 MS. BARON:

3 Ricky Donnell?

4 MR. DONNELL:

5 Here.

6 MS. BARON:

7 Travis Brown?

8 MR. BROWN:

9 Here.

10 MS. BARON:

11 Bobby Hines?

12 MR. HINES:

13 Here.

14 MS. BARON:

15 Wydette Williams?

16 MR. WILLIAMS:

17 (No response.)

18 MS. BARON:

19 Mr. Chairman, we have a quorum.

20 (Pledge of Allegiance.)

21 MR. WATTS:

22 Anybody for public comments?

23 MS. BARON:

24 No, sir.

25 MR. WATTS:

1 I need a motion and a second for the
2 minutes from the September meeting.

3 MS. MORRIS:

4 I reviewed the minutes. Mr. Hines
5 was not recorded as being present, but then he
6 was voting.

7 MR. BRITT:

8 I make a motion.

9 MR. WATTS:

10 I need a second.

11 MR. HINES:

12 Second.

13 MR. WATTS:

14 Items for discussion and action,
15 monthly commission dates.

16 MR. PARNELL:

17 Commissioners, if you look in your
18 packet, I have -- we have two calendars,
19 November and December. Our regularly scheduled
20 commission meeting in November is scheduled for
21 the 21st and our regularly schedule meeting in
22 December is scheduled for the 19th. Usually,
23 the two holiday months it brings conflicts and
24 during that time, that specific, the third
25 Monday. So if we can kind of have a discussion

1 if you-all want to move up the November 2022
2 date to the 14th possibly to have the meeting
3 on that date?

4 MR. WATTS:

5 That's a Monday, right?

6 MR. PARNELL:

7 Right. They are both Mondays.

8 MR. BRITT:

9 Does it have to be on a Monday?
10 Could it be the 15th or the 16th of that week?

11 MR. HALLACK:

12 Generally, the reason why they want
13 it on a Monday is because of the auctions that
14 are being held the rest of the days of the
15 week.

16 MR. BRITT:

17 I mean, this is just a little special
18 deal we are trying to do. Could it be the 15th
19 instead of the 14th?

20 MR. WATTS:

21 You are out on that Monday?

22 MR. BRITT:

23 Well, I am just trying to think.
24 That is a big weekend.

25 MR. HALLACK:

1 That is fine is no dealer is planning
2 on attend the auction on the 15th.

3 MS. BARON:

4 That is John Poteet's.

5 MR. WATTS:

6 He will be the only one out?

7 MR. BRITT:

8 Do y'all want to look at it and
9 discuss another date?

10 MR. WATTS:

11 I want a date y'all can be here.

12 MR. BRITT:

13 The 15th I know that I will be here.

14 MR. HALLACK:

15 When is Matt Pederson's auction?

16 MR. DONNELL:

17 Wednesday.

18 MR. WATTS:

19 Everybody sitting here, y'all are
20 open for that?

21 MR. PARNELL:

22 The 21st is the week of Thanksgiving
23 and that typically hard.

24 MR. BRITT:

25 Let's do it the 15th.

1 MR. WATTS:

2 If everybody sitting here can be here
3 on the 15th, do y'all want to do that?

4 MR. DONNELL:

5 Yes. We are good.

6 MR. PARNELL:

7 It is important that we do it because
8 we have to have our proposed budget for the
9 '23-'24 year. Also, we have our financial
10 audit should be completed at that time and we
11 will have your auditor, he is going to present
12 it to you-all, and we should have continuance
13 on some of these hearings. It is pretty
14 important that we get to that before the end of
15 this year. That proposed budget of '23-'24 and
16 the financial audit.

17 All right. So we are saying the
18 15th, Tuesday, the 15th of November. What
19 about December? Do you want to move that
20 meeting altogether to January? Or do you want
21 to still move it up one week?

22 MR. WATTS:

23 I would just like to move it to
24 January. If nothing is pressing.

25 MR. DONNELL:

1 We should have all of the hearings
2 taken care of.

3 MR. WATTS:

4 But we have to get the budget done.

5 MR. PARNELL:

6 We have not gotten -- that's going to
7 be done.

8 MR. BRITT:

9 And do you want to wait until the
10 November meeting and decide that? In case we
11 have a meeting in December.

12 MR. WATTS:

13 Do y'all want to pick a date for
14 December and move it up right now while we are
15 talking about it?

16 MR. BRITT:

17 Or do you want to wait until November
18 to see if we are going to have a meeting in
19 December?

20 MR. PARNELL:

21 Either way, it don't matter.

22 MS. MORRIS:

23 I guess one of the things that you
24 don't know if something happens with a dealer
25 that you need a cease and desist to be

1 continued or something like that.

2 MR. PARNELL:

3 Right, right.

4 MR. WATTS:

5 If you have to serve a 30-day notice
6 for our next meeting or something like that?

7 MR. PARNELL:

8 20 days.

9 MS. MORRIS:

10 You can cancel it if there isn't
11 anything.

12 MR. HALLACK:

13 There are two important matters that
14 aren't going to be ready by November 15, but
15 should be ready by December.

16 MR. POTEET:

17 You are not allowed to tell us.

18 MR. HALLACK:

19 No.

20 MR. BRITT:

21 What day was our December meeting
22 scheduled on?

23 MR. PARNELL:

24 It is scheduled on the 19th.

25 MR. WATTS:

1 Move it to the 12th? Let's shoot for
2 the 12th of December. That's a Monday.

3 MR. HALLACK:

4 We need two separate motions. One to
5 move the November meeting and one to move the
6 December meeting?

7 MR. WATTS:

8 I need a motion first.

9 MR. DONNELL:

10 I will make a motion.

11 MR. HINES:

12 I will second.

13 MS. MORRIS:

14 We have a motion to move the November
15 meeting from its regular date to November 15th.
16 Mr. Donnell made that motion. Mr. Hines
17 seconded it.

18 We need a motion to move the December
19 meeting to December 12th.

20 MR. BRITT:

21 I make a motion.

22 MR. HINES:

23 Second.

24 MS. MORRIS:

25 Mr. Britt made that motion. Mr.

1 Hines seconded it.

2 MR. WATTS:

3 Next is our compliance investigator
4 report.

5 MR. WISENOR:

6 Yes, sir. I have the field totals
7 for the month of September. There were 6
8 audits conducted. We issued one notice of
9 revocation. There were 66 site visits
10 conducted. Cease and desist issued were 4. I
11 believe some of those were discontinued because
12 the dealer came in compliance. Assisted with
13 titles being delivered as far as title or
14 registration, we assisted the consumer, there
15 were 16. There were 7 violations issued.
16 There was one issued, a refund, that was
17 refunded to the consumer, received \$537. There
18 were 15 cases closed that were assigned. There
19 were 18 cases closed that were not assigned.
20 And there were 24 physical inspections
21 conducted for September. And those were the
22 totals.

23 MR. WATTS:

24 Any questions or comments for Montie?

25 I have a question. Montie, as far as

1 serving these subpoenas, it got sideways this
2 last time.

3 MR. WISENOR:

4 Yes, sir.

5 MR. WATTS:

6 Y'all discussed that? The proper way
7 to do that? What is your feelings on that?
8 What do you think?

9 MR. WISENOR:

10 We were serving them as we were
11 advised to as long as we -- someone -- that the
12 owner or if the subpoena allowed someone else
13 on sign on their behalf because they may not
14 have been present when it was being delivered.
15 We were under the impression that was
16 sufficient, but I don't know if that ever was
17 determined.

18 MR. WATTS:

19 Did you go over that with your field
20 investigators? I mean, we didn't send them
21 certified mail or nothing?

22 MR. PARNELL:

23 We did. They were sent certified
24 mail. But, as you know, that green card
25 doesn't come back. She didn't have a record

1 that it came back at that time.

2 MR. WATTS:

3 That's where the discrepancy was.

4 MR. PARNELL:

5 That is where the discrepancy was.

6 MS. BARON:

7 The ones that didn't come back, I
8 went to USPS tracking and I have that in there.
9 So we know where it's at and what it is doing.
10 They tried to deliver it and they couldn't or
11 whatever.

12 MR. PARNELL:

13 What did you do different this time?

14 MS. BARON:

15 The only thing that I did different
16 this time is I FedEx'd to the attorneys the
17 letters, the subpoenas, the receipt, the notice
18 of hearing. I FedEx'd all of that to them. I
19 overnighted it to them. I have verification
20 confirmation that they did get it.

21 MR. BRITT:

22 Once they have attorneys of the
23 record, that is who we can go through. What I
24 have an issue with and I think everybody here
25 does is we can't tape something up on a door

1 and think that's service. No matter if it is
2 legal to do that or not, I don't think if any
3 of us were being served for something and it
4 was taped on our door if we would honor that.
5 I think it's got to be hand-delivered or
6 documented delivered the way you are talking
7 about doing it. I don't think there should
8 even be a thought. And I feel like the policy
9 of taping something on the door -- I mean, you
10 can tape the notice on the door or the subpoena
11 on the door, but that -- that doesn't leave a
12 grain of water for us to have substance with
13 it. If we had it documented that it was
14 hand-delivered physically to Ricky Donnell or
15 Travis Brown or Jeff Britt or whomever and
16 because, I mean, it was chaotic in here the
17 other day.

18 MR. PARNELL:

19 Normally, that's not the only method.

20 MR. BRITT:

21 I understand. I understand that.
22 But this brought it to our attention, the topic
23 of conversation.

24 MR. BROWN:

25 The other question that we are all

1 discussing, too, at that last meeting, if this
2 if this guy was already served one time,
3 shouldn't that be all he needs to be served?
4 Not for every meeting.

5 MS. BARON:

6 I served him every time we have been
7 scheduled. He got served. But it was -- but
8 every time we had -- we put it on the door
9 because that was the only -- he wouldn't --
10 nobody would answer the door and I sent it by
11 certified mail, they won't accept it.

12 MR. BROWN:

13 I thought if you served him once, you
14 didn't have to serve him again for the same.

15 MR. DONNELL:

16 For a continuing hearing.

17 MR. BROWN:

18 Is that true?

19 MS. MORRIS:

20 It depends upon the circumstances of
21 the continuance. If someone requests a
22 continuance, we generally try to get them to
23 agree. Well, we will grant a continuance but
24 you are agreeing that you are notified of the
25 hearing date. When people aren't communicating

1 with you, it's a little bit different because
2 you still have to give them the hearing date
3 time and the notice of what the charges are.

4 MR. WISENOR:

5 Even the initial hearing when they
6 were served, they weren't served -- most of
7 them weren't served. They were -- someone else
8 signed on behalf of them. That is the problem
9 we run into is they will make themselves
10 available to be served. We go down to their
11 homes or their businesses and they are never
12 there. And, I guess, we were looking for an
13 alternative to -- by certified mail or if
14 someone was willing to receive -- you know, if
15 they had authorized someone else to sign for it
16 and receive it.

17 MS. MORRIS:

18 The Board's obligation is to send it
19 by certified mail to the address of licensee on
20 file with the agency. It kind of becomes more
21 difficult when the person no longer has a
22 license because they don't technically have an
23 address on file with the agency.

24 MS. BARON:

25 We went by the address that we had on

1 file.

2 MR. WATTS:

3 Well, we have a record that it is
4 certified.

5 MR. DONNELL:

6 But if he doesn't have a license, he
7 has got an out. And then what's the next step?
8 Getting the sheriff?

9 MS. MORRIS:

10 Getting personal service some way.
11 Or if they get an attorney involved and then
12 you can serve it through the attorney.

13 MR. WATTS:

14 To prevent what happened last
15 meeting.

16 MS. MORRIS:

17 Yes, I think that was kind of unusual
18 circumstance to begin with.

19 MR. BRITT:

20 That was unusual because it did
21 happen so it brought it to our attention.

22 MS. MORRIS:

23 We definitely need to look at the
24 process.

25 MR. BRITT:

1 That is one of those every four
2 year's deal.

3 MR. ALLMOND:

4 That's kind of right like the U.S.
5 Mail, they are not being very good about
6 getting signatures on these green card. They
7 will just stick it on their doorstep or in
8 their mailbox if it is a residence or business
9 and they never get a signature. And they blame
10 that on the COVID. I mean, I get shipments to
11 my residence and they don't require my
12 signature.

13 MR. WATTS:

14 That's nice to know.

15 MR. PARNELL:

16 But we send it to the address that we
17 have. Read that.

18 MS. BARON:

19 Any licensee charged with violating
20 the provisions of this chapter shall be
21 entitled to a hearing on the alleged violation.
22 The Commission shall serve the licensee with
23 written notice of the hearing at least 20
24 calendar days prior to conducting the hearing
25 on the alleged violation. The Commission shall

1 MR. HINES:

2 That's why I asked.

3 MR. HALLACK:

4 So she can provide proof with that
5 statement that the USPS puts out.

6 MR. PARNELL:

7 Well, according to this statute and
8 what we did last month would have been
9 sufficient. Obviously, that wasn't, you know,
10 so we have to make some kind of improvement.

11 MR. BRITT:

12 I guess for future reference --

13 MR. PARNELL:

14 Because what it says here, it has
15 to -- you put it on the entrance of the
16 licensed premises where the alleged violation
17 occurred at. And that where we posted it, was
18 on his residence. He wasn't licensed.

19 MS. BARON:

20 Because he doesn't have a dealership.

21 MR. BRITT:

22 I guess one of my questions and in
23 that section and for the future whether it's us
24 or 10 years from now -- because I see this
25 whole Commission evolving in 10 years from now,

1 this is all civil process and it is no
2 different. I think we ought to have the
3 options, and we probably do, because it is not
4 real clear. If we got a double dealer, get the
5 sheriff's office or constable's office to make
6 that service for us.

7 MR. WATTS:

8 Can we do that?

9 MS. MORRIS:

10 Yes.

11 MR. BRITT:

12 I just think that's got more teeth to
13 it, you know. And to be honest with you, our
14 guys sometimes can show up, can really be a
15 jerk. And there again, we are civil authority.
16 Our guys have civil authority. You know,
17 sometimes when a constable or a deputy shows
18 up, they have a different attitude.

19 MR. HALLACK:

20 It is not allowed under this statute.
21 So you would have to amend this statute.

22 MR. BRITT:

23 That's the start of my whole
24 conversation.

25 MS. MORRIS:

1 It says personal service. And some
2 of the jurisdictions -- kind of in my
3 experience, some of the jurisdictions, the
4 sheriffs will serve it at the request of an
5 agency, and some jurisdictions, they won't.

6 MR. BRITT:

7 That's why I was talking about --

8 MS. MORRIS:

9 Or the chief -- if it is a
10 municipality, sometimes the police would do it
11 by request.

12 MR. BRITT:

13 I have served 100 of them. My point
14 was while it is on our minds, let's figure out
15 a way to address it for now -- for the future.
16 And if that needs some wording changed in it in
17 the future to get the future commissioners more
18 options, we need to do that.

19 MR. BROWN:

20 Can we just -- not us, but the
21 legislation, can't we just add to --

22 MR. BRITT:

23 It would just have to be amended.

24 MR. BROWN:

25 Maybe a residence also.

1 MR. BRITT:

2 That will be easy.

3 MR. HALLACK:

4 Well, we amended that recently.

5 MS. MORRIS:

6 To add all of those.

7 MR. HALLACK:

8 So, Sheri, you represent other
9 commissions. How do y'all do it?

10 MR. PARNELL:

11 Well, with Administrative Procedures
12 Act requires to send it via certified mail.

13 MR. BRITT:

14 Right.

15 MS. MORRIS:

16 And the act of sending, as Robert
17 said, is all the duty that you have. But
18 you-all are sometimes dealing with unlicensed
19 dealers, and because your dealers have a bond
20 and they may have let their license lapse, but
21 you are still bringing the violations so that
22 you can make the claims on the bonds. So it
23 doesn't -- what it doesn't address are those
24 people that really don't have a license.

25 MR. BRITT:

1 And the other thing it doesn't --
2 some of these people are borderline going to be
3 contacted by other agencies. I'm not going to
4 say what I want to say, but we are close to --
5 we are over here doing civil and they are close
6 to being on the line over there.

7 MS. MORRIS:

8 Sure.

9 MR. BRITT:

10 On the criminal. So that's -- to me
11 that is why it needs a little more teeth in it,
12 I guess.

13 MS. MORRIS:

14 We can look at it. But I think y'all
15 have more detail in yours than most of the
16 administrative agencies already, because we
17 amended it pretty recently?

18 MR. HALLACK:

19 Yes. About 5 years ago.

20 MS. MORRIS:

21 To add, you know, other options.

22 MS. BARON:

23 Well, it might benefit us to put the
24 residence because then it would be in the
25 statute because, like for Kevin Dees, I sent

1 his to his residence but, you know.

2 MR. WATTS:

3 He didn't respond.

4 MS. BARON:

5 Well, he didn't respond and his
6 attorney's argument was, you know, he had to
7 be -- that was his address.

8 MS. MORRIS:

9 Well, to avoid discussing the
10 particular case, you know, the residence is
11 kind of hard sometimes to determine what their
12 residence is as well.

13 MR. WISENOR:

14 And the licensed premises, they are
15 normally gone.

16 MS. MORRIS:

17 They are closed.

18 MR. WISENOR:

19 They are gone.

20 MS. BARON:

21 And it's hard to find somebody's
22 personal address.

23 MR. BRITT:

24 Yes. Yes.

25 MS. BARON:

1 It is hard to find their personal
2 address and then actually put them to that
3 address on the Internet.

4 MR. BRITT:

5 Like finding a needle in the
6 haystack.

7 MR. PARNELL:

8 We definitely need to look into it.

9 MR. BRITT:

10 We need to visit this again.

11 MR. HALLACK:

12 Every hearing that we have on
13 violations, the first thing that you get is the
14 notice of hearing. The second thing, the
15 second exhibit that you get, is proof of
16 service of that notice. And so it may not be
17 the actual green card. It may be something
18 that Kim has printed out from USPS saying what
19 the status of that delivery is.

20 MS. MORRIS:

21 Which you can rely upon in an
22 administrative hearing. Like the green card
23 since the pandemic, all of the postal carriers
24 handle them differently. Some of them just
25 write COVID-19 on them. Some of them just

1 put -- like at my office, we have a mail slot
2 and then they will just put it through the mail
3 slot with the green card attached. So a lot of
4 the green cards are not coming back at the rate
5 that they used to, but that doesn't mean it
6 wasn't delivered. But now we have at least on
7 the internet, U.S. Postal Service has a
8 tracking and the carrier is supposed to enter
9 that it was delivered at the address. So
10 whether or not it was personally delivered, is
11 really not the same as what was intended by
12 certified mail.

13 MS. BARON:

14 We had some that come back that said
15 COVID-19.

16 MR. BRITT:

17 Anything you send out nowadays that
18 is important, you better have a tracking number
19 on it.

20 MS. MORRIS:

21 So commercial carriers are a little
22 bit more predictable, but even at times FedEx
23 doesn't do personal delivery either if it's
24 certain weather emergencies, they send out a
25 notice saying we are not doing a signature.

1 That's happened to us on some of the things
2 that we have sent. They notified us we will
3 get a signature in that location so.

4 MS. BARON:

5 And in some places, they won't even
6 deliver to the residents. They will tell you
7 to send it to the nearest FedEx office.

8 MS. MORRIS:

9 We just try to do the best we can to
10 get the people noticed. This is not the goal
11 to have the hearing without them.

12 MR. BRITT:

13 Let's continue to discuss it and we
14 can get with it after the holidays or
15 something. You know, definitely before the
16 next session in case we need to add some
17 language.

18 MR. WATTS:

19 Montie, anything else?

20 Mr. Monroe, anything to add?

21 Our next item, executive director's
22 report.

23 MR. PARNELL:

24 All right. Commissioners, as you
25 know, Ms. Anderson, Mona, she retired. She is

1 still working with us right now while actually
2 an employee of WAE which kind of -- she is
3 limited on her hours that she can work per week
4 and she is at, like, 8 hours a week right now.
5 So I have vigorously been trying to find
6 someone to replace her. We have posted the
7 position -- the accounting supervisor position
8 four times -- three times. One of those
9 occasions, not one person applied for the
10 position. We did kind of combed through all of
11 applicants again. And she and I sat together,
12 Mona and I sat together and we interviewed
13 someone two times. And I feel like that she
14 would be the person that we can bring and get
15 her up to speed to where she needs to be to
16 kind of help our agency move forward. And so
17 I'll probably make an offer to her today. So
18 she can -- I can have in to kind of actually
19 handle the bulk of the day-to-day functions of
20 the accounting department. If you noticed, we
21 didn't have any financials this month; that was
22 primarily why. Because a lot of the roles that
23 she has to play now is to kind of help everyone
24 in the department with only eight hours a week
25 right now.

1 MR. DONNELL:

2 We are not falling behind or nothing,
3 are we?

4 MR. PARNELL:

5 No, we are not. We are not behind at
6 all. It is just I can't have her doing it all
7 right now.

8 MR. BRITT:

9 If that doesn't work out, let the
10 chairman know and maybe he and I and you can
11 have a conversation with Mike Waguespack
12 because he's got a whole pool of information or
13 maybe somebody just retired from his agency
14 that might correct -- that may be looking.

15 MS. MORRIS:

16 The retirees are going to have the
17 same restrictions as Mona has.

18 MR. PARNELL:

19 We run into situations because we are
20 not considered a large agency or a very small
21 agency, but the size of our agency and the way
22 we operate in our accounting department, we do
23 the entire accounting process from top to
24 bottom. Most of the people that come to a
25 state agency, you probably have 20 people in

1 the department. You may be doing one part of
2 one page and I will do the other part of the
3 page. So a lot of people don't kind of
4 understand that we do pretty much operate as a
5 small business with all of the bureaucracy of
6 state government.

7 But I think that's the difference for
8 a lot of people that come from the State and
9 didn't come from the private sector; a lot of
10 people don't really understand.

11 MR. BRITT:

12 What you need is somebody from a
13 parish agency or something that has to do it
14 all because they don't have a lot of people.

15 MR. PARNELL:

16 With that said, hopefully this
17 person --

18 MR. BRITT:

19 Well, hopefully, this one will work
20 out.

21 MR. PARNELL:

22 As you know, we are getting ready to
23 start our renewal period, which is our busiest
24 time of the year. So this be a time that
25 someone new is coming in, but that's okay. It

1 depends on their character if they are really
2 willing to get in and get with us so we can
3 actually get these renewals out within the next
4 two weeks or so. Tonya, she has created the
5 cards that we send out to all of our dealers
6 just to notify them that the renewal period is
7 coming. We have added language on the card
8 this year to describe that we are now doing
9 dealer plates, catalytic licenses as well that
10 will be on those cards that we send out.
11 That's actually surprising, you know, by word
12 of mouth, a lot of dealers plates. We have
13 talked about it and they walk in for other
14 things. We advise them that we can do dealer
15 plates. They will want to go ahead and do it
16 with us or my expectations of that, you know,
17 most of the dealers when they come to submit
18 their license information, we are going to want
19 to go ahead and get everything with us right
20 here in the building. That was a part of the
21 reason why we wanted that aspect of it, but,
22 yes, for the revenue source of it, but also for
23 the convenience of our dealers to be able to
24 get it all in one place. Because normally they
25 would come here, take care of their business

1 and then they will have to go to OMV to take
2 care of everything. So if they are coming in
3 town, they are able to get everything from us.

4 So, right now, Districts 1, 2, and 3,
5 we are going to renew the dealers', their
6 salespersons' license as always. We have that
7 flip. District 4 and 5 are going to renew
8 their salespersons' licenses only.

9 But that's pretty much all that I
10 have. Do you have any questions, comments, or
11 concerns?

12 MR. BROWN:

13 On the converter law, are you
14 going -- are we going to discuss any time about
15 getting some things changed?

16 MR. PARNELL:

17 I think we probably need to start
18 looking at that in January or maybe before that
19 actually. We used to -- for the legislation,
20 we used to have a legislative meeting. A lot
21 of times it was in November or December for the
22 next year's --

23 MS. MORRIS:

24 Before the session.

25 MR. PARNELL:

1 -- session. And so I think we need
2 to really look into doing that because there
3 are a lot of language in there that needs quite
4 a bit of adjustment. But I think that is going
5 to be -- it is going to have to be used
6 reaching out to other agencies as well, law
7 enforcement primarily because they were one of
8 the main ones that was pushing.

9 MR. BRITT:

10 Where are you at at maybe having
11 Monroe and Montie ready to start doing some
12 regional training?

13 MR. PARNELL:

14 I mean, we can do that now actually.

15 MR. BRITT:

16 I don't want us to go through the
17 expense --

18 MR. PARNELL:

19 We can do that whenever.

20 MR. BRITT:

21 -- sending the guys around the state
22 to eight different law enforcement agencies.

23 MR. WATTS:

24 I don't think we can yet, can you?

25 MR. BRITT:

1 I would rather get it right.

2 MR. PARNELL:

3 Get the language right.

4 MR. BROWN:

5 There is just a lot of stuff there.
6 One of the main things that get left is the VIN
7 number and the make and model of the car that
8 the converter comes off of. It is not where it
9 should be.

10 MR. PARNELL:

11 We can be general. We can go out now
12 and discuss what we are providing and we would
13 have to go incredibly general. I don't know
14 what questions will come about that language.
15 That's where are going to have to clean up.

16 MR. BRITT:

17 I think we have to go to the legal
18 laws again if we do it again if we do it right
19 now.

20 MR. PARNELL:

21 I agree.

22 MR. BRITT:

23 That might be a huge expense. I just
24 think as soon as we get it done, we need to
25 come up and look at a map and we come up and

1 you and I can go around to the LSA office first
2 and then, you know, and we go through the map
3 and do some regional training. But how the
4 most important thing would be -- and I think
5 y'all will all agree with me, is the sooner we
6 can get a schedule at the police academies and
7 they pencil in Monroe two hours at the academy
8 in LaFourche and Montie two hours at the
9 academy in Monroe or Alexandria or wherever,
10 and they go and do their deal with these
11 recruits, then in less than 24 months or a
12 year, everybody is going to be trained. It is
13 just going to be something you won't have to
14 deal with again. That's my thoughts.

15 The sooner you can get in the
16 academies, the less you will have to go out to
17 the regional areas.

18 MR. WISENOR:

19 Right now we have been trying to get
20 out to the actual companies that are recycler
21 and dismantlers.

22 MR. BRITT:

23 It is a learning process for
24 everybody.

25 MR. WISENOR:

1 As far as the licensees and the
2 businesses actually are dealing in converters,
3 we are trying to determine what they are doing.
4 Are they buying detached converters? We have a
5 lot of dealers --

6 MR. WATTS:

7 Are they confused?

8 MR. WISENOR:

9 Yes, sir. Because they are saying
10 they don't know or they don't believe that that
11 law applied to them if they -- a dismantler
12 buys a whole vehicle with the converter already
13 attached to it. They are not buying detached
14 converters where people are just bringing in a
15 truckload of converters and buying them. So
16 that's the questions that we talked about and
17 determined -- try to determine how to advise
18 everybody.

19 MR. WATTS:

20 Travis, if I bring you a converter.
21 I want to get rid of some converters. I have
22 got to have paperwork to tell you where it is
23 coming from.

24 MR. BROWN:

25 You have got to have a lot of

1 paperwork.

2 MR. WATTS:

3 A lot of paperwork.

4 MR. BROWN:

5 You have to follow my rules. Mine is
6 different than the state law is.

7 MR. WATTS:

8 I understand your rule. I add a lot
9 more to it than what the state law says.

10 MR. WISENOR:

11 The law just says you have to
12 document the person that's selling it and take
13 pictures of what you are buying. And I think
14 there is a some kind of affidavit or form that
15 you have to have. But it doesn't really
16 specify, like he mentioned, that you have to
17 have a VIN number, year, make, and model of the
18 vehicle that that particular converter comes
19 from. But then in the law it also says if you
20 are in possession of more than one converters,
21 you have to have a license. But some vehicles
22 have three or four converters or six. It just
23 depends on what it is.

24 MR. BROWN:

25 Some have six.

1 MR. WISENOR:

2 Right. They are small. They are in
3 different places in the exhaust system. So
4 that is a contradiction in the law because I
5 might have my personal vehicle. I will cut
6 them all off and I going to sell them. I am
7 going to be in possession of more than one
8 converter, but -- which I think that can be
9 explained and sorted out if that's the case.

10 But that's why I am asking if I came
11 to his facility with ten converters that I
12 bought, I just accumulated from different
13 places, he could buy them but he really doesn't
14 have to require that I show him my license as a
15 convertor purchaser. That's why I think -- and
16 that may be part of the requirements is
17 having -- you have to have the license to be
18 able to sell them. The person buying them has
19 to request that license I would think.

20 MR. BROWN:

21 To sell more than one.

22 MR. WISENOR:

23 To sell more than one, right.

24 MR. BROWN:

25 Off of more than one vehicle.

1 MR. WISENOR:

2 That is what we have to clear up.

3 MR. WATTS:

4 Derek, how do the licenses for these
5 permits come in?

6 MR. PARNELL:

7 For?

8 MR. WATTS:

9 For converters?

10 MR. PARNELL:

11 Walks in. You know, people kind
12 of -- people call and we talk to them about it
13 and then they will come in, you know. I think
14 we put on the -- we sent out a mass email and
15 we also sent out putting it on our website as
16 well to persons of that nature. It is kind of
17 slow. But it's coming, you know.

18 I haven't really been pressing it
19 hard because I want to make sure. We are very
20 solid on what we are telling people to do. A
21 lot of people that are coming in for the most
22 part now are basically saying I need to get a
23 converter license. So walk on in and there is
24 a cost associated with it.

25 MR. WISENOR:

1 Also, did we address that
2 out-of-state people that are coming through
3 buying convertors even though they may have a
4 license at their own state?

5 MR. WATTS:

6 They have to be licensed here, right?

7 MR. PARNELL:

8 That doesn't really address that.

9 MR. WISENOR:

10 It doesn't address that.

11 MR. BROWN:

12 All of the other states are not
13 honoring it. If you buy in Mississippi, you
14 have to have a license in Mississippi. If you
15 buy in Texas, you have to have a license in
16 Texas.

17 MR. PARNELL:

18 So that's kind of what I said, you
19 know. If someone from Texas comes to Louisiana
20 to buy, I will say you have to have a license.

21 MR. WATTS:

22 You have to have a license from
23 there.

24 MR. PARNELL:

25 In that state that you are performing

1 the transaction and the sale is taking place.
2 That's what I have been saying.

3 MR. BROWN:

4 There is a difference in people
5 buying them and then people are going to buy
6 them from those guys. If I am buying, I still
7 have a guy from out of state coming in and
8 buying them from me because there are no
9 decanters in Louisiana. They are in Tennessee
10 and Texas and all of that.

11 I don't think our EPA laws even allow
12 them to decanter in the state. That's just --
13 you have to have a pretty good facility to do
14 what they are doing.

15 MR. PARNELL:

16 To do all of that.

17 MR. WATTS:

18 With that being said, Derek, are you
19 done?

20 MR. PARNELL:

21 I am.

22 MR. WATTS:

23 Items for the next agenda.

24 MR. PARNELL:

25 I did want to ask one thing. To

1 amend the agenda. I meant to do this earlier
2 to delete one of the hearings. Jose Matamoros,
3 with Matamoros Automotive, LLC, recently
4 acquired counsel. And she asked that we give
5 them a continuance so she has time to prepare
6 for the case.

7 MS. MORRIS:

8 Did we give her the date of the
9 November meeting?

10 MS. BARON:

11 I told her I would let her know when
12 it was rescheduled.

13 MS. MORRIS:

14 Okay. So that will be in November.

15 MR. PARNELL:

16 Yes.

17 MR. WATTS:

18 All right. Do you want to take a
19 little recess here before the hearing?

20 (Recess taken.)

21 MR. WATTS:

22 We are back in our regular meeting.

23 MS. MORRIS:

24 We need a motion to reconsider the
25 motion to move the November meeting date and it

1 is now rescheduled to the 14th of November.
2 Correct, Commissioner Britt?

3 MR. BRITT:

4 Whatever she said, November 14th.

5 MR. HINES:

6 I second it.

7 MS. MORRIS:

8 Any objection?

9 MR. WATTS:

10 No objections here.

11 MS. MORRIS:

12 So the November meeting will be
13 November 14. So for the November meeting,
14 everybody needs to be notified that it is the
15 14th of November.

16
17 (Meeting adjourned at 10:38 a.m.)
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REPORTER'S CERTIFICATE

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3 I, BETTY D. GLISSMAN, Certified Court

4 Reporter, Certificate No. 86150, in and for the

5 State of Louisiana, do hereby certify that the

6 Louisiana Used Motor Vehicle Commission October

7 17, 2022, meeting was reported by me in the

8 stenotype reporting method, was prepared and

9 transcribed by me or under my personal

10 direction and supervision, and is a true and

11 correct transcript to the best of my ability

12 and understanding.

13 November 8, 2022, Baton Rouge, Louisiana.

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21 BETTY D. GLISSMAN, CCR

22 CERTIFIED COURT REPORTER

23

24

25

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