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LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
MARCH 19, 2018
BEGINNING AT 9:30 A.M.

3132 VALLEY CREEK
BATON ROUGE, LOUISIANA

REPORTED BY:
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

4

MR. JOHN POTEET

5

COMMISSIONERS PRESENT:

6

MR. RICKY DONNELL

7

MR. RON DUPLESSIS

8

MR. GEORGE FLOYD

9

MR. STEPHEN OLAVE

10

Mr. MATTHEW PEDERSON

11

MR. HENRY "DARTY" SMITH

12

MR. DINO TAYLOR

13

MR. RICHARD WATTS

14

15

16

17

REPRESENTING THE LOUISIANA USED MOTOR

18

VEHICLE COMMISSION:

19

20

ROBERT W. HALLACK, ESQUIRE

21

HALLACK LAW OFFICE

22

13007 JUSTICE AVENUE

BATON ROUGE, LOUISIANA 70816

23

SHERI MORRIS, ESQUIRE

24

DAIGLE, FISSE & KESSENICH, PLC

8480 BLUEBONNET BOULEVARD, SUITE F

25

BATON ROUGE, LOUISIANA 70810

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. JAMES FAIL

8 MR. PERRY ESPONGE

9 MS. EMILY DOMANGUE

10 MR. HAROLD McDERMOTT

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1 MS. BARON:

2 John Poteet?

3 MR. POTEET:

4 Here.

5 MS. BARON:

6 Dino Taylor?

7 MR. TAYLOR:

8 Here.

9 MS. BARON:

10 Tony Cormier? He's on his way.

11 Ron Duplessis?

12 MR. DUPLESSIS:

13 Here.

14 MS. BARON:

15 George Floyd?

16 MR. FLOYD:

17 Here.

18 MS. BARON:

19 Darty Smith?

20 MR. SMITH:

21 Here.

22 MS. BARON:

23 Steve Olave?

24 MR. OLAVE:

25 Here.

1 MS. BARON:

2 Ricky Donnell?

3 MR. DONNELL:

4 Here.

5 MS. BARON:

6 Richard Watts?

7 MR. WATTS:

8 Here.

9 MS. BARON:

10 Mr. Chairman, we have a quorum.

11 MR. POTEET:

12 Excellent. Anyone here for
13 public comments today?

14 MS. BARON:

15 No, sir.

16 MR. POTEET:

17 So, apparently, the meeting got
18 cancelled last month. So we need the
19 adoption and approval of the minutes from
20 the prior meeting.

21 MR. OLAVE:

22 Can I offer a motion?

23 MR. POTEET:

24 All in favor, say, "Aye."

25 (All "Aye" responses.)

1 MR. POTEET:

2 Any opposed?

3 (No response.)

4 MR. POTEET:

5 That passes. So that will be the
6 minutes from the January meeting. So we've
7 got financial reports from both January and
8 February. Mona is ready to go.

9 MS. ANDERSON:

10 So if you'll turn in your binders
11 to the financial statement for January 2018.
12 The operating account balance at the end of
13 January was \$2,347,927. The fines accounts
14 receivable were \$66,458. The current
15 liabilities on page 2 were -- total \$42,681.
16 The long-term liabilities decreased. We
17 moved -- \$314,280 of deferred fees for 2018
18 became revenue on January 1st. The total
19 long-term liabilities and deferred inflows
20 is \$3,231,370.

21 Turning to page 3, which is the
22 statement of revenues, expenses, and changes
23 in net position. The year-to-date revenues
24 were \$1,079,065. On page 4, the salaries
25 and related benefits were higher than the

1 previous year. The remainder of the
2 expenses were also higher primarily due to
3 our insurance coming due at a different
4 time. We received the invoice from Office
5 of Risk Management at a later date last
6 year.

7 And on page 5, the year to date
8 change in net position was \$396,881. On
9 pages 6 and 7 is a four-year revenue
10 comparison. So on this report and the
11 chart, you can see that the '17-'18 revenue
12 is in line with the '15-'16 revenue for the
13 same district that renewed that year.

14 On page 8 is a chart of the
15 year-to-date budget to actual expenditures
16 and those are pretty much on target for this
17 time of year. Page 9 is the certificate of
18 deposit summary. There were -- in January,
19 there were two Business First Bank CDs and
20 one Landmark CD that renewed. They matured
21 and renewed. The Business First rate
22 remains at 1.15 percent. And the Landmark
23 CD renewed at point 60 percent.

24 On page 10, the accounts
25 receivable hearing report, \$42,900 in fines

1 were assessed in January and 13,300 was
2 collected. And on the last page, the
3 balance for January 31st was \$66,458.

4 Moving on to the February
5 financials.

6 MR. POTEET:

7 Could I ask a question?

8 MS. ANDERSON:

9 Yes, sir.

10 MR. POTEET:

11 Why are --- why are these
12 Landmark Bank rates so low?

13 MS. ANDERSON:

14 I don't know. They fall way
15 behind the other banks in their rates and it
16 doesn't seem to be getting better. But
17 there aren't that many banks that are out on
18 the list of banks that are fiscal agents
19 that are approved by the state. And we're
20 at our maximum 250,000 in all the other
21 banks. So I can't move it to those banks.
22 I can't move that money to those other banks
23 that pay the higher rates.

24 MR. DONNELL:

25 How long are we locked in for?

1 MS. ANDERSON:

2 We only -- we do more than a
3 year. We're -- and that's part of our
4 policy is to not invest for more than a
5 year. I had been investing at six months,
6 but the rates weren't changing that much.
7 So we went ahead with the year, so we can
8 lock in some of those higher interest rates.
9 But we've tried a number of other banks,
10 some of the smaller banks around here, and
11 they weren't able to offer more. But we'll
12 continue to try each time.

13 MR. DUPLESSIS:

14 Are there checking accounts that
15 we can open? I know several checking
16 accounts are paying CD rates.

17 MS. ANDERSON:

18 Well, we'd have to go through the
19 state treasury for that. So we'd have to
20 apply to state treasury to open another --

21 MS. MORRIS:

22 I was in a board meeting last
23 week where they invested a CD at Whitney,
24 which is approved. And I think their rate
25 was close to 1.2.

1 MS. ANDERSON:

2 Whitney?

3 MS. MORRIS:

4 But they're in New Orleans. So I
5 think the rates will be similar.

6 MR. DUPLESSIS:

7 They's here in Baton Rouge.

8 MR. POTEET:

9 We'll take a look at that.

10 MS. MORRIS:

11 Chase is usually competitive with
12 Whitney.

13 MR. POTEET:

14 They're approved?

15 MS. MORRIS:

16 Yes. They should be on the list.

17 MS. ANDERSON:

18 I had checked Whitney previously
19 and hadn't found anybody that was any
20 better, but it changes all the time. We did
21 put some in Bank of St. Francisville. They
22 had originally said their rate was less.
23 And I said, well, some other banks are
24 giving us this much. And then they went to
25 the higher rate, you know. So it just

1 depends on each bank.

2 MR. POTEET:

3 Let's take a look at those
4 others, Whitney and Chase.

5 Okay. Does anybody have any
6 questions before we move on to February?

7 (No response.)

8 MR. POTEET:

9 Okay. Thank you, Mona.

10 MS. ANDERSON:

11 And so we'll move on to the
12 February financials. At the end of
13 February, the operating account balance was
14 \$2,322,621. The accounts receivable hearing
15 fines were \$60,658. Current liabilities at
16 the bottom of page were \$51,278. The
17 escrowed fines were a little higher, 11,666
18 due to the fact that we didn't have a
19 Commission meeting and we couldn't -- we
20 couldn't move those into revenue until they
21 were approved.

22 On page 2, the long-term
23 liabilities were \$255,490. On pages 3
24 through 5, the statement of revenues,
25 expenses, and changes in net position, the

1 year-to-date revenues were \$1,126,910, which
2 was about a \$27,000 decrease from 2016. And
3 that's primarily due to the '16 auction fees
4 being so high after the flood.

5 On page 4, the salaries and
6 related benefits were \$170,000 higher than
7 the prior year. That's due to the addition
8 of new staff positions. The remainder of
9 the expenses were about 15,000 higher than
10 the previous year, the same as in January.
11 And on page 5, the change in net position
12 for the month was a negative \$51,512. And
13 the year to date was \$344,668.

14 Again, the four-year revenue
15 comparison is on page 6 and the graph is on
16 the following page and that does show the
17 decrease in revenue, primarily fines.
18 Turning on to page 8, that would be the
19 four-year expenditure comparison. And you
20 can see the difference in the salaries
21 there. The operating expenses are pretty
22 much the same.

23 On page 9 is the certificate of
24 deposit summary, the same as January, no
25 changes in February. And on page 10, the

1 accounts receivable hearing fines, since no
2 fines were assessed in February, we didn't
3 have a meeting. \$5,800 was collected on one
4 account. And the balance at the end of
5 February was \$60,658.

6 So unless there are any
7 questions, Mr. Chairman, that concludes my
8 report.

9 MR. POTEET:

10 Any questions? Guys?

11 (No response.)

12 MR. POTEET:

13 I guess there's no questions for
14 you today.

15 I need a motion to approve.

16 MR. SMITH:

17 I make a motion.

18 MR. OLAVE:

19 Second the motion.

20 MR. POTEET:

21 Second, Steve.

22 All in favor, say, "Aye."

23 (All "Aye" responses.)

24 MR. POTEET:

25 Any opposed?

1 (No response.)

2 MR. POTEET:

3 The motion carries. All right.
4 Let's see. The next thing we've got here --
5 Derek, do you want to lead this discussion,
6 certification request approval?

7 MR. PARNELL:

8 Yes. Commissioners, according to
9 Revised Statute 32:792(B)(17)(J) in our law,
10 it is an advertising violation to use the
11 term "certify," "certification" or other
12 civil terms without having approved the
13 certification process approved by this
14 Commission. There have been several
15 submissions since this law has been put in
16 place. I've done my review of many of them.
17 Some were approved. Some were not.

18 Commissioner Taylor's was one of
19 the earlier submissions of his certification
20 process approved throughout this. As of
21 recent, I have received two requests from
22 two companies, American Guardian Warranty
23 Services, stating that, you know, some of
24 their independent used dealers have some
25 concern about violating our law as it

1 relates to using the term, "certification"
2 by using their product to offer as a benefit
3 from a marketing standpoint to their
4 customers. This may be simply something
5 that was outside of our scope.

6 I just kind of wanted to have a
7 discussion and get some guidance from
8 you-all in this matter. This is more --
9 it's a little bit different from what I had
10 been approving in the past, because this is
11 much more related to the warranty
12 certification of the marketing versus the
13 certification process, dealer markets with
14 their inventory.

15 I did have Investigator Perry
16 Esponge kind of look into the matter a
17 little bit deeper for me and he does have
18 some information he kind of wanted to share
19 with you-all as it relates to this. With
20 American Guardian Warranty Services, we have
21 Mr. Harold McDermott, who is present. And
22 he can speak to their product themselves.
23 But if I can, I'd like Investigator Esponge
24 to kind of give us a little rundown on kind
25 of exactly what he researched and found out.

1 So I'll let him give a little bit of
2 guidance on which direction to go.

3 MR. ESPONGE:

4 I looked at both of these
5 warranties. As Director Parnell said, the
6 way that I understand the law is that we can
7 approve a dealer to say, "certified." These
8 are actual warranty companies who are
9 selling their products to dealers. So my
10 question was, do we have the regulatory
11 authority to approve a warranty company that
12 we don't regulate to use the word,
13 "certified" as they are selling their
14 product to dealers. So I looked into the
15 warranties. I had some concerns. Neither
16 warranty that I'm aware of covers vehicles
17 off road. That includes four-wheel drive
18 vehicles. The first company, the AGCLW,
19 they will not cover vehicles used in -- as
20 -- for commercial vehicles -- commercial
21 retail business even if it's delivering
22 pizzas, you know, young kid that works at
23 Domino's. If their vehicle breaks down
24 while they're delivering pizzas, they do not
25 have a warranty on their vehicle, because

1 that's considered commercial use.

2 No vehicle is covered off road.
3 And there were several concerns with the
4 AGWS as well with their marketing towards
5 dealers where they had, it looks like,
6 window stickers and they have Dodge, Jeep,
7 you know. They're advertising the
8 manufacturer on their window stickers on an
9 independent used vehicle. Mr. McDermott is
10 here with that company. I spoke to him last
11 week. They also do not cover vehicles off
12 road, even if it's a four-wheel drive
13 vehicle.

14 Their understanding, a four-wheel
15 drive vehicle is for weather conditions,
16 like, in the north as far as snow and things
17 like that. And I spoke to Mr. McDermott's
18 supervisor, who is Mr. Dwyer. I said, well,
19 here in the south, we don't really have
20 snow. Most four-wheel drive vehicles in the
21 south are going to be for hunting, swampy
22 areas, when you go fishing or something to
23 that aspect. And that wouldn't be covered
24 under these two warranties that they want to
25 advertise as a publicly certified vehicle.

1 MR. PARNELL:

2 Well, my concern was that, you
3 know, I have dealers requesting approval to
4 use these companies, because in the
5 advertising language of the company, it
6 says, "certified." And the dealer was
7 trying to understand if they use that
8 language as it relates to this company, are
9 they in violation of our statute.

10 For me, I just needed some
11 guidance from you guys. And maybe I'm
12 missing a point here. This seems a little
13 bit farther outside of our scope as it
14 relates to it, because they're warranty
15 companies. But if our dealers are -- their
16 purchases of these warranties to give to
17 their consumers and they use the term,
18 "certification," do you find that they're in
19 violation of our statute and/or do we not
20 even need to touch any certification
21 requests for approval from a warranty
22 company.

23 MR. POTEET:

24 Well, here's the way I see this.
25 The person -- if you had -- if Dino came in

1 here and said, this is my certification
2 program, and he gave you this, and you
3 approved it, then you could say anybody that
4 gets this company would be approved. I
5 don't know that we should be approving the
6 warranty company, per se, but if I have one
7 dealer that comes in with this company, and
8 then we approve it, then it would seem to
9 make sense to me that they would be
10 essentially approved for anybody that used
11 that. I mean, you wouldn't have to go
12 through this process. What we're doing
13 right now is, we're looking at their program
14 and we say, okay, this is okay, but we need
15 somebody to come in and ask to be approved.
16 Your program is one -- you just have your
17 own, right?

18 MR. TAYLOR:

19 Right, correct.

20 MR. POTEET:

21 Okay.

22 MR. PARNELL:

23 And so that's a little bit
24 different. It just may be me.

25 MR. POTEET:

1 That's okay. No, I understand --
2 I understand the question, is which comes
3 first, the warranty?

4 MR. PARNELL:

5 I would say the dealer --

6 MR. POTEET:

7 The licensee coming in and says,
8 this is my company. This is the company I'm
9 going to use. Then, we look at it and once
10 we've looked at it --

11 MR. PARNELL:

12 Do we approve the dealer?

13 MR. POTEET:

14 Do we approve the dealer? And
15 then we could kind of have that on file,
16 that any dealer that uses this company would
17 be approved. And the only thing we would
18 really need to do -- somebody tell me if I'm
19 wrong on this -- but the only thing we would
20 need to do is make sure that the warranty
21 company stays up to date. If there's any
22 changes made to -- if they make a change to
23 their program, they should -- they should
24 copy us. I would say that would probably be
25 true with any certification program.

1 MR. TAYLOR:

2 And in terms of an eligible
3 vehicle. Ron, I'm sure you run GM certified
4 vehicles, but you've got a pile of vehicles
5 on your lot that are not certified. That's
6 not uncommon. I've got a pile of vehicles
7 that are not certified on my lot, because I
8 don't carry the badges of being certified,
9 like, Ron does at a new car store than
10 anybody else's. I exclude sports cars,
11 four-wheel drive trucks, lift kits, and
12 things of that nature. But my customers,
13 they know what they're buying when they come
14 in.

15 MR. ESPONGE:

16 Okay.

17 MR. POTEET:

18 Yes. I would say your -- the
19 issues here would be something that would
20 be, you know, up to the dealer to properly
21 -- if he's going to exclude vehicles, he
22 shouldn't be slapping one of these
23 warranties on that vehicle.

24 MR. ESPONGE:

25 AGWS has more of a comprehensive

1 -- if you look through their advertisements
2 to the dealers -- this AGCLW, all they sent
3 us was five pages and a checklist. They
4 have no policy relating to what they want to
5 cover, where like AGWS says, you know, 10
6 year maximum, 80,000 miles. It's more
7 comprehensive. This other company is
8 basically something that you would buy from
9 AUL with the checklist and that's it.
10 Where, you know, one dealer that would
11 approve certified advertising in Baton Rouge
12 is no longer in business, but his request
13 was, like, 17 pages, very comprehensive.
14 And that's what I was used to seeing with
15 certified. But this one is, like, four or
16 five pages and a checklist.

17 MR. POTEET:

18 Well, as I understand the law --
19 and if anybody here sees it differently --
20 as I understand the law, the dealer has to
21 come with us to get approved --

22 MR. ESPONGE:

23 Right.

24 MR. POTEET:

25 -- to use the word, "certified."

1 So Mr. McDermott --

2 MR. McDERMOTT:

3 Yes.

4 MR. POTEET:

5 -- Mr. McDermott, I appreciate
6 you being here, but that's not part of our
7 job, to approve your company, unless a
8 dealer wants it approved. And then that
9 makes it convenient for us -- I don't know
10 if it says it that way, but it makes it
11 convenient for us if more people use
12 something that we've approved. And that's
13 what we were talking about this law. If I
14 remember right, that's what we said, was if
15 we -- you know, if we look at a program and
16 say that it's approved for this dealer, that
17 makes it easier for that dealer or for other
18 dealers to use the same program.

19 Do you want -- if you want to say
20 something, you're welcome to speak.

21 MR. McDERMOTT:

22 So that's the reason why I -- we
23 were actually at the meeting, because the
24 gentleman, Mike Lee, from G&C Auto Sales in
25 Marrero, he asked that I get some kind of

1 approval from the LUMVC in order to, you
2 know, say that he can use it.

3 MR. POTEET:

4 It's the other way around. He
5 has to ask us.

6 MR. McDERMOTT:

7 Okay. He has to ask, okay.

8 MR. POTEET:

9 Yes. And, you know, I -- and
10 then we -- you can approve it. Isn't that
11 right?

12 MR. PARNELL:

13 Yes.

14 MR. POTEET:

15 And the only way it would come to
16 us is if he fails it, and then somebody
17 wants to contest it.

18 MR. McDERMOTT:

19 Right. We just want to be
20 compliant with them, with the State, and he
21 --

22 MR. POTEET:

23 Yes.

24 MR. McDERMOTT:

25 -- wanted to be compliant as

1 well. So that's the reason why we're going
2 through the steps to get that down.

3 MR. POTEET:

4 Well, I appreciate having the
5 information here, because it gives us a head
6 start when he asks. But he has to ask to
7 have it approved.

8 MR. PARNELL:

9 That's what I understand, yes.

10 MR. POTEET:

11 Yes.

12 MR. McDERMOTT:

13 So what message does he have to
14 leave? Does he have to email someone?

15 MR. PARNELL:

16 Submit a request in directly to
17 me. You absolutely send the information
18 that we already have, but he submits that
19 with his request for approval using the term
20 "certification" in his advertising.

21 MR. POTEET:

22 And then --

23 MR. PARNELL:

24 And we'll go from there.

25 MR. POTEET:

1 -- and then either Derek approves
2 it or doesn't approve it. And he'll tell
3 you what -- you know, if he says, no, I
4 can't approve it, he'll tell you what's
5 missing. He'll tell the dealer what's
6 missing. And then he can come to you and
7 tell you what's missing. I mean, yours
8 looks pretty thorough. The other one, to
9 Perry's point, was not very thorough. So I
10 would say, good luck. So just tell him he
11 needs to go through that process. It's not
12 a big -- it's not a big deal.

13 MR. McDERMOTT:

14 Okay.

15 MR. POTEET:

16 We have -- we have a Commissioner
17 that went through it and he seems to be
18 okay.

19 MR. PARNELL:

20 Yes. It's more of a -- I just
21 needed clarity from you-all --

22 MR. POTEET:

23 Yes.

24 MR. PARNELL:

25 -- just to make sure.

1 MR. POTEET:

2 No. I think it was good for us
3 to talk about it.

4 MR. DUPLESSIS:

5 Mr. Chairman, I do have a couple
6 of comments.

7 MR. POTEET:

8 Okay.

9 MR. DUPLESSIS:

10 On the new car side, you know,
11 let's don't forget what the certification is
12 about. It's not certifying what the car is
13 going to be in the future. It's certifying
14 what the car is at this condition.

15 MR. POTEET:

16 Yes.

17 MR. DUPLESSIS:

18 So I think we need to consider,
19 you know, some minimal standards and those
20 being safety standards of brakes, tires,
21 gosh, alignment, that sort of thing. And we
22 don't get into some of other off road. All
23 the GM stuff excludes off road. And most of
24 my warranties exclude sports cars, all
25 sports cars and I would exclude them also

1 knowing what I know about the drivers of
2 sports cars. So I think it's really simple.
3 Those exclusions probably are universal and
4 are fit. But we need to talk about what
5 we're certifying at the time the car is
6 delivered to the customer, not the intended
7 use, because, basically, commercial vehicles
8 for GM, 12 months, 12,000 miles. That's the
9 factory warranty. Consumer warranty is
10 36/40 or something of that nature. So
11 there's a defined difference in those, too.
12 But I do think that we need to make it
13 easier on Mr. Parnell and that's to have a
14 minimal set of standards, by which we --

15 MR. POTEET:

16 Don't we have that?

17 MR. PARNELL:

18 Well, yes. I mean, I don't think
19 we've set out and put a minimal set of
20 standards. But, I mean, what I'm looking
21 at, it has to be fairly comprehensive. What
22 I have been approving does cover all of
23 those items that you talked about and more.
24 Some of the -- one of the ones I did
25 approve, they had, like, a 110 point process

1 that they go through and they showed all of
2 the information that they put all their
3 vehicles through and they had the
4 documentation to back that up and that's why
5 I looked at it like that. Some of the ones
6 that were very short, I didn't approve
7 those, because I didn't think it was
8 thorough enough for them to be using that
9 terminology, so.

10 MR. POTEET:

11 Approximately, how many have you
12 approved?

13 MR. PARNELL:

14 It's only been about 11.

15 MR. POTEET:

16 Okay.

17 MR. PARNELL:

18 Yes.

19 MR. POTEET:

20 So, I mean, after you do a few of
21 these, you pretty much --

22 MR. PARNELL:

23 Yes.

24 MR. POTEET:

25 -- get the idea that that isn't

1 what we're looking for.

2 MR. PARNELL:

3 Some, they come right away and I
4 send it right back and don't approve it.
5 They send me a paragraph.

6 MR. ESPONGE:

7 Mr. McDermott's company, this is
8 his checklist.

9 MR. PARNELL:

10 Yes. It's a very thorough
11 checklist.

12 MR. ESPONGE:

13 It's very -- their whole program
14 is very comprehensive.

15 MR. POTEET:

16 Yes. I wouldn't -- you know, I
17 guess I have to be careful about how we say
18 this, but, you know, because we approve it
19 once doesn't mean we're endorsing it for
20 other dealers. But, in reality, that's what
21 we're doing once it's approved and
22 everything.

23 MR. PARNELL:

24 That uses that product.

25 MR. POTEET:

1 How you use that information is
2 up to you, Mr. McDermott.

3 MR. McDERMOTT:

4 Thank you, sir.

5 MR. POTEET:

6 Any other questions or comments
7 on this?

8 MR. McDERMOTT:

9 I'm happy. Thank you.

10 MR. POTEET:

11 Okay. So ratification of imposed
12 penalties, Mr. Parnell.

13 MR. PARNELL:

14 Commissioners, you will find in
15 your packet a chart that illustrates the
16 dealers that were in violation of state law.
17 These cases have been investigated and I
18 have determined that the public interest can
19 be served without further administrative
20 proceeding; thus, civil penalties were
21 imposed. I will, as usual, go through the
22 names of those dealers that have imposed
23 civil penalties.

24 Do you know if we have anyone
25 present representing these dealers?

1 MS. BARON:

2 I'll go check.

3 MR. PARNELL:

4 And, granted, these are from
5 January and February.

6 MS. BARON:

7 No, sir, we do not.

8 MR. POTEET:

9 I just thought of a question.
10 How often do you have to get it approved?
11 Every time you get your license renewed?

12 MR. PARNELL:

13 Yes, yes.

14 MR. POTEET:

15 Okay. So when you approve it,
16 it's for two years maximum?

17 MR. PARNELL:

18 That's when I've been doing, yes,
19 nothing in writing or anything like that.

20 MR. POTEET:

21 That makes sense.

22 MR. PARNELL:

23 That's what we have been doing.

24 MR. POTEET:

25 Okay.

1 MR. PARNELL:

2 They submit for their license and
3 we submit the information.

4 MR. POTEET:

5 Okay. Thank you.

6 MR. PARNELL:

7 All right. Premier Auto Sales
8 from Slidell, Louisiana, fine amount was --
9 violation fine amount is \$4,700. Kessler
10 Auto Sales, LLC from Kenner, Louisiana, fine
11 amount is \$2,550. Auction Rep, LLC, doing
12 business as, Louisiana Direct Buy, from
13 Baton Rouge, Louisiana, fine amount is \$300.
14 Hedam Auto Sales, LLC from Marrero,
15 Louisiana, fine amount is \$800. Value
16 Motors Company, Incorporated, Marrero,
17 Louisiana, fine amount is \$300. James
18 Walker, doing business as, Walker's Auto
19 Sales, from Marrero, Louisiana, fine amount
20 \$1,050. D&C Auto Express, LLC from Baton
21 Rouge, Louisiana, fine amount is \$400.
22 Sheldon Johnson, doing business as, City
23 Auto Mart, from DeRidder, Louisiana, fine
24 amount is \$600. Cars 2 Go Opelousas,
25 Incorporated, Opelousas, Louisiana, fine

1 amount \$250. Revolution Auto Brokers, LLC
2 from LaPlace, Louisiana, fine amount \$1,250.
3 VTI, LLC, doing business as, VTI Auto Sales,
4 in Leesville, Louisiana, fine amount is
5 \$3,400. Xpress Rent to Own, LLC from Baton
6 Rouge, Louisiana, fine amount is \$700. Car
7 City Autoplex, LLC from Metairie, Louisiana,
8 fine amount is \$900. The total of civil
9 penalties was \$17,200. Commissioners, I ask
10 that you ratify the imposed civil penalties
11 assessed.

12 MR. OLAVE:

13 I make a motion, Mr. Chairman.

14 MR. SMITH:

15 Second.

16 MR. POTEET:

17 All in favor, say, "Aye."

18 (All "Aye" responses.)

19 MR. POTEET:

20 Any opposed?

21 (No response.)

22 MR. POTEET:

23 All right. Those are approved.

24 Those are ratified.

25 All right. So what do we have

1 next?

2 MR. PARNELL:

3 We have ratifications of
4 revocations. Commissioners, you will also
5 find in your packet a chart that illustrates
6 the dealers who their license has been
7 revoked. Please note that each dealer on
8 the list has been through the revocation
9 process.

10 Once again, do we have anyone
11 present?

12 MS. BARON:

13 We do not. I checked while I was
14 out there.

15 MR. PARNELL:

16 All right. I'll go through this.
17 Dealership, Andrews Auto Sales from Oakdale,
18 Louisiana, notice of revocation is for 2/26
19 of 2018. Kentwood Auto Salvage from
20 Kentwood, Louisiana, the notice of
21 revocation was 2/26 of 2018 as well.
22 Commissioners, I ask that you ratify the
23 revocation of dealers that I have announced.

24 MR. TAYLOR:

25 I make a motion.

1 MR. OLAVE:

2 I second the motion, Mr.
3 Chairman.

4 MR. POTEET:

5 All in favor, say, "Aye."
6 (All "Aye" responses.)

7 MR. POTEET:

8 Any opposed?
9 (No response.)

10 MR. POTEET:

11 Those revocations are now
12 ratified.

13 All right. I think you're next
14 on the agenda.

15 MR. PARNELL:

16 All right. Commissioners, you'll
17 find in your chart -- your book the alleged
18 issue reports that we have for the last two
19 months. There are 171 alleged issues for
20 January and February of 2018. The next
21 report you will find is the case report. It
22 illustrates the amount of cases that were
23 assigned to the investigators for the month
24 -- for the last two months, I should say.
25 There were 108 cases assigned during the

1 months of January and February. Also -- you
2 will also find the department summary
3 report, which illustrates the amount of
4 cases that were closed for the month. And
5 there were 55 cases that were closed.

6 In other news, I kind of wanted
7 to go through and let you-all know that
8 Nestor Guillory, whose area of
9 responsibility was District 3, he's no
10 longer with our agency. I do want to thank
11 him for his service over the years. With
12 that said, I would like to take this
13 opportunity to announce our newest
14 compliance investigator, Mr. James D. Fail.
15 Mr. Fail's area of responsibility will be
16 District 3. He is a retiree of the military
17 and also a retiree of Louisiana State
18 Police, where he has many years of extensive
19 investigative experience. Please allow me
20 at this time to introduce Mr. Fail.

21 I don't know if you would like to
22 say -- address the Commission?

23 MR. FAIL:

24 It's nice to be here.

25 MR. POTEET:

1 Good morning and welcome.

2 MR. FAIL:

3 Thank you.

4 MR. PARNELL:

5 We are still kind of going
6 through our process looking at licensing
7 software. We -- the -- what we were looking
8 at before, System Automation, we did get a
9 quote from them. It was incredibly high. I
10 mean, it was, like, sticker shock when we
11 looked at it. But we're still going to
12 continue our process to try to find a
13 solution that can really work for this
14 agency to bring us forward that we can use
15 for the next 15, 20 years that, you know,
16 can adapt to our growth and our change.
17 It's not that easy to find. The ones -- if
18 we do find it, it's incredibly high, which
19 goes outside of our regulatory authority
20 that we can hire someone to do that, we can
21 purchase. We have a purchasing dollar
22 amount, a limit, and that kind of puts us in
23 a strange place when we're trying to look at
24 these kind of solutions. But with that
25 said, that's pretty much all that's really

1 been going on day to day. If you have any
2 questions or comments, please at this time.

3 MR. POTEET:

4 Are there any other state
5 agencies that are having this issue or this
6 problem with their software?

7 MR. PARNELL:

8 Yes. A lot of state -- we have
9 several state agencies that have CAVU that
10 are actually working with them. And most of
11 the ones that are using the exact product
12 that we are, they're having the same
13 concerns that we have. And they've kind of
14 been branching out looking at other
15 entities. We've looked at most of the ones
16 that they have looked at. Some of them
17 wanted an entity -- they went in with a very
18 small software solution company and they're
19 really kind of disappointed with it right
20 now. They've only had it for about three
21 months and they really feel like they've
22 kind of wasted their time and their money
23 moving with that product. And that was
24 someone who came and sat with us.

25 We just felt like they were too

1 small. They weren't ready to be able to
2 deal with what we are looking to do
3 presently, not only presently, but for the
4 future. But there are several out there.
5 Some agencies are not really trying to
6 change, because they kind of want to stay
7 specific to what they're doing. But the
8 vision that I see us moving towards, we're
9 going to need to really have a software
10 solution that can kind of really help us be
11 more proactive on what we're doing day to
12 day versus reactive. And I think a strong
13 solution, a proper solution, will allow us
14 to do that. Right now, again, we're really
15 -- our software right now is really
16 cumbersome. It doesn't allow us to really
17 do -- move into the new millennium with our
18 investigations out in the field and relaying
19 information back to our staff here on site.
20 And it just -- it's just not working for us,
21 you know.

22 MR. POTEET:

23 So there are solutions?

24 MR. PARNELL:

25 There are solutions that are too

1 expensive or not good enough, basically.
2 Some are not even as good as what we're
3 currently working with, you know. We've
4 found that as well, you know. But for the
5 long haul, I just -- we just don't believe
6 that we can go forward with the company that
7 we're currently with. It's just -- not only
8 from the customer service standpoint with
9 us, but also just the product is just not
10 that good, you know. So we're going to
11 continue the process, you know. We had
12 hoped that that licensing software came back
13 at a reasonable number. We will be trying
14 to look towards trying to have something
15 within the next year, in the 2019 licensing
16 period. But, again, when they came back, we
17 were in a little sticker shock. I mean, so
18 that's kind of where we are with that.
19 We'll continue the process.

20 MR. POTEET:

21 Any Commissioners have any
22 suggestions?

23 MR. TAYLOR:

24 Georgia, Texas, Alabama, any of
25 those three states? Because those three

1 states seem to be leading the way with their
2 association.

3 MR. PARNELL:

4 We looked at a few programs from
5 them. Again, we've kind of run into that
6 same issue. We have a flat program. We
7 can't really go above with purchasing unless
8 we do -- I mean, we still have to bid some
9 things out. We're going to try that next
10 and move forward with that. But we've been
11 shopping around and this was a company that
12 actually came to us understanding that we
13 were a company that was -- agency that was
14 looking to try to move in a different
15 direction, you know. I thought the product
16 was great, but it just was more than we can
17 handle. It was more than what we can handle
18 if we did most of the leg work versus
19 letting -- allowing them to put everything
20 together for us. And that was still beyond
21 what our dollar amount was.

22 MR. DUPLESSIS:

23 Well, you were looking at one all
24 encompassing term solution?

25 MR. PARNELL:

1 Yes. I found that, you know, in
2 the past when we've talked about it
3 initially, I remember you recommended us to
4 kind of look at something that was a little
5 bit broader. But I think that if you really
6 look at exactly what we're doing, day-to-day
7 licensing and our investigations and -- it
8 needs to be kind of -- it really needs to be
9 -- we need to get enough to really handle
10 all of this, so with the communication
11 between the field and the staff and what
12 we're doing out dealing with our consumers
13 -- I mean, I should say licensees, going out
14 on the website, getting updates and doing
15 all this information. I -- we looked at
16 some various entities like that, but I don't
17 know if we can find something that can
18 really give us -- provide us what we need,
19 that's going to be better than what we have.
20 That's my concern. We've looked at several
21 things and they're not really better than
22 what we have. I want to see us move to
23 something that can actually grow this
24 agency, not keep us here. I mean, we can
25 keep this forever, you know, but.

1 MR. DUPLESSIS:

2 You know, I operate a number of
3 businesses in a number of states and we do
4 our own thing. And we couldn't find that
5 encompassing solution at a reasonable price.
6 If you would like, I have a hardware guy and
7 a software guy. I'd be willing to have them
8 come over and take a comprehensive look,
9 because I can name four or five softwares
10 right now that are extremely inexpensive.

11 MR. PARNELL:

12 Well, I will get that.

13 MR. DUPLESSIS:

14 You know, I am pretty tight. I
15 can tell you. But I'd be willing to try and
16 --

17 MR. PARNELL:

18 Well, I'll get the information
19 from you. And that way, we can reach out to
20 them and see what they have to offer. I
21 mean, I think that's a great -- another
22 avenue that we can look through.

23 MR. DUPLESSIS:

24 Okay.

25 MR. POTEET:

1 Any other questions for Derek?

2 (No response.)

3 MR. POTEET:

4 So where are we? Legislative
5 Session. All right. Legislative Session.
6 So, Derek.

7 MR. PARNELL:

8 I -- let me -- if I can, I just
9 want to make an announcement about the
10 committee -- the Legislative Session. A few
11 days ago, I did receive an email from Ellen
12 Palmintier, Boards and Commissions, advising
13 that according to Revised Statute 49:191 --
14 what was it, (8)(j), requires the Used Motor
15 Vehicle Commission to begin sunset on July 1
16 of 2018. They have a House Bill, Senator
17 Danny Martini, he has filed Senate Bill 62
18 to recreate this Board and it would extend
19 our time to July 1 of 2023. This bill will
20 be heard in Senate Commerce on Wednesday,
21 the 21st. And he just sent me another email
22 this morning at 1:30. They're requesting a
23 representative to come down and -- just in
24 case if committee members would have some
25 questions about who we are, what we're

1 doing, and, you know, budgetary issues, just
2 to answer some questions for them.

3 Five years ago when it started in
4 the Senate side -- I'm sorry. It started in
5 the House side. We went down there and went
6 down there, but we didn't have to say
7 anything. But I don't know -- the Senate
8 side is starting it. I'm pretty sure there
9 will be a lot of questions on that side.
10 But this is a bill that if they don't
11 recreate us July 1, we sunset and we're
12 over. So every five years this has to
13 happen.

14 And I was talking with Ms.
15 Morris. She was talking to other agencies
16 -- large agencies. They all go through this
17 process. So that will be a Senate bill. If
18 we can add that to our legislative
19 discussion, that will be fine.

20 MR. POTEET:

21 Okay. What else?

22 MR. PARNELL:

23 House Bill -- Commissioner
24 Duplessis, do you want to speak on it or do
25 you want me to kind of go through it?

1 MR. DUPLESSIS:

2 No. Go through it. I have not
3 been up to speed.

4 MR. PARNELL:

5 All right. House Bill 514 by
6 Representative Shadoin. This is a
7 Commission bill that arises relative to the
8 Louisiana Used Motor Vehicle Commission. We
9 have received a little bit more opposition
10 to some areas in the law and what we're
11 trying to do, than we were expecting. I
12 will have -- Ms. Morris, if you will, kind
13 of go through some of the concerns that we
14 ran into and some of the amendments that
15 we're trying to clear up before we get to
16 session, get to committee tomorrow, so we
17 can kind of have a smooth sail through.

18 MS. MORRIS:

19 Okay. The status of House Bill
20 514, as I understand it, Mr. Parnell,
21 pursuant to the agreement that we have with
22 the Motor Vehicle Commission, did send this
23 information about this bill to the Motor
24 Vehicle Commission and we have not received
25 any comments.

1 MR. PARNELL:

2 So after the -- after the meeting
3 today, I will -- I will send Lessie another
4 email just to try to touch base with her
5 before tomorrow. I don't want any surprises
6 tomorrow when we get down there. So I'll
7 shoot her another email and ask, and I'll
8 call her, if she has any concerns, because I
9 didn't hear anything back from her.

10 MS. MORRIS:

11 You might want to sent her the
12 amendments as well.

13 MR. PARNELL:

14 Okay.

15 MS. MORRIS:

16 We got some concerns from SEADRA
17 and also Insurance Auto Auction. So what we
18 did -- there were some things that we didn't
19 feel like we had enough information to
20 address this year. So our recommendation
21 was to put them on the list for potential
22 legislation next year and do some research
23 in the interim. And that related to the
24 airbag provisions. So we struck the airbag
25 provision to allow the other things to go

1 forward. And then there was a request with
2 the educational seminar to exempt those
3 entities that have dealer licenses, which do
4 not sell to consumers. They only transfer
5 to other dealers to purchase vehicles. So
6 we drafted an amendment, which would allow
7 for that very limited exemption to the
8 educational seminar.

9 MR. DONNELL:

10 Now, Ms. House did call me this
11 past week. Of course, I had a meeting with
12 her the first of the week, last week. She
13 was concerned about the language about if we
14 got in a conflict, who supercedes. And the
15 way Derek explained it to me, basically, the
16 same thing. Y'all can comment on it or
17 whatever.

18 MR. PARNELL:

19 That provision is in 782, the
20 jurisdiction or authority of the Commission.
21 That was one of the things that we were
22 initially going through. I felt like that
23 they would oppose, they would have a problem
24 with that. "The provision of this Chapter
25 shall not apply to any person, partnership,

1 corporation, limited liability company, or
2 other entity licensed or regulated by the
3 Louisiana Motor Vehicle Commission. If any
4 provision of this Chapter conflicts with any
5 provision of Chapter 6 of this title,
6 provision of Chapter 6 of this title shall
7 prevail." That was something that I know we
8 felt like we did want to change or get rid
9 of, delete. But I felt like trying to move
10 our legislation forward this year, it would
11 be not a good idea to put that -- take that
12 -- take that completely out. So what I did
13 -- it's still here. If you would, just --

14 MR. DONNELL:

15 Yes. Check and make sure the
16 language is --

17 MR. PARNELL:

18 What happened was, the -- we --
19 Section A, we put a little bit more
20 information on the Used Motor Vehicle
21 Commission, who we are and what we are and
22 what we license. And it was much more of a
23 mission statement and we just moved that
24 from A to B, but that language stayed the
25 same. So I'll find out from her today if

1 that's really a problem.

2 MS. MORRIS:

3 In the actual bill draft, there
4 is no change to the current language.

5 MR. PARNELL:

6 Yes, exactly.

7 MS. MORRIS:

8 It's the same as the current
9 language. So I know that there was a draft
10 circulated before.

11 MR. PARNELL:

12 Yes.

13 MS. MORRIS:

14 It was actually sent to the
15 staff. It does not change that language.
16 But, right now, the only change -- the only
17 reason it's even in the bill is because
18 there was an new paragraph that's lettered A
19 added. And so, now, that paragraph that's
20 currently the law becomes paragraph B. So
21 there's no --

22 MR. DONNELL:

23 She -- yes. She was telling me
24 that while I was doing 80 down the
25 Interstate.

1 MS. MORRIS:

2 Well, it might be that their
3 concern was seeing a prior draft. But what
4 was submitted to the Legislature has no
5 change in that language as to which
6 commission would supercede. So I think
7 we've addressed all the concerns. I have
8 responses. I think we've got information
9 from SEADRA and Insurance Auto Auctions that
10 they were fine with the changes. So we have
11 those drafted. They were sent to the staff,
12 I believe, yesterday. I think this bill is
13 in good shape. Eric Sunstrom with
14 independent dealers with this bill also
15 helped.

16 MR. POTEET:

17 Do you work on Sundays?

18 MR. SUNSTROM:

19 I'll work all weekends until
20 June. We did submit an amendment on behalf
21 of the LIDA with regards to an issue that
22 the new commission brought to my attention
23 on page 5, or any provision right down there
24 by line 25, or any other provision of law
25 relating to. And we inserted the coma and

1 put language in there that they suggested to
2 protect them.

3 MS. MORRIS:

4 Nobody submitted that to us.

5 MR. SUNSTROM:

6 I sent that to y'all last week.
7 I told you I was doing that.

8 MS. MORRIS:

9 We didn't get a draft of the
10 amendment.

11 MR. SUNSTROM:

12 Okay. I'll check. But I sent it
13 to staff, so.

14 MS. MORRIS:

15 Well, we also amended that
16 provision.

17 MR. SUNSTROM:

18 Okay. So if it overlaps, then --

19 MS. MORRIS:

20 We didn't amend that provision,
21 but this provision in 16 only was -- 16
22 previously said that it's a violation in the
23 chapter for any rule, regulation adopted by
24 the Commission or any provision relating to
25 the disposition of certificates of title or

1 permits to dismantle in connection with the
2 purchase or sale of a motor vehicle.

3 Mr. Hallack suggested that that
4 language should be broader and that it
5 should be a violation of the chapter, not
6 just for title violations, but for any law
7 that related to a motor vehicle transaction
8 that was between a dealer and consumer. And
9 so it does not change anything having to do
10 with the New Car Commission, because it only
11 says that this Commission can revoke or
12 suspend or fine a dealer for a violation of
13 any law related to a sales transaction with
14 a consumer. So we would need to see the
15 other amendments, because I don't believe we
16 were provided with copies.

17 MR. POTEET:

18 Who did you send that to?

19 MR. SUNSTROM:

20 Staff. I thought it was sent to
21 Thomas, also. No, the committee staff to
22 have it submitted Thursday evening. So it
23 was drafted within the 24-hour time frame.

24 MS. MORRIS:

25 I can check and see if it -- do

1 you know if it's on the site?

2 MR. SUNSTROM:

3 I'm trying to look right now.

4 No. There are no amendments listed on there
5 yet.

6 MS. MORRIS:

7 I don't really understand the
8 purpose of the amendment.

9 MR. SUNSTROM:

10 It was the same language we
11 discussed in the conference call we had
12 about two weeks ago.

13 MS. MORRIS:

14 I understand that. But this -- I
15 guess what they said was -- what you are
16 saying was that it affected somehow the
17 jurisdiction. It does not, because it's
18 just a part of paragraph B, which says that
19 this Commission can suspend or revoke the
20 license of anybody -- any dealer that
21 violates any provision of law or rules in
22 the transaction of a sale, which means that
23 even if they were fined by another
24 commission or licensed by another
25 commission, even, like, our auctioneers are,

1 the other commission taking action against
2 them allows them to continue to operate,
3 because only this Commission can revoke the
4 motor vehicle license. So I don't know
5 understand why --

6 MR. SUNSTROM:

7 On page 5, line 25, they
8 suggested to me in order for them to be more
9 comfortable with the bill, so they would not
10 oppose it, after the word, "law" on line 25,
11 insert a coma, "not administered by the
12 Louisiana Motor Vehicle Commission."

13 MS. MORRIS:

14 Again, if they were in violation
15 of the motor vehicle sales finance license,
16 then this Commission would not be able to
17 revoke their dealership license.

18 MR. SUNSTROM:

19 I am trying to -- on behalf of my
20 client, I'm trying to remove the opposition
21 from the bill and that is what the New Car
22 Commission suggested to me when I approached
23 them.

24 MS. MORRIS:

25 It doesn't seem to make sense

1 that you could -- would allow the dealer to
2 continue to operate if this Commission
3 didn't feel they should continue to operate.

4 MR. SUNSTROM:

5 Well, Derek, I suggest that you
6 talk to Leslie about that and find out what
7 exactly they're looking for there.

8 MR. TAYLOR:

9 Derek, I apologize. When I
10 called last week in reference to some of the
11 problems we have, I thought that me and you
12 were on the same page. I'm sitting here
13 looking at an email that was forwarded to me
14 from Eric Strodert that came from Eric
15 Sunstrom that went to five other people.
16 And I don't see any of this Board on that
17 email right here. I see Kevin Dixieland,
18 Jacob, Daniel, Gwen, Eric, and Robert Perry,
19 but I don't see anybody from the Commission
20 on this.

21 MR. SUNSTROM:

22 That was not a Commission email.

23 MR. TAYLOR:

24 Okay.

25 MR. SUNSTROM:

1 That was an email from the
2 Governmental Affairs Committee of the Used
3 Car Dealers Association, LIADA.

4 MR. TAYLOR:

5 So it's from Eric's Sunstrom to
6 these people, okay. It's the same thing and
7 I really thought that the Commission had
8 this already.

9 MS. MORRIS:

10 That's not sounding like the same
11 language. So we all just probably need to
12 get together after the meeting and see
13 exactly what the language is, because that's
14 not the same thing.

15 MR. POTEET:

16 Okay. We'll do that.

17 MR. DONNELL:

18 And they're going to hear this
19 bill at 10 o'clock in the morning?

20 MS. MORRIS:

21 Yes. It's scheduled for hearing
22 tomorrow.

23 MR. POTEET:

24 All right. So that's 514.

25 MS. MORRIS:

1 Next, is 412.

2 MR. PARNELL:

3 Yes. Some of these bills are
4 just some bills that I'll just let you know
5 that we're watching during this legislative
6 process. Senate Bill 412 by Senator White
7 adds employees to those individuals
8 authorized to keep and register motor
9 vehicle sales and salvage pool. I'm just
10 going to watch this bill to make sure that
11 there's no amendments that's added on that
12 could affect some of our licensees.

13 So the next bill is House Bill
14 157 by Representative Bagley modifying
15 requirements for motor vehicles issued
16 certificate of destruction. This is another
17 bill that we will watch for possible
18 concerns related to the certificate of
19 construction -- destruction, I'm sorry. And
20 this is an Office of Motor Vehicle bill.

21 House Bill 489 by Representative
22 Carmody requires the Used Motor Vehicle
23 Commission to report information collected
24 by salvage pools and salvage disposal sales.
25 If you remember, last year, Representative

1 Carmody's bill in the 2017 session required
2 LUMVC to maintain a database and also submit
3 monthly auction transaction fees to the
4 Department of Revenue. This year, the bill
5 at this time requires only the LUMVC to
6 report the monthly transaction fees to the
7 Department of Revenue. We made requests and
8 amendments to maybe change some of that
9 language as it relates to the monthly sales
10 report versus auction transaction fee. But
11 this is something that they were trying to
12 push last year. I don't see any issues with
13 it if that's all it stays as. But, you
14 know, I know what the purpose is behind this
15 bill. So we'll watch it.

16 MS. MORRIS:

17 This bill is set for hearing
18 tomorrow as well.

19 MR. PARNELL:

20 Yes.

21 MS. MORRIS:

22 And it requires this Commission
23 to adopt rules and regulations no later than
24 January 1, 2019. It's not really necessary
25 for us to adopt rules and regulations in

1 order to share the information with the
2 Department of Revenue if the bill says that
3 we're to do that. So I drafted some
4 amendments, some other technical amendments,
5 that requires us to report certain -- all
6 information kept by the salvage pools while
7 we can only report what they file with us.
8 So it would be that we would report the
9 information received from the salvage pools
10 in the following month. And so I drafted
11 amendments and I'll submit those to make the
12 process a little bit less cumbersome.

13 MR. POTEET:

14 We don't already do that?

15 MS. MORRIS:

16 We agreed to do it if they wanted
17 it.

18 MR. PARNELL:

19 Yes. I mean, we can take a
20 month. It's not an issue.

21 MR. POTEET:

22 We already have the information.

23 MR. PARNELL:

24 Just submit it in electronic
25 form.

1 MS. MORRIS:

2 Then, we wouldn't have to go
3 through the rule making process.

4 MR. POTEET:

5 Got you. Okay.

6 What else?

7 MR. PARNELL:

8 House Bill 522 by Representative
9 Davis provides relative to motor vehicle
10 service contracts.

11 House Bill 568 by Representative
12 Hilferty establishes requirements for
13 temporary registration of license plates.
14 This is another Office of Motor Vehicle
15 bill.

16 House Bill 646, Representative
17 Landry, provides relative to certificates of
18 destruction issued for water damaged
19 vehicles, Office of Motor Vehicle's bill.

20 And House Bill 674 by
21 Representative Norton provides relative to
22 the documents that an owner sells a vehicle
23 as scrap metal to the purchaser. That's --
24 most of these bills, other than the two that
25 we discussed, are bills that we're already

1 just kind of watching to see and make sure
2 what's going on with them. And we have them
3 in Lexicon. So we'll be -- if anything pops
4 up other than what we've already seen, we'll
5 mention it.

6 MR. TAYLOR:

7 On 522, I was reading through it
8 last night. What's -- that's the Department
9 of Insurance, I believe, or the Insurance
10 Commission wanting to, I guess, send service
11 contracts to the Secretary of State, let
12 them regulate that. Is that -- did you read
13 that?

14 MR. PARNELL:

15 I didn't -- I've read that,
16 but -- yes, I did. I don't really know.

17 MR. TAYLOR:

18 It looked like they were trying
19 to maintain and keep some of the mechanical
20 breakdown in the Louisiana Department of
21 Insurance, but as far as service contracts
22 are related, it goes to the Secretary of
23 State. I didn't understand their intent
24 there.

25 MR. PARNELL:

1 Nor do I.

2 MR. TAYLOR:

3 Okay. All right. Just so we
4 agree that we don't understand.

5 MR. PARNELL:

6 Right.

7 MR. DUPLESSIS:

8 It's simple. The service
9 contract is not insurance. A mechanical
10 breakdown contract is different.

11 MR. TAYLOR:

12 Okay.

13 MR. DUPLESSIS:

14 So you have a division of the
15 two. So the question is: Do you have a
16 service contract or do you have someone,
17 like, LDS --

18 MR. TAYLOR:

19 Okay.

20 MR. DUPLESSIS:

21 -- who has a mechanical
22 breakdown. They offer the service
23 contracts, they have the jurisdiction.

24 MR. TAYLOR:

25 They've been involved with the

1 LDS and those guys. Do you see any problem
2 with that bill at all? Did you read this?

3 MR. DUPLESSIS:

4 I did briefly and it's kind of
5 redundant reading. And I think somebody
6 needs to look over the service contracts,
7 because you can have, you know, the -- what
8 we say, the mutuals and put out a service
9 contract. That really doesn't have any
10 backbone to it, kind of like the
11 certification. So, you know, it prevents
12 trying to scam companies. So I would think
13 that if it does have a separation of power,
14 then it would be the way to go.

15 MR. POTEET:

16 Any other comments? Did we cover
17 that? I think we did.

18 MR. DONNELL:

19 I think we should adjourn.

20 MR. POTEET:

21 We'll take a 10-minute break and
22 we'll come back for a hearing.

23 We need a motion to adjourn.

24 MR. OLAVE:

25 I make a motion.

1 MR. TAYLOR:

2 Second.

3 MR. POTEET:

4 All in favor, say, "Aye."

5 (All "Aye" responses.)

6 MR. POTEET:

7 All right.

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

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REPORTER'S CERTIFICATE

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3 I, BETTY D. GLISSMAN, Certified Court
4 Reporter, Certificate No. 86150, in and for
5 the State of Louisiana, do hereby certify
6 that the Louisiana Used Motor Vehicle
7 Commission March 19, 2018, meeting was
8 reported by me in the stenotype reporting
9 method, was prepared and transcribed by me
10 or under my personal direction and
11 supervision, and is a true and correct
12 transcript to the best of my ability and
13 understanding.

14 This April 2, 2018, Baton Rouge,
15 Louisiana.

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22

23 BETTY D. GLISSMAN, CCR
24 CERTIFIED COURT REPORTER
25

Betty D. Glissman, CCR

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