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LOUISIANA USED MOTOR VEHICLE COMMISSION  
STATE OF LOUISIANA

REGULAR MEETING  
JANUARY 23, 2023  
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

5 COMMISSIONERS PRESENT:

MR. TRAVIS BROWN

6

MR. JEFFEREY BRITT

7

MR. RICKY DONNELL

8

MR. GEORGE FLOYD

9

MR. ROBERT "BOBBY" HINES

10

MR. MATTHEW PEDERSON

11

MR. WYNDETTE WILLIAMS

12

13

14

15

REPRESENTING THE LOUISIANA USED MOTOR

16

VEHICLE COMMISSION:

17

18

ROBERT W. HALLACK, ESQUIRE

HALLACK LAW OFFICE

13007 JUSTICE AVENUE

BATON ROUGE, LOUISIANA 70816

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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

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

1 MS. BARON:  
2 Jefferey Britt?  
3 MR. BRITT:  
4 Here.  
5 MS. BARON:  
6 Ricky Donnell?  
7 MR. DONNELL:  
8 Here.  
9 MS. BARON:  
10 Travis Brown?  
11 MR. BROWN:  
12 Here.  
13 MS. BARON:  
14 Robert Hines?  
15 MR. HINES:  
16 Here.  
17 MS. BARON:  
18 Wydette Williams?  
19 MR. WILLIAMS:  
20 Here.  
21 MS. BARON:  
22 Mr. Chairman, we have a quorum.  
23 MR. WATTS:  
24 Good deal. Anybody for public  
25 comments?

1 MS. BARON:

2 No, sir.

3 MR. WATTS:

4 The adoption and approval of the  
5 minutes from the November meeting.

6 MR. WILLIAMS:

7 I make a motion.

8 MR. DONNELL:

9 So move.

10 MR. WATTS:

11 Mr. Donnell, is that a second?

12 MR. DONNELL:

13 Second.

14 MR. WATTS:

15 Items for discussion.

16 MR. PARNELL:

17 Chairman Watts, if I may make a  
18 request for amending the agenda to add Item E  
19 under D, ratification of imposed penalties.  
20 The policy and procedure licensing renewal.  
21 Also, under legal matters, Item B, an appeal.

22 MR. WATTS:

23 What's under legal?

24 MR. PARNELL:

25 The appeal.

1 MR. WATTS:

2 All right.

3 MS. MORRIS:

4 Kandice Burnett.

5 MR. PARNELL:

6 Kandice Burnett.

7 MR. DONNELL:

8 Do we want to handle the other part  
9 now and do it in public?

10 MR. PARNELL:

11 That's why I just amended the agenda.

12 MR. WATTS:

13 It's been put on the agenda.

14 MR. PARNELL:

15 Add as E.

16 MR. WATTS:

17 Financial matters.

18 MR. PARNELL:

19 All right. The Louisiana legislative  
20 auditor for fiscal year '21/'22. In a normal  
21 year, the Louisiana legislative fiscal audit is  
22 due September 31. Typically our auditor has  
23 been John McKowen. He represented us for many  
24 years presenting his findings to the  
25 Commission.

1           But this past year, it was quite  
2 different and we were not prepared to have the  
3 auditor conduct the audit in 2022. We needed  
4 additional time. We advised him that we would  
5 be requesting an extension from the legislative  
6 auditor. And so he declined actually moving  
7 forward with doing the scheduled audit because  
8 he had a scheduling conflict.

9           Upon the request of extension from  
10 the legislative auditor, we were approved to  
11 have the extension which extended our time  
12 frame to March 31 of 2023. What that meant  
13 from the -- we had to go out to the legislative  
14 auditor's approved auditor listing to submit  
15 some requests for bids for three potential  
16 auditors. We chose an auditor TWRU CPA and  
17 Financial Advisor firm. That audit is  
18 currently underway. It should be completed and  
19 the findings submitted to you hopefully in the  
20 February or the March meeting.

21           It is a different process with this  
22 particular company. So it's a company that's  
23 not familiar with our agency specifically, but  
24 has done audits on several other agencies in  
25 the past. So this a little bit different



1 process. They are a larger firm so they are  
2 looking for things in a little bit different  
3 manner. They reviewed some of the book in a  
4 little different manner. So we are just going  
5 through that process right now.

6 Next thing, a couple of weeks after  
7 we started that audit, I got a call from the  
8 Compliance Review Purchase Card Program review  
9 was going to start as well. So we currently  
10 have two audits going on right now. This audit  
11 is used -- it is kind of auditing the  
12 Commission, the LaCarte card which is pretty  
13 much our credit cards that we use for business  
14 purposes only. This agency has four  
15 cardholders. So we are just going through that  
16 process right now. One of the main things that  
17 they are looking at is that each of the  
18 cardholders, they use the card for business  
19 purposes only. And that they have approvals  
20 and systems in place in order to make sure that  
21 the approvals are being conducted prior to  
22 those persons using those cards at all.

23 The next item is our new accountant,  
24 Ms. Rhonda Robertson. We have gone through a  
25 long process of finding someone to come in and

1 help our agency out. You know that we had one  
2 come in for a few months. That didn't work out  
3 with that person. So we posted the position  
4 again and we had several more times, numerous  
5 interviews, numerous candidates that we went  
6 through. So I would like to introduce  
7 Ms. Rhonda Robertson to fill the position that  
8 Ms. Mona Anderson held. Mona Anderson will  
9 stay on with us part time and work with us  
10 through this process to help train, to help the  
11 department kind of move forward. And so we  
12 will to welcome Ms. Rhonda Robertson.

13 MS. ROBERTSON:

14 I look forward to working with  
15 anyone. And, I guess, the first order of  
16 business is for the audit. A few of you  
17 haven't completed the third-party  
18 questionnaire. So I have those today for you  
19 to fill out and return as soon as possible.

20 MR. PEDERSON:

21 Thank you.

22 MS. ROBERTSON:

23 Thank you.

24 MR. PARNELL:

25 That's all that I have for financial

1 matters. Hopefully we will -- well, we will  
2 have our financial reports moving forward for  
3 the next Commission meetings ongoing.

4 Anybody have any questions or  
5 comments? Or anybody has any questions about  
6 the audits that are going on?

7 MR. WATTS:

8 We got until June?

9 MR. PARNELL:

10 March -- March 31.

11 MR. WATTS:

12 You have to have everything done by  
13 March 31st.

14 MR. PARNELL:

15 We have to have it done. Like I  
16 said, normally we have to have it done by  
17 September 31 and we would always have him come  
18 in the November or December meeting and present  
19 to you-all the findings. But they said that,  
20 you know, they have never had a problem with  
21 us. We have always been early with our audit.  
22 We have always been on time. And so they had  
23 no problem. They responded back to us in less  
24 than 24 hours to give us approval to extend it,  
25 you know. That made me feel pretty good.

1 MR. WATTS:

2 Who wants to talk about our license  
3 renewal update?

4 MR. PARNELL:

5 I will have Ms. Tanya Burks, the  
6 licensing supervisor.

7 MS. BURKS:

8 Good morning, everyone. Currently,  
9 we are on the date of January 11th. We have  
10 paper applications that actually come through  
11 the office and we have the online applications.  
12 We have three ladies right now. We did have  
13 four, Tyteana, I don't know if that was  
14 anybody's rep, but her last day was Friday. So  
15 we are now going to be looking for another  
16 employee to fill that position.

17 Just to give you a brief summary of  
18 our process. It takes about 14 business days  
19 for everything to be completed. Like when an  
20 application comes in, they have to go to  
21 accounting. It may be there for about a day or  
22 two depending on their workload. And then it  
23 is going to come over to the administrative  
24 coordinator. So they have to process  
25 everything. They have to make sure they have

1           their bond in place, their insurance in place,  
2           and any other documents.

3                   Of course, during renewal time, it  
4           does take a little bit longer because we have  
5           so many. So if they don't submit everything at  
6           one time, it is going to prolong their process.  
7           So it may take a little bit more than 14 days,  
8           but we will actually go through -- we go by the  
9           applications of the day order.

10                   MR. DONNELL:

11                           My question is, are we sending  
12           them -- once we send out a renewal notice, are  
13           we sending them a sheet to go along with this  
14           that tells them everything they need, a check  
15           sheet?

16                   MS. BURKS:

17                           Like, to renew their license?

18                   MR. DONNELL:

19                           To renew their license.

20                   MS. BURKS:

21                           Usually on the postcard -- I think  
22           those are the ones for this year, we tell them  
23           we need the dealer application, the salesman  
24           application, the bond, and the insurance. So  
25           it's the same requirements.

1 MR. DONNELL:

2 Okay. We will talk about that.

3 MS. BURKS:

4 And we try not to put too much on  
5 that postcard because the more they have, the  
6 less they are going to read. So we try to put  
7 as less as possible. It is the standard  
8 requirements. And once we get the application  
9 and if they are missing something, we are going  
10 to send them a letter to let them know exactly  
11 what's missing.

12 And if they send that information  
13 back, we might not get to it right then, but we  
14 will because, again, we are still processing  
15 these applications that are still coming in.  
16 So it may be a little bit past the 14 business  
17 days, but we try to work on them as quickly as  
18 possible.

19 We have emails. We have phone calls.  
20 We have people walking in. It's a lot. And we  
21 try to keep everything organized so that we can  
22 actually give them the correct information.

23 MR. BRITT:

24 What time of the year do you start  
25 that?

1 MS. BURKS:

2 We usually send out the postcards  
3 maybe the end part of October depending on --  
4 maybe between October 15 and October 30. We  
5 try to get everybody -- we try to encourage  
6 them to get it in by November 1 or November 15.  
7 If they don't do that, we are still processing  
8 them up in date order. We try to get everybody  
9 by the end of December 31st.

10 I mean, we are in here working  
11 overtime hours, working Saturdays, holidays  
12 trying to get it done.

13 MR. BRITT:

14 I am just wondering if you ought to  
15 send them at the end of August, 1st of  
16 September.

17 MR. DONNELL:

18 That's what the next item on the  
19 agenda is.

20 MR. BRITT:

21 Oh, I am sorry.

22 MS. BURKS:

23 Trust me, we want to get them out  
24 quickly, too.

25 MR. PARNELL:

1                   Yes. That date, sometimes it  
2 fluctuates. We were pretty consistent on  
3 getting them out September 15th through  
4 October 1st, in this time frame we are getting  
5 them out to everybody.

6                   MR. BRITT:

7                   Right.

8                   MR. PARNELL:

9                   Sometimes it kind of --

10                  MR. BRITT:

11                   If you get it out too early, it  
12 doesn't work. I mean where me and the sheriff  
13 are from, you got John Deere stores and a buddy  
14 of mine owns an 18-wheeler store. And  
15 everybody is laid up all winter long and they  
16 can be having these trucks worked on or these  
17 tractors worked on, but guess what, they wait  
18 until about three weeks before harvest time or  
19 three weeks before planting time and they all  
20 pile in there and they drive them crazy and  
21 that's exactly what's happening to y'all.

22                  MR. PARNELL:

23                   Well, we had in place -- we didn't do  
24 it this year because we got things out much  
25 later than normal. We had a first deadline to



1 submit the application, which meant by -- if  
2 you have everything in this office, everything  
3 as it relates to a full packet -- a lot of  
4 dealers piecemeal these applications in here.  
5 They will send one or two items and wait and  
6 don't send the rest. But as we were doing  
7 it -- this is probably the first year we  
8 haven't given them that guarantee if it was  
9 here in the office by November 15, you are  
10 guaranteed to have your license before  
11 January 1.

12 MR. WATTS:

13 Let's talk in policies.

14 MR. PARNELL:

15 Okay.

16 MS. BURKS:

17 But that is pretty much it. I do  
18 want to say that I have been here for 13 or 14  
19 years and this is one of our best renewal  
20 periods, I will say, because it wasn't too many  
21 issues as far as our CAVU system. It is  
22 actually going the way it should be going.

23 MR. WATTS:

24 Dealer plates.

25 MS. BURKS:



1 is something that I think is actually going to  
2 increase over the next year or so, once more  
3 dealers realize that it is going to be much  
4 faster for them to get their dealer plates with  
5 us than it is going with OMV.

6 MR. DONNELL:

7 I can tell you what Jill said the  
8 first time. She said, "Be careful what you ask  
9 for."

10 MR. PARNELL:

11 Yes. So I am kind of thinking -- we  
12 are still working a lot of process. She wrote  
13 out all of the processes and procedures for it.  
14 But we are just trying to figure out different  
15 ways how it can be more efficient being that it  
16 is our first time doing it. We have to see  
17 what works, what doesn't work, which policy we  
18 can create to make it much more efficient.

19 But I had to go over by OMV and get  
20 two more boxes of plates. The first 100 plates  
21 went out kind of quick.

22 MS. BURKS:

23 And the dealers are satisfied. Out  
24 of all of these dealers, I may have had maybe  
25 five dealers to complain about the convenience

1 fee.

2 MR. PARNELL:

3 Yes. They didn't want to pay the  
4 \$10.

5 MS. BURKS:

6 It is convenient.

7 Any other questions?

8 MR. BRITT:

9 Well, if they went to a private deal,  
10 they are going to pay more.

11 MR. HINES:

12 You can't go to private for dealer  
13 plates, specialty plate.

14 MS. BURKS:

15 You get your dealer plates here.  
16 Great customer service.

17 MR. DONNELL:

18 Baton Rouge is good most of the time  
19 over yonder, but sometimes they can be a little  
20 tough. But they were more than ready to give  
21 us dealer plates.

22 MR. WATTS:

23 Thank you, Tonya.

24 Ratification of imposed penalties.

25 MR. PARNELL:

1           All right. Commissioners, you will  
2 find in your packet a chart that illustrates  
3 the licensee with a violation -- that violated  
4 the state law. That case was investigated and  
5 determined that the public's interest can be  
6 served without further administrative  
7 proceedings, thus civil penalties were  
8 assessed.

9           I will now say the name of the dealer  
10 with the imposed civil penalties that we have.  
11 Anyone here representing this individual?

12           MS. BARON:

13           No, sir.

14           MR. PARNELL:

15           All right. The dealership is HD Pay  
16 Here Auto Sales, LLC, from Denham Springs,  
17 Louisiana. The fine amount is \$400 for one  
18 count of employing an unlicensed salesperson  
19 and one count of non-delivery of title. The  
20 total amount of civil penalties for this person  
21 is \$400.

22           Commissioners, I ask that you ratify  
23 the imposed penalties assessed.

24           MR. DONNELL:

25           So moved.

1 MR. BRITT:

2 Second.

3 MR. WATTS:

4 Is this the first offense for HD?

5 Have they been here before on anything?

6 MR. PARNELL:

7 No.

8 MR. WATTS:

9 How long has he been a dealer?

10 MR. PARNELL:

11 He's been for a while.

12 He had some issues with a warranty.

13 The consumer purchased the warranty, but it  
14 didn't get processed. It didn't get sent over  
15 right away. So they did send it over. They  
16 did try to rectify the situation. So that is  
17 why we didn't charge him.

18 MR. WATTS:

19 Did he tell you why he did what he  
20 did? Forgot to send the application in?

21 MR. PARNELL:

22 Well, he just got caught up.

23 MR. WATTS:

24 Caught up, okay.

25 Policies and procedure. Who is going

1 to lead that?

2 MR. PARNELL:

3 Commissioner Donnell.

4 MR. WATTS:

5 Donnell, you can lead us off on that  
6 since you filed the complaint.

7 MR. DONNELL:

8 I am not complaining at all. All  
9 that I would like to do with y'all -- and this  
10 is what I was looking for here was just to tell  
11 these dealers that when they call me, they say,  
12 well, you took our money, but we ain't got a  
13 license. Well, I got something to show them  
14 now why we haven't.

15 All that I would like to do is go  
16 back to September 1st, September 15th.

17 MR. PARNELL:

18 Make that annually.

19 MR. DONNELL:

20 Do a mass email so we got proof by  
21 our email -- this is fine, but it doesn't prove  
22 anything unless we send it certified. So I  
23 think it cheaper to go mass email.

24 MR. BRITT:

25 Still mail the card.

1 MR. DONNELL:

2 Still mail the card, but a mass  
3 email. And would like for a vote on that to  
4 start it September 1st or September 15th,  
5 whatever y'all decide. And let's get a month  
6 earlier so there is no excuse for this anymore.

7 MR. BRITT:

8 Do we need a vote on it?

9 MR. DONNELL:

10 You can ask Montie. Let's get a vote  
11 on it and make sure we do it.

12 MR. HINES:

13 The question is if we are going to do  
14 it in September, are we going to start issuing  
15 licenses in September for the next year?

16 MR. PARNELL:

17 Once we send out the card, once they  
18 start submitting applications, at that point,  
19 we issue it.

20 MR. BRITT:

21 It will go from whatever day they  
22 complete it and it will be good until that day  
23 next year.

24 MR. PARNELL:

25 No, no. We will issue out the new



1 license, but it will be effective January 1st.

2 MR. BRITT:

3 Okay.

4 MR. BROWN:

5 Has the other license, catalytic  
6 converters or any of that bogged the system  
7 down?

8 MR. PARNELL:

9 No.

10 MS. BURKS:

11 Yes.

12 MR. PARNELL:

13 That is part of the process. That is  
14 part of what happened, the reason why we were  
15 later than we have ever been this year. Once  
16 the new license -- once the legislation went  
17 into place, then we had to kind of re-create a  
18 policy within the office on how we are going to  
19 issue.

20 We had to go out and talk with the --  
21 well, the accounting software that was kind of  
22 moved over, but the licensing program,  
23 sometimes that takes a while. So once we  
24 created the new license, we kind of have had to  
25 create -- the PTA license was a little bit

1 different.

2 But the catalytic converter license,  
3 it caused some problems for us early on with  
4 the licensing program. It took us several  
5 times and several -- actually months on getting  
6 that tested. Getting it perfected, and then  
7 trying to -- so we can push it out to everyone.  
8 I didn't want to go ahead and start our regular  
9 license renewal period without having the  
10 catalytic converter and the PTA system all in  
11 place. I wanted it all to be functional all at  
12 one time so everybody could have all of the  
13 functions if they needed it at one time. So it  
14 did take us a little bit longer.

15 MR. BROWN:

16 Can you move the catalytic converter  
17 license or some of the other license to  
18 mid-year?

19 MS. BURKS:

20 We shouldn't have this problem moving  
21 forward. It was just because it was a new  
22 license he had to get it started.

23 MR. PARNELL:

24 A new license requires us to -- and  
25 we had to set up an account to kind of help

1 facilitate those funds. So it was just --

2 MR. DONNELL:

3 Are y'all clear on your legislation?

4 Have y'all got this year's legislation?

5 MR. PARNELL:

6 No. We haven't talked about it.

7 MR. DONNELL:

8 Are y'all -- are you two going to do  
9 any legislation this year?

10 MR. PARNELL:

11 What I wanted to do was after the  
12 meeting today, kind of see if I can talk with  
13 you guys about what we can do moving forward  
14 because I got some phone calls.

15 MR. BROWN:

16 I got some calls out of Texas and  
17 everywhere else wanting to know if they had to  
18 have a place of business.

19 MR. PARNELL:

20 Yes. We are about to start right now  
21 the rule and regulation process of writing the  
22 rule and regulations of the statute that's out  
23 there right now. But we know that the statute  
24 that is out there right now is not really  
25 clear. It is not really covering everything.

1 I know that you want to change it and other  
2 individuals as well.

3 So I will try -- I want to try to set  
4 up a date maybe early next month or early  
5 February to try to have a legislative meeting  
6 so we can really talk to get the gist of what  
7 we want to do.

8 MR. DONNELL:

9 When does the session start?

10 MR. WATTS:

11 It starts in March.

12 MR. PARNELL:

13 Pre-filing is in February.

14 MR. DONNELL:

15 This is the sessions where there  
16 ain't very many bills.

17 MR. WATTS:

18 We have a special session going on  
19 for insurance coming up. They are going to do  
20 that.

21 MR. PARNELL:

22 But to your point, I couldn't find  
23 the language. What is it?

24 MS. MORRIS:

25 April 10.

1 MR. DONNELL:

2 I never did get the email.

3 MR. PARNELL:

4 Because I never sent it to you. I  
5 didn't find the information. I sent Mona an  
6 email. She said she sent it to me, but I was,  
7 like, I couldn't find it. It might be in my  
8 emails. So I had Rhonda reach out.

9 MR. DONNELL:

10 That's why I come in early, but I got  
11 a printout and I saw it.

12 MR. PARNELL:

13 Before, there was something that they  
14 changed literally like within the last week or  
15 so because it was 72 hours that we got ahold of  
16 it.

17 MR. DONNELL:

18 Now, I got something that I can show  
19 instead of listening to those complaints.

20 All I want to do is get a vote on it  
21 to start it September 1st or September 15th.

22 MR. PARNELL:

23 That's fine.

24 MR. DONNELL:

25 Get that out, mass email, and then

1           there is no excuse.

2           MR. PARNELL:

3                   Well, we send mass emails out.

4           MR. DONNELL:

5                   Yes. I want to send them September  
6 1st or September 15th.

7           MR. PARNELL:

8                   Got you.

9           MR. WISENOR:

10                   Excuse me. The online renewal, the  
11 system has to be changed for our system to  
12 accept an online renewal. Wasn't that making  
13 an issue with dealers' licenses at Motor  
14 Vehicle because we put them in a different  
15 active status and active renewal?

16                   I had a couple of calls from PTA  
17 offices. During that transition, some of  
18 the -- the codes won't recognize because we  
19 have issued a new code for that following  
20 licensing period that -- I don't know if that  
21 too early might play a factor.

22           MR. DONNELL:

23                   You see, that's another thing these  
24 dealers are complaining that the auctions are  
25 kicking their buyers out, you know.

1 MR. WISENOR:

2 Those are the ones that haven't been  
3 actually issued a new one.

4 MR. PARNELL:

5 But right before we send out the mass  
6 email and the postcards, Kim goes in the system  
7 and she changes to -- I think it is called  
8 active and renewal. And at that point the way  
9 our system actually operates is -- as we all  
10 know that it is a bit antiquated system. But  
11 we have been in the past looking into and  
12 trying to get a new licensing program but what  
13 we kept finding was we would lose  
14 functionality. We would pay so much money, but  
15 lose the functionality that we already have.

16 So right now we are trying to work  
17 with the system that we have. Once they go --  
18 say September 1 and we send that information  
19 out, once she changes everybody's status to  
20 active and renewal, it is not showing active  
21 anymore. And it won't change until we issue  
22 the new license out to them. So what happens  
23 when they --

24 MS. BARON:

25 When we renew their licenses, they

1 have a dealer code. Y'all know what y'all  
2 dealer code is and that dealer code changes.  
3 So if you are selling something in the current  
4 year, your dealer code is for the next year.  
5 And so Motor Vehicle has to call us and verify  
6 it. A lot of them don't because they know  
7 these dealers and they know the dealer. If the  
8 dealer knows their dealer code, it's usually  
9 not an issue. But then you have these dealers  
10 that don't know their dealer code and they are  
11 trying to put the new one there and it won't go  
12 through.

13 MR. PARNELL:

14 So let me ask you this, Kim. How is  
15 it working now? Like, say, August 1. If we --  
16 if we get that person issued, they have their  
17 new license for January 1. Their current  
18 license that they are under that dealer code is  
19 no longer in existence.

20 MS. BARON:

21 Right.

22 MR. PARNELL:

23 So if they go to the auction, they  
24 can't do anything?

25 MS. BARON:



1                   Well, if they go to the auction, they  
2                   can take their license with them and they can  
3                   see that they are licensed.

4                   MR. PARNELL:

5                   But that's a licensing program.  
6                   That's something that we need to change.  
7                   That's what I talked about how we ran into  
8                   issues with the licensing program just because  
9                   it is an antiquated system and it doesn't allow  
10                  us.

11                  MR. DONNELL:

12                  So, in other words, once we issue a  
13                  '23, that means the '22 is invalid?

14                  MS. BARON:

15                  No. It doesn't mean it is invalid.  
16                  It means your dealer code is not going to show  
17                  up in the system.

18                  MR. BRITT:

19                  I don't mean to interrupt, but that's  
20                  like a programming issue.

21                  MR. PARNELL:

22                  Right. That's a programming issue.

23                  MS. BARON:

24                  That's the way that CAVU is  
25                  programmed that when you issue that then for

1           their next year, that dealer code changes.

2           MR. BRITT:

3                    You talked about adjusting the  
4           computer program?

5           MS. BARON:

6                    No. It can't be adjusted.

7           MR. PARNELL:

8                    I have tried to do that since I have  
9           been here. And it is either get a new program  
10          or deal with the one that we have.

11          MR. DONNELL:

12                    We are going to have to get a new  
13          program.

14          MR. PARNELL:

15                    We already know that because that's  
16          what we have been trying to do, we have tried  
17          to work on. But the last three years, I  
18          haven't been messing with that as much because  
19          just I kept seeing all of the cost that was  
20          associated, 4- or \$500,000, for a program and I  
21          am losing functionality on what we are doing.

22                    We tried to get together with several  
23          agencies to get new program all built, but then  
24          that didn't work out. So that's something we  
25          definitely got to get, a new program. Because

1           it's -- the program that we currently have is  
2           an old program and it hinders us from being --

3           MR. BRITT:

4                     How many have new programs like that?  
5           Because I know the sheriff and I deal with  
6           companies, there is 15 or 20 companies that  
7           deal with programs that he and I use every day.

8           MR. PARNELL:

9                     I thought it would be more. But when  
10          we started the process for licensing entities,  
11          we ran into about six or seven. And those six  
12          or seven, you know, the numbers were  
13          ridiculous. Then we ran into some persons that  
14          they were trying to look at building a program  
15          for us. And, like I said, we got with several  
16          other state agencies and we were all going in  
17          together and build a program that would fit  
18          each agency and bring the costs down.

19          MR. BRITT:

20                     I got a guy that you can talk to.

21          MR. DONNELL:

22                     As far as the auctions go, they have  
23          our -- they have these dealers' old number.

24          MR. PARNELL:

25                     They should be fine.

1 MR. DONNELL:

2 And come the first of the year when  
3 they are looking for that new number, so that  
4 is what I am trying to improve, too.

5 MR. PARNELL:

6 Sure, the timing.

7 MS. BARON:

8 The auctions also go to our website  
9 and if they see they are active in renewal,  
10 sometimes that causes a problem. And I tell  
11 the dealer, tell them that your license is  
12 still for the current year and they should be  
13 able to let you in. And for the most part, it  
14 hasn't been a problem.

15 MR. PARNELL:

16 Let us send notice out to all of the  
17 auctions just letting the auctions know that we  
18 turn everybody to. So can define to the  
19 auction what that means for us so they don't  
20 want some to, you know, create another extra  
21 step.

22 MR. WISENOR:

23 It mainly affects the registration  
24 end where on the retail side, once it goes to  
25 motor vehicle, that is where the -- that might

1           affect it. But as far as the auction --

2           MR. DONNELL:

3                     Well, it could be a problem because  
4 they don't have the dealer code.

5           MR. WISENOR:

6                     The auction should have a current  
7 license on file that they know the dealer  
8 license expires December 31 of '22.

9           MR. PARNELL:

10                    So can I say moving forward, we will  
11 get the cards, mass emails out no later than  
12 September 15?

13           MR. DONNELL:

14                    That will be fine. But I would like  
15 to put that in a vote so I can tell these guys  
16 that is our policy now.

17           MR. WATTS:

18                    I have been doing this for  
19 40-something years since 1972. And the ones  
20 that complain file on December 15, the week  
21 before Christmas holiday. I have been late. I  
22 do it on November 1 time after time. They  
23 won't follow the rules.

24                    Your man tried to get four  
25 dealerships with one bond. They sent the

1 paperwork back. If they take care of their  
2 business like they are supposed to, it is just  
3 creating another mountain to climb to me.  
4 That's my personal opinion.

5 MR. DONNELL:

6 I kind of just want to finish this  
7 up. We are giving them -- we are going a month  
8 ahead. Now, if they don't file and they file  
9 late, then all we say 250 instead of 100.

10 MR. WATTS:

11 If they all would just take care of  
12 their business.

13 MR. PARNELL:

14 We would have to go to the  
15 Legislature to move it up to 250 versus 100.

16 MR. DONNELL:

17 Just trying to get them to get it  
18 done.

19 MR. PARNELL:

20 In a perfect world. I agree. I  
21 agree 100 percent what you are saying as far as  
22 making sure you do it.

23 MR. DONNELL:

24 I know we got employees during the  
25 Christmas holidays that will be out. So I

1 would like to handle before the Christmas  
2 holidays. 99 percent of them.

3 MR. BRITT:

4 Well, you can put this in policy.  
5 You certainly don't need a vote. Put it in  
6 policy and procedures. And then you know what,  
7 once you change that in the next week or two,  
8 send a mass email out and that way they can't  
9 say come September when they get the second  
10 email, well, I didn't know, you know. That's  
11 just my opinion. I don't know.

12 MR. WATTS:

13 All right. Anybody else on policy?  
14 We are all clear.

15 Legal matters.

16 MS. MORRIS:

17 The first legal matter, Federated  
18 Mutual Insurance Company versus H&H Auto Sales.  
19 This is a claim that the commissioners named as  
20 a defendant with several other entities. There  
21 was a complaint filed with the Commission and  
22 the Commission didn't proceed with the  
23 complaint. It arises out of a sale of a stolen  
24 vehicle. So we have insurance through Risk  
25 Management for the State Office of Risk

1 Management. And I had forwarded the claim to  
2 them and they confirmed that it is covered.  
3 They are defending the claim. The suit was  
4 initially filed in Civil District Court for  
5 Orleans Parish. All suits against the  
6 commissioners are supposed to be filed in East  
7 Baton Rouge Parish.

8 So the Assistant General Attorney  
9 assigned to the case, Courtney Payton filed an  
10 exception of improper venue, which was granted,  
11 and the case is being transferred to East Baton  
12 Rouge Parish.

13 So when it gets transferred to East  
14 Baton Rouge Parish, she is going to file other  
15 exceptions to terminate the case, but she  
16 wanted to change the venue before she did that.  
17 So that's where it is.

18 There is really nothing for the  
19 Commission to do at this point. And I think  
20 all of the facts that Ms. Payton will need if  
21 she is not successful with her exceptions, the  
22 staff can -- the staff has it logged as a  
23 complaint and all of the information relevant  
24 to it.

25 MR. WATTS:



1                   Any questions on that?

2                   The appeal of Kandice Burnett.

3                   MS. MORRIS:

4                   I think Mr. Hallack is going to talk  
5 about that.

6                   MR. HALLACK:

7                   We have the paperwork together. We  
8 needed the copy of the record. The record has  
9 to be lodged because the appeal is based  
10 entirely on the record. So we got the  
11 transcript from Ms. Glissman. Kim prepared the  
12 exhibits and we had the finding of fact.  
13 That's what our record consists of. We will  
14 probably get that filed today in answer to that  
15 appeal.

16                   So as many of you may recall, Ms.  
17 Burnett, she -- well, actually let's go back a  
18 little further. Clark Crane had filed an  
19 application for a license as a dealer in  
20 Zachary. His license application was denied.  
21 He asked for it to be appealed to the full  
22 board. And we advised him that we would be  
23 using the proceeding from the New Car  
24 Commission to show why he should not be  
25 entitled to a license.

1                   He then withdrew his license  
2 application and then his girlfriend, Kandice  
3 Burnett, applied for a license at the same  
4 location. It was denied also because of her  
5 relationship with Clark Crane. She and Clark  
6 Crane got -- well, they got married, then her  
7 application was denied based on the fact they  
8 were close in relationship and, therefore, it  
9 was another license basically for Mr. Crane.

10                   So she appealed the denial of the  
11 application to the 19th Judicial District Court  
12 and we are answering that appeal and we are  
13 providing to the court the record.

14                   MR. WATTS:

15                   Any questions for counsel?

16                   Compliance investigator's report.

17                   MR. WISENOR:

18                   Mr. Chairman, yes, sir. These are  
19 the monthly production reports totals for the  
20 months of November and December of 2022.

21                   For the month of November, there were  
22 six audits conducted. There was one notice of  
23 revocation issued. There were 64 site visits  
24 conducted. One cease and desist issued. There  
25 were 11 consumers that were assisted with

1 receiving titles or registration. Two  
2 violations issued. One refund, which totaled  
3 \$6,500 where a consumer was assisted in  
4 receiving.

5 There were 13 cases closed that were  
6 assigned by the Commission. There were 24  
7 cases that were closed that were not assigned,  
8 and 21 physical inspections completed by the  
9 field.

10 For the month of December, there were  
11 three audits conducted. There were no  
12 revocations issued. There were 72 site visits  
13 conducted. There were no cease and desist  
14 issued. There were 20 registration or titles  
15 that were assisted and consumers receiving.  
16 There were two violations issued. There were  
17 two refunds that were issued that totaled  
18 \$4,338.34. There was -- I'm sorry, 16 cases  
19 that were closed that were assigned. There  
20 were 26 cases that were closed that were not  
21 assigned. And there were nine physical  
22 inspections completed by the field.

23 MR. WATTS:

24 A question for you. Do we do random  
25 checks for license and everybody is following

1 the rules like in each district like pull up on  
2 the used car lots and checking them?

3 MR. WISENOR:

4 Yes, sir. Just depending on  
5 what's -- some of them are related to consumer  
6 complaints and we kind of base that if the  
7 dealers are receiving multiple complaints filed  
8 on the same dealership that may -- that is  
9 where the audits normally come into play where  
10 we are going to look a little bit further into  
11 their -- either temp tags or title deliveries,  
12 things like that.

13 But, yes, sir, we do -- the site  
14 visits are normally what we do when we just  
15 stop in. If we are in a particular area and to  
16 see what's going on from dealer to dealer, so,  
17 yes.

18 MR. WATTS:

19 Yes. How about repair shops? I see  
20 a lot in Baton Rouge really where a car is  
21 sitting out there with no plates out there  
22 trying to be retailed.

23 MR. WISENOR:

24 Just curbstoning, per se.

25 MR. WATTS:

1                   I don't know if they are owners or  
2 not, you know. But some of these tire shops, I  
3 just don't know.

4                   MR. WISENOR:

5                   Yes, sir. We do that as well.

6                   MR. WATTS:

7                   They are out there actively doing  
8 this?

9                   MR. WISENOR:

10                  Oh, yes, sir. Not just dealers. If  
11 we observe a location that has multiple  
12 vehicles are coming and going or we do -- you  
13 know, we stop in and try to document the  
14 vehicles.

15                  During our seminars, we explain that  
16 dealers, new and existing dealers that, you  
17 know, if they see something like that going on  
18 in their area, try to reach out to us either  
19 anonymously. We don't go to the competition  
20 down the street and say so-and-so down the road  
21 turned you in kind of thing. But we have to  
22 prove that the same company or individual is  
23 selling more than one vehicle that's in  
24 violation of the law.

25                  MR. BRITT:

1                   How many vehicles can an individual  
2 sell a year without a license?

3                   MR. HALLACK:

4                   Five.

5                   MR. WISENOR:

6                   The law states five. But the statute  
7 reads those vehicles have to be registered,  
8 insured by family members.

9                   MR. BRITT:

10                  Like I got two right now I am fixing  
11 to get rid of.

12                  MR. WISENOR:

13                  Yes, sir. As long as they are  
14 registered in your name, you are good. But  
15 statute also reads if you basically sell a  
16 vehicle with the intent to make a profit, you  
17 are considered a car dealer -- I mean, you are  
18 acting as a car dealer. One or two really  
19 don't throw up any flags. Because I have  
20 people call me and ask me, well, what if I sell  
21 five and my wife sells five, my son sells five.  
22 I am thinking they are trying to get around the  
23 law. We kind of squash that as quick as we  
24 can.

25                  MR. HALLACK:

1                   And the selling of five only creates  
2 a presumption. So you are presumed to be a  
3 dealer if you sell five. That doesn't mean  
4 that you are a dealer.

5                   The other thing, too, Montie kind of  
6 hit on this. But if you are acting as a used  
7 car dealer and you put a sign out that says  
8 Bob's Used Cars and all of that and you have  
9 only sold one, you are still a dealer because  
10 you are putting yourself out there a dealer.  
11 So it doesn't matter really how many you sell.  
12 If you are acting as a used motor vehicle  
13 dealer, you are a used motor vehicle dealer.

14                   MR. WISENOR:

15                   I think if your intent is to make a  
16 profit on some purchase and sell a vehicle, you  
17 are a dealer.

18                   MR. WATTS:

19                   The reason that I am questioning like  
20 that, everybody has got to pay to get licensed,  
21 insurance, and be a reputable dealer. And you  
22 got these guys out there paying none of that.

23                   MR. WISENOR:

24                   Facebook, social media.

25                   MR. WATTS:

1                   Usually tire repair shops, mechanic  
2 shops that they bought a car and they have no  
3 plates on it. I really suspect that, you know.  
4 They are not paying for licenses.

5                   MR. BRITT:

6                   Or everybody in the neighborhood  
7 says, well, I am going to take it down there to  
8 Richard's and park it at his tire shop.  
9 Richard is going to make something off of it.

10                  MR. HINES:

11                  The problem is places like Copart  
12 that don't require a dealer license. They help  
13 sell to the public. That's the biggest problem  
14 because anybody can go in there and buy as many  
15 cars from Copart as they want to buy.

16                  MR. WATTS:

17                   Is that right?

18                  MS. BARON:

19                   Yes.

20                  MR. DONNELL:

21                   Bobby, when did that change? I  
22 understand it changed.

23                  MR. HINES:

24                   I don't know.

25                  MS. BARON:



1                   It's been several years.

2                   MR. WISENOR:

3                   That's when they got rid of their  
4           buyer ID cards.

5                   MS. BARON:

6                   And that's been a long time ago.

7                   MR. DONNELL:

8                   Are they collecting sales tax?

9                   MR. HINES:

10                  That, I don't know.

11                  MR. WISENOR:

12                  They are supposed to.

13                  MS. MORRIS:

14                  They are supposed to. And we had met  
15           with the Office of Motor Vehicles about that  
16           whether or not they were collecting sales tax.  
17           Remember, we went to the office.

18                  MR. DONNELL:

19                  Do they have a dealer's license?

20                  MS. BARON:

21                  They don't have to.

22                  MR. HINES:

23                  Copart, yes. But the people buying  
24           them --

25                  MR. DONNELL:

1                   I think the Office of Motor Vehicles  
2 needs to audit whether they are collecting  
3 sales tax.

4                   MS. MORRIS:

5                   They were trying to do that at one  
6 point many years ago. They were looking --  
7 they have a database and they were trying to  
8 see where there were multiple -- people  
9 repeatedly buying cars from Copart.

10                  MR. HINES:

11                  I am sure it is going to be a lot of  
12 repeat.

13                  MS. MORRIS:

14                  So they were trying to look at that  
15 at one time.

16                  MR. WISENOR:

17                  I had a complaint where Copart had  
18 collected the taxes on one of their sales. It  
19 was a trailer or a piece of equipment that was  
20 on an axle or something. But, anyway, the  
21 person that had bought it had to go and pay  
22 taxes twice. And they were trying to argue  
23 that they had already paid their taxes. So  
24 Copart is not doing what a dealer would  
25 normally do. When they collect the taxes, they

1           actually do the paperwork at Motor Vehicles.  
2           So it didn't really go. I think that he was  
3           trying to get Revenue to determine whether they  
4           received that tax revenue that was filed.

5           MS. MORRIS:

6                       I think the Office of Motor Vehicles  
7           was aware of that issue.

8           MR. HINES:

9                       We can spend the whole day on Copart.

10          MR WISENOR.

11                      Copart does turn the title over to  
12          the purchaser even if it is an individual,  
13          whether that person goes to actually register  
14          it, I don't know.

15          MR. WATTS:

16                      That's not considered a retail sale  
17          either. Is that a retail sale from Copart?

18          MR. WISENOR:

19                      It is.

20          MR. WATTS:

21                      Do they file a monthly report?

22          MS. BARON:

23                      Yes.

24          MS. MORRIS:

25                      They are supposed to.

1 MR. HINES:

2 Well, if they file a monthly report,  
3 then we will see who is buying the cars and we  
4 can see who the repeat offenders are?

5 MS. BARON:

6 The report they send to us just shows  
7 how many cars they sold. It doesn't give the  
8 purchaser.

9 MS. MORRIS:

10 They do have to report to Motor  
11 Vehicles.

12 MR. DONNELL:

13 It gives the amount of sales tax.

14 MS. BARON:

15 That, I don't know.

16 MR. WATTS:

17 We don't get that?

18 MS. BARON:

19 No. That one goes to Motor Vehicles.

20 MS. MORRIS:

21 We had at one point because there was  
22 an allegation that they weren't doing the  
23 transactions properly. And then Copart came in  
24 and said that they were. They were not  
25 collecting the sales tax. That they were not

1 required to. And it is up to the purchaser.

2 And so I know that there was some  
3 tracking of it many years ago, but I don't know  
4 since the pandemic.

5 MR. WATTS:

6 That is a question for Jill Jarreau.

7 MR. PARNELL:

8 Jill was part of that deal.

9 MR. DONNELL:

10 And this is going on the record. I  
11 promise they will be addressing this when they  
12 read our minutes next month.

13 MR. WATTS:

14 Let's hope so.

15 All right. Executive director's  
16 report. Do you have anything else to report?

17 MR. PARNELL:

18 Again, I just want to try to get with  
19 you guys today so we can set a time to decide  
20 what we are going to crunch, what we are going  
21 to do as it relates to the Legislature this  
22 year as it relates to the catalytic converter.  
23 Another item that I kind of want to look into,  
24 I am about to reach out to Office of Motor  
25 Vehicles. Something that we had discussed a

1 while back about the PTA. Once we got it --  
2 got the authority to actually do that process,  
3 it was a bit strange that we had to do -- we  
4 also had to do -- get a bond and insurance to  
5 actually conduct that part of the business.  
6 But I was talking to Jill Jarreau and she was  
7 saying that what we do is apply for an  
8 exemption that we don't have to have a bond and  
9 insurance. Initially, when I requested the  
10 insurance and bonding, the State, they were  
11 like, why are you trying to get insurance from  
12 a State agency to a State agency. And so they  
13 thought it was strange, but they went ahead and  
14 processed it. But that's something that I am  
15 going to look at legislatively this year to  
16 kind of get us on the exemption list so we  
17 don't have to have the bonding and insurance  
18 for that.

19 MR. DONNELL:

20 Okay. I have told Jill -- and I  
21 think that I have told you -- but Neil Riser is  
22 going to carry that bill for you.

23 MS. BARON:

24 Neil who?

25 MR. DONNELL:

1 Neil Riser.

2 MR. PARNELL:

3 Another item I know everybody has  
4 been asking over a long period of time, I had  
5 started the process of the IDs for you-all, the  
6 commissioners. And I thought I did a great job  
7 with it, but I had someone else kind of start  
8 the process and they did a better job. I told  
9 them that if they do a better job with creating  
10 the IDs for commissioners, I will buy them  
11 lunch. So I got to go ahead and bite that  
12 bullet and buy one of my staff members lunch.  
13 Two weeks ago she ordered the IDs. So we  
14 should have them for you-all within the next  
15 couple of weeks or so.

16 MR. BRITT:

17 Do you have somebody that is going to  
18 be put them on the card?

19 MS. BARON:

20 It's a card.

21 MR. PARNELL:

22 It's a plastic ID creator.

23 MR. BRITT:

24 Kind of like that one?

25 MR. PARNELL:

1                   Yes. It is going to be a card.

2                   She asked if you-all wanted, like, a  
3 lanyard or anything like that. I said that I  
4 don't think that you-all would use it in that  
5 fashion. You would just put it in your wallet  
6 if anything.

7                   MR. DONNELL:

8                   All I need is a photo and the  
9 commission name.

10                  MR. PARNELL:

11                  It went through the website ID  
12 Creator. It was a good price and they gave us  
13 one. So I should be getting this out to  
14 you-all.

15                  We also had a meeting with Office of  
16 Motor Vehicles. They invited LUMVC and various  
17 other agencies that is could be potentially  
18 affected by the law. What they are looking at  
19 doing is creating electronic titles for  
20 vehicles moving forward. They are kind of at  
21 the early stages right now of how they want to  
22 do that. So they said they will kind of keep  
23 us informed on when we can try to meet again so  
24 they can get a little bit more information to  
25 everyone.



1 MR. BRITT:

2 Are they going to do away with the  
3 regular titles?

4 MR. DONNELL:

5 The E title?

6 MR. BRITT:

7 They can't do that. There are too  
8 many elderly people.

9 MR. PARNELL:

10 Some people were kind of getting  
11 upset, but they said they didn't want to answer  
12 too many questions until they get a little  
13 further along.

14 MR. BRITT:

15 They are planning on doing that into  
16 LA Wallet. That's what they are planning on  
17 doing.

18 MR. PARNELL:

19 I bet they are.

20 MR. FLOYD:

21 I love it. You can't lose it.

22 MR. BRITT:

23 At the same time, you got an elderly  
24 population that still doesn't use computers.  
25 One of my companies, I can go -- I mean, I got

1 two apps. I got a web page. But I got a call  
2 center and I would love to close that call  
3 center down, but I cannot because there is a  
4 population out there that cannot handle all of  
5 this. And there is a young population that can  
6 can't handle it, not counting the older ones.

7 MR. WISENOR:

8 They are also doing away with notary  
9 requirements on certain transactions.

10 MR. WATTS:

11 Are y'all aware of that?

12 MS. BARON:

13 That's another thing. The notaries  
14 were saying y'all will put us out of business.  
15 That's the majority of their business.

16 MR. DONNELL:

17 Arkansas and Mississippi doesn't use  
18 notaries anymore.

19 MR. WISENOR:

20 Texas.

21 MR. BRITT:

22 Speaking of Arkansas, I am going to  
23 tell the guys what I told you. I bought --  
24 upgraded Jill's car about two months ago. I  
25 bought it in Conway, Arkansas, because they had

1 three of them on the lot. Instead of me  
2 ordering one, I just got it there. And when  
3 they issued -- the handed me the temp tag, I  
4 thought they were going to stick it in the back  
5 window like everybody else does. They put it  
6 on the back and it has a sticker. The F&I guy  
7 pulled the desk drawer out and under lock and  
8 key a roll. And he peeled a big sticker off.  
9 It is about half the size of an iPhone and  
10 stuck it on the back of that. It's distinct.  
11 And every trooper, everybody can walk up there  
12 and scan in and program that number in there  
13 and tell you where it came from, and how valid  
14 it is, and it expires every 30 days.

15 But my point is there we have been  
16 faced with just count after count of these  
17 people doing that. I want to get with Jill --  
18 and that's another thing. I mean that would be  
19 an easy fix and an easy database to add. That  
20 will solve a lot of problems.

21 MR. HINES:

22 When we buy temp tags, they record  
23 who gets them. And then when we issue one to a  
24 customer, we are supposed to at the time of  
25 sale you enter everybody in there.

1 MR. WATTS:

2 You can go the website and enter it  
3 in.

4 MR. HINES:

5 So that number, that temp tag and  
6 license plate, the state police can run it  
7 because it is registered if the dealer does  
8 what he is supposed to do.

9 MR. BRITT:

10 Half of them don't do it.

11 The sheriff and I can both tell you,  
12 you got people stopping these cars every day  
13 and you can't figure out where they came from.

14 MR. DONNELL:

15 That's what the dealer wants because  
16 the State's system is so antiquated, you can't  
17 keep up with who is doing it or not.

18 MR. BRITT:

19 The system is there but you take like  
20 the case that we had a while back where they  
21 were just doling them out, doling them out.  
22 This will resolve -- a system like this would  
23 help resolve something like that.

24 MR. WATTS:

25 All right. Are you done?

1 MR. PARNELL:

2 I am. Kim has something.

3 MS. BARON:

4 Jose Matamoros, I don't know how many  
5 of y'all remember his -- he does not speak  
6 English. But he calls me every once in a while  
7 and that's interesting enough.

8 He came in the office and paid his  
9 \$50,000 down payment. And he did that before  
10 the end of December, it was like the week  
11 before -- before Christmas actually he came in.

12 MR. BRITT:

13 He didn't happen to do that in cash,  
14 did he?

15 MS. BARON:

16 No. It was a cashier's check. But  
17 he came in and paid his \$50,000 down payment  
18 and he posed a question to me. At that point,  
19 he said I only -- according to the findings, I  
20 only have 10 days to pay my next payment  
21 because y'all have made the payments due for  
22 his -- his \$15,000 payments had to be due on  
23 the 10th of each month and he asked me could we  
24 move that.

25 So I called Ms. Morris and asked her.

1 And she said if the chairman and the executive  
2 director and Mr. Hallack agree, we can move  
3 their payment -- the \$15,000 monthly payments  
4 to the 30th of each month. So they would have  
5 the actual 30 days between each one.

6 They all three agreed. So they are  
7 scheduled to make their next payment on the  
8 31st of January. And I will let you know if  
9 they do that.

10 MR. BRITT:

11 I have no doubt that he is going to  
12 make every payment on time, none whatsoever.

13 MS. BARON:

14 And he did the seminar again.

15 MR. BRITT:

16 Did he take an interpreter with him?

17 MS. BARON:

18 His son supposedly interpreted for  
19 him so he could understand it this time.

20 MR. HINES:

21 The one that couldn't get a license  
22 again, that son?

23 MS. BARON:

24 Yes, the one that can't get a license  
25 again, yes.

1                   And he supposedly interpreted for  
2 him. But since they are done online, you know,  
3 I took his word for it, so. But they did  
4 attend, according to Stacey and Montie that  
5 they did attend. So I went ahead and  
6 reinstated Jose Matamoros' license and the  
7 dealership license was reinstated, so.

8                   MR. WATTS:

9                   Are they still getting temp tags?

10                  MS. BARON:

11                  That, I don't know.

12                  MR. WISENOR:

13                  According to Ms. Jarreau, she was  
14 going to allow -- they were going to do their  
15 best to prevent that, the temp tags.

16                  MS. BARON:

17                  So I am not sure what they are going  
18 to do about that.

19                  MR. WATTS:

20                  We have one more in South Carolina.

21                  MS. BARON:

22                  Yes. L's Auto Sales. That was the  
23 one where the lady was on Zoom. She was in  
24 South Carolina, the dealer didn't bother to  
25 show up. He is also in South Carolina at this

1 point.

2 I got the findings from Ms. Morris.  
3 And I have sent it to the dealer. And it is on  
4 my calendar if he doesn't respond within 30  
5 days to go ahead and send it to the bond  
6 company, Ms. Cassandra can be -- get her  
7 restitution for the vehicle that she purchased  
8 from him.

9 MR. BROWN:

10 Did we turn him in to, say, South  
11 Carolina's used motor vehicle commission?

12 MS. BARON:

13 I can if y'all request that I do so.  
14 I can turn it in to them and it should be.

15 MR. HALLACK:

16 We copied them on the notice.

17 MR. WATTS:

18 I thought we contact them.

19 MS. BARON:

20 They were on the notice.

21 MR. WATTS:

22 They are aware of it anyway.

23 MS. BARON:

24 And I think Perry had contacted them  
25 or something, too, and let them know that he



1 was in that area and that his track record was  
2 not kosher.

3 MR. WATTS:

4 Why don't you send the notice of the  
5 final result when it gets there and send them a  
6 notice that this is we, the State of Louisiana,  
7 alert them to the fact.

8 MS. BARON:

9 Okay.

10 MR. WATTS:

11 All right. Items for next agenda,  
12 February 20.

13 MR. DONNELL:

14 I am going to open another can of  
15 worms, but a receptionist.

16 MR. WATTS:

17 I didn't understand you.

18 MS. BARON:

19 A receptionist, a live receptionist.

20 MR. WATTS:

21 Oh, you want a receptionist on the  
22 agenda? You want a live receptionist. You  
23 don't want a voicemail or nothing like that.

24 MR. DONNELL:

25 Once that breathes.

1 MR. WATTS:

2 We will discuss that next agenda.

3 MR. PARNELL:

4 Also, when did you say the  
5 legislative sessions starts?

6 MS. MORRIS:

7 It is April 10 and the deadline for  
8 pre-filing is March 29.

9 MR. WATTS:

10 Commissioners, anything else for the  
11 next agenda?

12 MR. HALLACK:

13 Yes. Commissioner Donnell called me  
14 and brought this issue up. It's always been an  
15 issue here and therefore we've always avoided  
16 it. That is the broker's license.

17 We have in our law the broker's  
18 license. And Mr. Donnell asked me what do we  
19 need to do to start using a broker's license.

20 MR. WATTS:

21 Tell me what a broker's license is.

22 MR. HALLACK:

23 It's generally a wholesale dealer. A  
24 guy that doesn't need a lot. A guy that  
25 doesn't need garage liability insurance. He

1 does not sell anything retail. He only sells  
2 to other dealers. He is a broker. And we have  
3 had in our law ever since our inception, but we  
4 have never used it. And maybe administratively  
5 there is a reason why we don't use it.

6 MR. WATTS:

7 What does the law say?

8 MR. HALLACK:

9 I would have to look it up.

10 MR. WATTS:

11 Put that on the next agenda for next  
12 month we will discuss it.

13 MR. DONNELL:

14 You know, to finish that up, just --  
15 that big company out of Dallas, give me the  
16 name? They have several buyers here, shouldn't  
17 they have to apply for a license, some kind of  
18 broker's license?

19 MR. WATTS:

20 They are drafting on getting to be  
21 licensed dealer.

22 MR. BRITT:

23 We will need to abolish that in some  
24 sort of way.

25 MR. HINES:

1                   It is in the books.

2                   MS. BARON:

3                   Mr. Hines made a very good point.

4                   MR. HINES:

5                   This broker license, there will be  
6 more people curbsiding from Marketplace. If I  
7 can get a broker license and go to his auction  
8 and buy cars and come back home and wholesale  
9 to other dealers, I mean, I know enough dealers  
10 where I could -- and dealers are creative.  
11 They will put it on Marketplace and then if  
12 they have to -- they will never get caught.  
13 They will figure out a way.

14                   I mean, I think we need to abolish  
15 that. That's a loophole that's going to create  
16 problems.

17                   MR. PEDERSON:

18                   I agree.

19                   MR. WISENOR:

20                   Mr. Parnell and I talked -- or you  
21 can probably google it now, there are sites  
22 where you can actually go to and get signed up  
23 as a salesperson under an existing dealer  
24 whether it is Louisiana, Mississippi, Texas,  
25 and operate as a wholesale dealer and even

1           apply for a dealer plate in that state. But  
2           then they are doing retail sales with that  
3           license even though they are not supposed to.  
4           They are only supposed to be doing wholesale.

5                        So, yes, it is kind of the same  
6           thing. It just opens the door.

7                        MR. WATTS:

8                                Well, you draw the public. You have  
9           it in South Carolina right now.

10                      MR. HALLACK:

11                                I think the point that Mr. Donnell  
12           was trying to make is that these are people  
13           that are buying cars without a license. And  
14           the potential to tap into that market with a  
15           broker's license. You know, the whole idea  
16           behind having a broker's license is that nobody  
17           is supposed to sell retail. So, I mean, I  
18           don't know.

19                                If there was an untapped potential  
20           for us to license more people, that's what I  
21           thought we should look at.

22                      MR. WATTS:

23                                Put on the agenda for next month and  
24           we can do a little homework on it and come up  
25           with something. I don't like that idea myself.

1 MR. HALLACK:

2 But we have always had it on the  
3 books for the Commission. It is just that we  
4 never licensed it before.

5 MR. WATTS:

6 You say "it's on the books"?

7 MR. HALLACK:

8 Yes. There is a definition for  
9 broker.

10 MR. WATTS:

11 We have no license, but he is legal.  
12 He can be a broker?

13 MR. HALLACK:

14 No. We just never issued a license  
15 for a broker.

16 MR. WATTS:

17 We need to take it off the books  
18 then.

19 MR. HALLACK:

20 We should.

21 MR. DONNELL:

22 We need to make a decision on what we  
23 are going to do.

24 MR. BRITT:

25 Is it a statute?

1 MR. HALLACK:

2 It's a statute.

3 MR. BROWN:

4 Have y'all had any complaints on  
5 Carvana?

6 MS. BARON:

7 Yes.

8 MR. WISENOR:

9 Not a lot, but we have had some.

10 MR. BROWN:

11 They are in severe financial trouble.

12 MS. BARON:

13 Yes, they are. We have a lot of  
14 out-of-state Carvana -- complaints. And we  
15 send them to whatever prospective state the  
16 people purchased the vehicle from, you know.  
17 There are a lot of people go online to buy from  
18 Texas.

19 MR. WATTS:

20 How do did they get their paperwork  
21 to the customer? Do y'all know how it is done  
22 by Carvana?

23 MR. WISENOR:

24 It is all online.

25 MR. HALLACK:

1                   It is all electronic.

2                   MS. BARON:

3                   If we have Louisiana consumers with a  
4                   problem that bought from there --

5                   MR. DONNELL:

6                   Do we have that?

7                   MS. BARON:

8                   Yes. That bought it from here, the  
9                   ones here, we take care of. But the ones that  
10                  bought it from another dealer out of state, we  
11                  can't do anything with. So we sent it to that  
12                  state.

13                  MR. DONNELL:

14                  But they are injuring the Louisiana  
15                  public.

16                  MR. HALLACK:

17                  Louisiana residents, yes.

18                  MR. DONNELL:

19                  We need to figure that out.

20                  MR. HALLACK:

21                  Now, Carvana is licensed by us.

22                  MS. BARON:

23                  Right. But if they didn't buy the  
24                  licensed dealer here, there is not so much we  
25                  can do about it because they say they bought it



1           online, from Arizona or wherever.

2           MR. WATTS:

3                   Well, they buy it out of state from a  
4           dealer out of state, they probably say, well,  
5           you pay your taxes in Louisiana. They just  
6           give them the paperwork. That's the process  
7           probably.

8           MS. BARON:

9                   And they don't give them the title.

10          MR. DONNELL:

11                   How can they process the paperwork  
12          without a title?

13          MR. WISENOR:

14                   I am working a complaint right now  
15          that is a consumer in North Louisiana bought it  
16          before they even became a licensed dealer in  
17          Louisiana. And the customer has had this  
18          vehicle since February of '21 and still had  
19          never gotten their registration -- never gotten  
20          their plate or registration. Carvana's  
21          response, I recently received, says that they  
22          couldn't get the customer to provide whatever  
23          proper paperwork they needed to provide for  
24          them to move forward with the registration, but  
25          yet the vehicle stayed out there for almost two

1 years without the registration.

2 The customer finally let it back for  
3 repossession right before we received their  
4 complaint. So I am not sure. At this point, I  
5 am I still working it trying to figure out  
6 which direction to go with. But this come out  
7 of Georgia.

8 MR. DONNELL:

9 If we have any other dealer that does  
10 that, we revoke his license.

11 MR. WISENOR:

12 We cite them for a violation,  
13 correct.

14 MR. HALLACK:

15 What about Vroom? Have you had any  
16 complaints on Vroom?

17 MS. BARON:

18 Yes. People that purchased them  
19 online and we send it out the respective states  
20 as well.

21 MR. HALLACK:

22 If you google Carvana, there are  
23 thousands of complaints nationwide for  
24 non-delivery of the title.

25 MS. BARON:

1                   Aren't they the vending machine?

2                   MR. DONNELL:

3                   Yes. Carvana is.

4                   MR. BROWN:

5                   They were in our insurance group. We  
6 told them good-bye.

7                   MR. WATTS:

8                   Anybody have any questions that you  
9 want to talk about before we adjourn?

10                   Enough said, we will see y'all on the  
11 20th of February.

12                   MR. DONNELL:

13                   So moved.

14

15                   (Meeting adjourned at 10:34 a.m.)

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REPORTER'S CERTIFICATE

1  
2  
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 January  
7 23, 2023, 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 This February 7, 2023, Baton Rouge,  
14 Louisiana.

15  
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-----  
22 BETTY D. GLISSMAN, CCR  
23 CERTIFIED COURT REPORTER  
24  
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