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LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
June 17, 2019
BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

MR. JOHN POTEET

4

5 COMMISSIONERS PRESENT:

MR. JEFFEREY BRITT

6

MR. TONY CORMIER

7

MR. RICKY DONNELL

8

MR. GEORGE FLOYD (arrived late)

9

MR. STEPHEN OLAVE

10

Mr. MATTHEW PEDERSON (arrived late)

11

MR. HENRY "DARTY" SMITH

12

MR. DINO TAYLOR

13

MR. RICHARD WATTS

14

15

16

17

18

REPRESENTING THE LOUISIANA USED MOTOR

19

VEHICLE COMMISSION:

20

21

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

22

23

24

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

25

1 ALSO PRESENT:

2 MS. KIM BARON

3 MR. DEREK PARNELL

4 MS. MONA ANDERSON

5 MS. TONYA BURKS

6 MS. STACY GAUDIN

7 MR. MONTIE WISENOR

8 MR. PERRY ESPONGE

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1 (Pledge of Allegiance)
2 MR. POTEET:
3 Kim, roll call, please.
4 MS. BARON:
5 John Poteet?
6 MR. POTEET:
7 Here.
8 MS. BARON:
9 George Floyd?
10 MR. FLOYD:
11 (No response.)
12 MS. BARON:
13 Tony Cormier?
14 MR. CORMIER:
15 Here.
16 MS. BARON:
17 Matthew Pederson?
18 MR. PEDERSON:
19 (No response.)
20 MS. BARON:
21 Richard Watts?
22 MR. TAYLOR:
23 Here.
24 MS. BARON:
25 Steve Olave?

1 MR. OLAVE:
2 Here.
3 MS. BARON:
4 Ricky Donnell?
5 MR. DONNELL:
6 Here.
7 MS. BARON:
8 Darty Smith?
9 MR. SMITH:
10 Here.
11 MS. BARON:
12 Dino Taylor?
13 MR. TAYLOR:
14 Here.
15 MS. BARON:
16 And Jefferey Britt?
17 MR. BRITT:
18 Here.
19 MS. BARON:
20 Mr. Chairman, we have a quorum.
21 MR. POTEET:
22 Thank you.
23 Anyone here today for public
24 comments?
25 (George Floyd enters the room.)

1 MS. BARON:

2 Let me check. There was supposed to
3 be somebody coming. Let me check. It appears
4 not.

5 MR. POTEET:

6 Okay. Thank you.

7 All right. We -- hopefully, everyone
8 had a chance to read the minutes from the last
9 meeting. I need adoption -- approval of that.

10 MR. OLAVE:

11 I make a motion we approve the
12 minutes.

13 MR. SMITH:

14 I second.

15 MR. POTEET:

16 All in favor, say, "Aye."

17 (All "Aye" responses.)

18 MR. POTEET:

19 Any opposed?

20 (No response.)

21 MR. POTEET:

22 The motion carries.

23 Next is financial matters. Mona, are
24 you ready?

25 MS. ANDERSON:

1 So if you turn in your binders to the
2 financial statement for the month ending May
3 31, 2019. On page 1, the statement of net
4 position, the total cash in the bank was
5 \$2,241,669. Accounts receivable was \$236,089.
6 There was no change in the non-current assets
7 and the current liabilities at the bottom of
8 the page were \$48,713.

9 On page 2, the deferred revenues for
10 2020 were \$273,455. Turning on to page 3,
11 statement of revenues, expenses, and changes in
12 net position, the year-to-date revenues were
13 \$1,440,068. And on pages 4 and 5 are the
14 expenditures. They were normal expenditures.
15 And on page 5 at the bottom of the page, the
16 expenditures totaled \$1,213,130. Year-to-date
17 net position at the bottom of that page is
18 \$226,938 compared to \$216,056 last year.

19 Page 6 is a four-year comparison of
20 revenues. Revenues for 2018 in column 1 were
21 -- the fee revenue was down slightly from the
22 fiscal year -- the comparable fiscal year of
23 2016/17 and there's a graph of that chart on
24 page 7. Page 8 is the year-to-date budget to
25 actual expenditures. Page 9 is the certificate

1 of deposit summary. There were no changes in
2 May.

3 And page 10, the accounts receivable
4 hearings report, the fines of \$16,400 were
5 assessed and the same amount was collected in
6 payments. The balance at the end of May on the
7 -- page 11 was \$236,089.

8 And unless there are any questions,
9 Mr. Chairman, that concludes my report on the
10 financial statements.

11 MR. POTEET:

12 All right. Does anybody have any
13 questions?

14 (No response.)

15 MR. POTEET:

16 I need a motion to approve.

17 MR. BRITT:

18 I make a motion.

19 MR. POTEET:

20 Mr. Britt.

21 MR. OLAVE:

22 Second.

23 MR. POTEET:

24 Second by Mr. Olave.

25 All in favor, say, "Aye."

1 (All "Aye" responses.)

2 MR. POTEET:

3 Any opposed?

4 (No response.)

5 MR. POTEET:

6 All right.

7 (Matthew Pederson enters the room.)

8 MR. POTEET:

9 Are we going to -- are we going to
10 talk about the proposed budget amendments here
11 or?

12 MS. ANDERSON:

13 Yes, sir.

14 MR. POTEET:

15 Okay. Let's go ahead with that.

16 MS. ANDERSON:

17 Next in your binder is the -- are the
18 proposed budget amendments for the 2018/19
19 fiscal year. That budget was prepared in
20 October of 2017. So the budget amendments are
21 primarily to move money among the various line
22 items of the budget. There was no increase in
23 the total budgeted expenditures this year. So
24 funds were transferred -- if you'll note in the
25 salaries line item, funds were transferred from

1 the office salaries to the field salaries and
2 we added additional health insurance in the
3 health insurance for the field. At the time
4 the budget was made, we did not know what
5 elections new employees would take. So we were
6 under budget there. Vehicle maintenance on the
7 second page was increased due to repairs that
8 were required and vehicle supplies, which is
9 our fuel also increased. Additional funds were
10 added for the telephone expense due to the
11 replacement of our outdated system and we're
12 proud to say that that new system has been
13 implemented. The net result was no change in
14 expenses for the budget.

15 So unless there are any questions,
16 Mr. Chairman, that concludes my presentation on
17 the budget amendments.

18 MR. POTEET:

19 All right.

20 MR. TAYLOR:

21 I make a motion we approve the budget
22 amendments.

23 MR. WATTS:

24 I second.

25 MR. POTEET:

1 Second Mr. Watts.

2 All in favor, say, "Aye."

3 (All "Aye" responses.)

4 MR. POTEET:

5 Any opposed?

6 (No response.)

7 MR. POTEET:

8 All right. I have to say -- I've got
9 to make a comment here that legal was down
10 \$7,000. Glen Robinson would be proud.

11 Next on our agenda is the
12 ratification of imposed penalties. Derek.

13 MR. PARNELL:

14 Yes. Commissioners, you will find in
15 your packet a chart that illustrates the
16 licensees that have -- their license has been
17 revoked. Please note that each person on the
18 licensee list has gone through the revocation
19 process.

20 Once again, I will announce the names
21 of the licensees and have them revoked -- for
22 the record, so it will be on the record about
23 the licensees that were revoked.

24 Do we have anyone present?

25 MS. BARON:

1 I'll just check. I don't think so.

2 Let me check. No, sir.

3 MR. PARNELL:

4 First of all, this is Sherman
5 Ashworth, doing business as Ashworth Motors,
6 from Oakdale, Louisiana, which fine amount was
7 \$1,400. Miami Auto Sales, Incorporated, from
8 Lafayette, Louisiana, fine amount is \$1,000.
9 Elizabeth Rane, doing business as Cheap Cars,
10 LLC, from Baton Rouge, Louisiana, fine amount
11 is \$300. Acadianawholesale.com, LLC, doing
12 business as Acadianawholesale.com, from New
13 Iberia, Louisiana, fine amount is \$250. Turbo
14 Motors, Incorporated, from Baker, Louisiana,
15 fine amount is \$1,000. Commissioners, I ask
16 that you ratify the revocation of the dealers.
17 I have imposed penalties -- imposed penalties
18 of \$3,950. And, Commissioners, I ask that you
19 ratify the imposed civil penalties just
20 reviewed.

21 MR. POTEET:

22 I need a motion.

23 MR. CORMIER:

24 I make a motion.

25 MR. POTEET:

1 Motion Mr. Cormier.

2 MR. BRITT:

3 Second.

4 MR. POTEET:

5 Second from Mr. Britt.

6 All in favor, say, "Aye."

7 (All "Aye" responses.)

8 MR. POTEET:

9 Any opposed?

10 (No response.)

11 MR. POTEET:

12 Okay. Speaking of revocations.

13 MR. PARNELL:

14 All right. Commissioners, you will
15 also find an additional chart that illustrates
16 the licensees whose licenses have been revoked.
17 I will announce the names as well. Being that
18 no one is here present, I'll go forward with
19 the list. ATAR Auto Sales, LLC, from New
20 Orleans, Louisiana, revocation date is 1/1 of
21 '19. American Auto Sales, LTD, from Slidell,
22 Louisiana, revocation date is 1/1 of 2019.
23 Automotive Consultants of Baton Rouge,
24 Louisiana, LLC, revocation date is 1/1 of '19.
25 Baker & Rodrigue Auto Brokers, LLC, from Denham

1 Springs, revocation date is 1/1 of 2019. BC
2 Auto, LLC, from Belle Chasse, Louisiana,
3 revocation date is 1/1 of 2019. Best Muffler,
4 LLC, doing business as Best Auto Sales, from
5 Baton Rouge, Louisiana, fine amount [sic] is
6 1/1 of 2019. Bill's Used Auto Parts,
7 Incorporated, from New Orleans, Louisiana, fine
8 amount -- I mean, revocation date is 1/1 of
9 2019. Gary M. Watson, doing business as Larose
10 Auto Repair, from Larose, Louisiana, revocation
11 date is 1/1 of 2019. Johnson Family Auto
12 Sales, LLC, from Amite, Louisiana, revocation
13 date is 4/4 of 2019. Premier Auto Sales,
14 Incorporated, from Slidell, Louisiana,
15 revocation date is 3/9 of 2019. Prominent
16 Motors, LLC, from Baton Rouge, Louisiana,
17 revocation date is 1/1 of 2019. Stevens Body &
18 Fender, Incorporated, from New Orleans,
19 Louisiana, fine amount is 1/1 of 2019.
20 Commissioners, I ask that you ratify the
21 revocation of dealers I just announced.

22 MR. OLAVE:

23 I make a motion, Mr. Chairman, we
24 accept the ratification.

25 MR. SMITH:

1 I'll second.

2 MR. POTEET:

3 Second Darty.

4 All in favor, say, "Aye."

5 (All "Aye" responses.)

6 MR. POTEET:

7 Any opposed?

8 (No response.)

9 MR. POTEET:

10 All right. Next on the agenda would
11 be the Executive Director's report.

12 MR. PARNELL:

13 Commissioners, you'll find the
14 alleged issue count report. Total alleged
15 issues for the month of May was 132 alleged
16 issues. The next document that you will find
17 is the case report. The case report
18 illustrates the amount of cases that were
19 assigned to the compliance investigators during
20 the month. That month showed 59 cases were
21 assigned. Eight of those cases were closed.
22 51 of those cases still remain open. The next
23 document is the total number of cases that were
24 closed in the month of May. There's 22 cases
25 that were closed. Once again, we just notified

1 you-all that we did finalize the upgrade on our
2 phone system. It's really working really well
3 for us. We've still got a lot of learning to
4 do with it, because it's kind of -- well, it's
5 not too complicated, but it's a lot to do.

6 And so one thing I did want to bring
7 up with you-all was, I did get a phone call
8 from Office of Motor Vehicles, Jill Jarreau.
9 She reached out to me and she sent an email as
10 well to Lessie House, who is my counterpart
11 with the New Car Commission. And what her
12 concern was, she's -- they're -- Office of
13 Motor Vehicle is looking at some possible
14 legislation for next year for the amount of
15 dealer plates that a used car dealer can
16 possess. Currently, there is no limit to the
17 amount of dealer plates that they can possess.
18 What -- I will say about seven or eight years
19 ago, there was talk of legislation that was --
20 there was legislation that was drafted and they
21 got a lot of push back from the new car
22 dealerships. It was Bob Israel, I think it
23 was, at the time. They kind of pushed back on
24 limiting the amount of plates that a dealer
25 could get. So they kind of -- that bill kind

1 of died out.

2 But what's happening now is that
3 we're finding that a lot of these dealers -- we
4 have some dealers -- what prompted her and made
5 her look at it, they had one dealer, she looked
6 in the system, he had 86 plates and he was
7 walking in there trying to buy 25 more. And so
8 we've been getting a lot of calls. Our
9 investigators have been getting a lot of calls.
10 We've got a lot of dealer plates -- Louisiana
11 dealer plates ended up in New Jersey on
12 ambulances and all kind of various things.

13 So my thought is -- what she's asking
14 right now, she wants to know what would the
15 limit be and what would the criteria of the
16 plates -- the amount of plates that a dealer
17 could have. I wanted some input from you-all
18 before I responded back to her. So just to see
19 what your thoughts are.

20 MR. POTEET:

21 Anybody who's a dealer in here want
22 to talk about that?

23 MR. DONNELL:

24 I mean, that's really the size of the
25 dealer, you know.

1 MR. OLAVE:

2 If you start regulating it and you
3 start talking about how many cars are selling,
4 how big the -- I think you've got a nightmare
5 as far as how you would regulate something like
6 that. I could see dealers needing a few. I
7 could see a dealer needing more, but we
8 definitely don't need a dealer with 86 of them,
9 I don't believe, you know.

10 MR. BRITT:

11 There has to be some accountability.

12 MR. OLAVE:

13 Agreed.

14 MR. BRITT:

15 And looking it from a different view
16 probably than what you guys look at it from,
17 because I've been there in the middle of the
18 night stopping a car with dealer tags and the
19 guy driving the car is nowhere close to being a
20 car dealer. So my point is, there just has to
21 be some accountability on something that
22 there's never been accountability for. It's
23 been kind of a Car-Block's thing, you know.
24 The truth is, Donnell and I have been friends
25 for 40 years. If I wanted to get my salesman

1 license years ago, I could have been buying a
2 vehicle through him and running dealer tags on
3 it and -- you know, I mean -- and that happens,
4 you know. So I guess what I'm saying is,
5 anything gets abused and I think it's finally
6 beginning -- it's a statewide problem and
7 everybody is seeing it now. So there's going
8 to have to be an equal regulation between both
9 commissions. There's got to be some give and
10 take on both sides, but there's got to be a way
11 to get the accountability part. And even if
12 it's so much as the DMV, when that plate is
13 assigned, having the accountability of who it's
14 assigned to and, you know, it's just got to
15 come up. And we've got some time to get a team
16 together to come up with some ideas, but
17 there's got to be some accountability, I mean.

18 MR. POTEET:

19 What exactly -- I mean, what exactly
20 is a dealer plate for? Let's start with that.

21 MR. HALLACK:

22 Well, the Office of Motor Vehicle
23 regulations say that the purpose for the
24 one-year dealer plate is for demonstration.

25 MR. POTEET:

1 Okay.

2 MR. HALLACK:

3 And I think Kim is pulling it up.

4 MR. POTEET:

5 So the -- so the basic idea would be
6 -- if we had something like that and start it
7 from scratch, the basic idea would be you would
8 need enough plates for, at the most, every car
9 you have in inventory.

10 MR. HALLACK:

11 I would --

12 MR. DONNELL:

13 No, no.

14 MR. POTEET:

15 Wait, wait, wait, I'm saying at the
16 high end. You would need a plate for every car
17 in inventory. That would be the most you would
18 ever need. So if you're kind of looking at a
19 -- you know, this is zero and this is 1,000
20 plates, based on how many cars you have, we
21 need something that's sort of -- back to
22 Jefferey's point, we need some kind of
23 accountability, you know. I'm not sure that
24 it's the number of plates, but how you assign
25 the plates, and then the follow-up on the

1 accountability. I mean, to me, you know, I can
2 see where somebody could steal a plate, but
3 when you stop somebody and they obviously
4 shouldn't have a plate, there should be a fine
5 that goes to the plate.

6 MR. BRITT:

7 Yes, yes.

8 MR. HALLACK:

9 See, under our law, there is no
10 violation for misuse of the one-year dealer
11 plate.

12 MR. POTEET:

13 Right.

14 MR. HALLACK:

15 There is a violation for misuse of a
16 temp tag and there is a violation for misuse of
17 the five-day plate. But there is no violation
18 under our law for the one-year hard plate.

19 MR. POTEET:

20 Well, I would ask the guys in the
21 room that are actual dealers: What would be
22 your idea to regulate this or what would be
23 something to do? I mean.

24 MR. OLAVE:

25 I don't really know many dealers. I

1 mean, my experience is, I don't know many
2 people that put five-day tags or dealer tags on
3 a vehicle before they demo. Some do. But, I
4 mean, for the most part, you know, they don't
5 use those tags for that. So I think most of
6 the dealer tags I've seen are for personal
7 vehicles or, you know, driving their own
8 inventory.

9 MR. POTEET:

10 Well, I had a -- I had a situation
11 with one of my -- one of my managers -- I
12 walked out and saw his car. It had a dealer
13 plate on it. I went back in and I said, why do
14 you have a dealer plate on your car? Oh, you
15 know, so and so said I can use that plate.
16 I'm, like, take that plate off your car. I
17 said that's a violation. And this is somebody
18 that, you know, it just didn't occur to him. I
19 mean, they were, like, oh, somebody has got a
20 plate they said that I can use, I can use it.
21 Now, that's one of my managers. I was
22 appalled.

23 MR. CORMIER:

24 And the liability of the dealer, they
25 just don't realize what they're doing.

1 MR. BRITT:

2 Well, I had one of the troopers call
3 me the other day. Did you talk -- did they
4 call you about that?

5 MR. WISENOR:

6 Yes, sir. I gave him the law that --

7 MR. BRITT:

8 What was his complaint? I mean.

9 MR. WISENOR:

10 He just wanted to know how they could
11 be used, at what point -- you know, at what
12 time. Was there any limitation on the time
13 period during the day that they could be used,
14 and I just referred him to the law.

15 MR. BRITT:

16 Yes, because he -- because this
17 particular guy has got these cars out that he's
18 financing and he's putting dealer tags on them,
19 I think is what he's -- what he's ultimately
20 doing.

21 MR. OLAVE:

22 Like, buy here, pay here cars?

23 MR. BRITT:

24 They own the wrecker yard. They own
25 this and they own that and a car lot and he's

1 just got everybody -- I bet -- Ricky, I bet by
2 law you can stop by there this evening and get
3 a tag put on, on your way back home. I mean,
4 that kind of stuff is -- that's why this has
5 kind of got to be -- it needs to be nipped out
6 of the bud and get some regulation.

7 MR. HALLACK:

8 I mean, we also have a situation
9 where --

10 MR. OLAVE:

11 Is there a way -- is there a way to
12 determine, like, what dealers have gotten the
13 most tags, and then, maybe, go visit OMV?

14 MR. PARNELL:

15 OMV -- yes, OMV would have --

16 MR. OLAVE:

17 I mean, maybe, that's a good starting
18 point.

19 MR. WATTS:

20 Do we know how many dealer plates or
21 is that just DMV?

22 MR. PARNELL:

23 Yes. We don't have anybody policing
24 that.

25 MR. POTEET:

1 You know, if somebody has got 100
2 dealer plates and they've got 10 cars in
3 inventory --

4 MR. PARNELL:

5 We saw one on sale online --

6 MR. POTEET:

7 Dealer plates?

8 MR. PARNELL:

9 -- selling dealer plates.

10 MR. DONNELL:

11 I don't know what this has to do with
12 anything, but I was at an LADA meeting about
13 three months ago and Will Green was telling us
14 that the Department of Revenue is after some of
15 these new car dealers for use tax. And I don't
16 know if they're trying to track it by dealer
17 plates or what it's going to be. But it was
18 some pretty big tax bills. And they had some
19 legislation in it. I don't think it went
20 anywhere, but it's coming back next year.

21 MR. HALLACK:

22 We have four dealers who all they did
23 was sell dealer plates. They had no vehicles
24 out for display for sale. One was an empty
25 building.

1 MR. OLAVE:

2 Can we look at the dealer tag that's
3 for sale, and then cross-reference it with who
4 had the tag?

5 MR. HALLACK:

6 Well --

7 MR. OLAVE:

8 And then -- and then, I mean.

9 MS. BARON:

10 OMV does.

11 MR. HALLACK:

12 Office of Motor Vehicles doesn't want
13 to regulate it, for whatever reason, and it
14 doesn't come under our law, because it's a
15 nuisance. So, I mean.

16 MR. BRITT:

17 Well, they're the ones that came to
18 you, though.

19 MR. PARNELL:

20 Yes, yes. I think now --

21 MR. BRITT:

22 They want our input.

23 MR. PARNELL:

24 -- it's more of a national concern
25 now. I believe at this point, they're going to

1 have to start.

2 MS. MORRIS:

3 When their license is revoked, we
4 have a -- we make a list and send it to Stacey
5 Hoyt and another person at Motor Vehicle and
6 they're supposed to revoke those plates.

7 MR. POTEET:

8 That would be a question I would have
9 for people in law enforcement. Do you -- like,
10 when you stop somebody, you run their plate,
11 right?

12 MR. BRITT:

13 Oh, yes.

14 MR. POTEET:

15 So do you ever come up with dealer
16 plates that are no longer valid or?

17 MR. BRITT:

18 Oh, I've seen that in the -- back in
19 the old days.

20 MR. POTEET:

21 So that --

22 MR. BRITT:

23 Today's technology is way better than
24 what it was in my day, but aren't dealer plates
25 non-published plates?

1 MR. ESPONGE:

2 No. They'll come back to the
3 dealership.

4 MR. BRITT:

5 They'll come back to the dealership.

6 MR. WISENOR:

7 Well, at one time, they were not --
8 well, you couldn't even --

9 MR. BRITT:

10 They were kind of like a no record
11 found plate.

12 MR. DONNELL:

13 No record found.

14 MS. BARON:

15 Yes, but we can't --

16 MR. WISENOR:

17 But, now --

18 MR. CORMIER:

19 You get a registration with it now
20 showing your name on it.

21 MR. BRITT:

22 Do we get a notice of -- all right,
23 say, I don't know, somebody's used car lot in
24 here, do you get a -- with their paperwork, do
25 y'all get a notice of how many tags they've

1 been issued?

2 MS. BARON:

3 No.

4 MR. ESPONGE:

5 No. We have to call Office of Motor
6 Vehicles.

7 MR. BRITT:

8 See, that's one thing that needs to
9 be -- I would think that would benefit
10 everybody. If they pre-apply for a used car
11 license and I want 15 dealer tags -- used
12 dealer tags, then those dealer tag numbers
13 ought to be in a database for you to retrieve
14 or for these guys to be able to retrieve like
15 this instead of all the reaching out that they
16 have to do.

17 MS. BARON:

18 I called the Office of Motor Vehicles
19 the other -- I called the Office of Motor
20 Vehicles the other day, because we had a dealer
21 that had 68, 67 tags. He had canceled 15 of
22 those, but he still had, you know, a lot more
23 than he should. And he had not made one sale
24 the whole year. So he wasn't selling cars, but
25 he was just wanting these plates.

1 MR. WATTS:

2 Renting them out.

3 MS. BARON:

4 Yes. And I -- so I contacted them
5 and asked them, you know, just a heads up, you
6 know, we haven't revoked -- we have put a
7 five-day revocation, but it wasn't for that.
8 It was something else. And they came in and
9 fixed that part. So we -- the five-day
10 revocation became invalid, because they fixed
11 whatever was wrong with that. And she said --
12 their reply to me was that we cannot deny them
13 if they come in to get plates. No matter how
14 many they already have, we cannot deny them.

15 MR. OLAVE:

16 Yes, because there's no rules.

17 MS. BARON:

18 Yes. There's no rule in place.

19 MR. OLAVE:

20 Right, right.

21 MS. BARON:

22 There's no rule in place.

23 MR. BRITT:

24 And I guaranty you, that guy you're
25 talking about, he had a dealer tag on his RV.

1 He had a dealer tag on his pickup, his wife's
2 vehicle and his vehicle, not to mention his
3 four-wheeler.

4 MS. BARON:

5 She was asking if we could revoke or
6 suspend him, so they could give a reason why
7 they couldn't, you know, do anything. And I
8 said, well, we've been contacted by the state
9 police.

10 MR. POTEET:

11 It sounds to me like they want us to
12 regulate their --

13 MS. BARON:

14 They do.

15 MR. BRITT:

16 We need the revenue, too, for the
17 plates.

18 MR. TAYLOR:

19 Robert, if we adopt some of their
20 language, part of their language, and we have a
21 trigger that if they have over X amount that we
22 go investigate that dealer, and if we've
23 adopted what the usage of the plate is for and
24 they're violating that, then we can regulate
25 it. And that way, we're not worried about what

1 a number is. I've got 57 employees. I only
2 have 15 plates. Three of them are spouse --
3 two -- just recently, it's two spouse plates.
4 Robert, can we -- is that --

5 MR. HALLACK:

6 It's a three word change. It's an
7 amendment that has three words. All you've got
8 to do is add the one-year dealer plate to the
9 misuse statute. That's all you've got to do.

10 Now, of the four guys that we found
11 out who are doing nothing but selling these
12 plates, once we saw them and saw that the
13 dealership was non-existent, we immediately
14 revoked their license. So the four people that
15 were selling plates only, they were all
16 non-resident. They were -- they had, like I
17 said, no vehicles up for display. So the sole
18 purpose for their existence was to buy and sell
19 plates. So once we found them and realized
20 what they were doing, their license got revoked
21 and they couldn't get another one.

22 MR. OLAVE:

23 They had to -- they had to pass
24 inspection, though, to get the license to begin
25 with, right?

1 MR. HALLACK:

2 They would have a store front and a
3 sign and everything to get it, but they never
4 bought any vehicles. They never sold any
5 vehicles. So the other huge problem that we
6 have is that we have one dealer who was letting
7 his kid ride around on his dealer plate, a
8 teenager, and the teenager was in a wreck and
9 killed somebody. Well, the garage liability
10 insurance would not apply, because he had an
11 exclusion for anybody less than 21. But that's
12 the reason why they get the dealer plates, is
13 because of the cheap insurance, the garage
14 liability insurance.

15 MR. CORMIER:

16 Did we try to check to see what the
17 other states do, see how they handle the dealer
18 plates?

19 MS. BARON:

20 We've never really looked into that.

21 MR. HALLACK:

22 But we do have pictures --

23 MS. BARON:

24 You know, they didn't want to do
25 anything about putting a hiatus on it. So we

1 just were, like, okay, you know, because, I
2 mean, it's their law, their rule.

3 MR. PARNELL:

4 And the Jersey state police have
5 pictures and talked about there was an
6 ambulance in Jersey with a Louisiana dealer
7 plate.

8 MR. POTEET:

9 Well, I guess -- I guess, you know,
10 for our part, when you get to your summit
11 meeting with these guys, I guess would be to
12 say, so what do you want us to do? We could
13 suggest something like Dino was saying, which
14 is we put it into our statute, and then we can
15 use it to, you know, get people in violation.

16 I mean, what do you guys think back
17 there?

18 MR. WISENOR:

19 During the seminar whenever anybody
20 asks is a dealer required to pay how many tags,
21 I always tell them to go to their insurance
22 company, because a lot of times, they will
23 advise how many they recommend. Now, I'm not
24 -- that doesn't always make it better. But
25 that's where -- a lot of the calls, too, is

1 liability. They don't want all these tags
2 floating around out there. That's more
3 liability, I would think, but.

4 MR. ESPONGE:

5 My opinion is, one tag per licensed
6 salesperson is reasonable to me.

7 MR. WISENOR:

8 Well, at one time, you had to have a
9 salesman license to even operate under -- which
10 is -- according to the way the law reads, a
11 licensed sales representative can use that tag
12 for any purpose. So I think that may still
13 apply somewhat, but it just depends on how
14 they're being used.

15 MR. PARNELL:

16 And that language about seven or
17 eight years ago is kind of -- it was exactly
18 what Perry just said. It really dealt with how
19 many sales -- licensed salespersons you had,
20 the amount of dealer plates you can have. But,
21 again, that legislation went away, so.

22 MR. BRITT:

23 Who made that go away? The New Car
24 Commission didn't like it?

25 MR. PARNELL:

1 LADA. From what she explained to us,
2 Bob Israel, who was the --

3 MR. POTEET:

4 LADA lobbied against it.

5 Any other comments? Do we have any
6 more questions, Derek?

7 MR. PARNELL:

8 No. But if y'all have any -- what
9 I'll do is, I'll just reach out and have a
10 conversation -- start the conversation process
11 and see what thoughts they're thinking about.

12 MR. POTEET:

13 It would be interesting to see what
14 the New Car Commission thinks since it was the
15 LADA that lobbied against the last time it was
16 tried.

17 MR. PARNELL:

18 Commissioners, we are on the last
19 pages right now of finalizing access to the
20 Office of Motor Vehicles site. So we set up a
21 computer in the back and are kind of in a
22 battle right now to get it set up properly. So
23 we --

24 MR. BRITT:

25 Now, will the guys have access to

1 everything?

2 MR. PARNELL:

3 Not everything, no.

4 MR. BRITT:

5 Okay.

6 MR. PARNELL:

7 No. That was -- we had to sign
8 saying that it couldn't be in a mobile setting,
9 you know, because of the confidential
10 information that we will have access to. So
11 we'll have -- two persons here in the office
12 that had to get a federal drug screen and all
13 that stuff, a federal background check. And so
14 they don't have access to it. It will be Kim,
15 and me, and Tonya, so.

16 MR. BRITT:

17 So the guys in the field will call in
18 to you.

19 MR. PARNELL:

20 All right. Well, that's all I have.

21 MR. POTEET:

22 All right. Well, I guess at this
23 point, we're ready to adjourn, and then come
24 back in a few minutes to do our hearings,
25 right.

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(Meeting adjourned at 10:01 a.m.)

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 June

7 17, 2019, 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 July 5, 2019, Baton Rouge, Louisiana.

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BETTY D. GLISSMAN, CCR

22 CERTIFIED COURT REPORTER

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