

MINUTES OF A MEETING  
OF THE  
OKLAHOMA MOTOR VEHICLE COMMISSION

*In conformity with the Oklahoma Open Meeting Act, advance notice of this regularly scheduled meeting was transmitted to the Oklahoma Secretary of State on December 10, 2019. Public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Northwest Office Center, 4334 NW Expressway, Oklahoma City, on January 13, 2020 prior to 10:00am; and, announcement of the Board meeting and agenda were posted on the OMVC website [www.omvc.ok.gov](http://www.omvc.ok.gov) on January 13, 2020 prior to 10:00am.*

The Oklahoma Motor Vehicle Commission met in a regular session at 10:00am on January 14, 2020 in Conference Room A of the Northwest Office Center, 4334 Northwest Expressway in Oklahoma City. Chair Curtis Hayes called the meeting to order. A roll call was held; members present were Carol Carver, Curtis Hayes, Megan Vance Ochs, Jim Norton, Fred Malone, Ervin Randle, Eric Stuteville and Randy Bowen. Member absent was Fred Harlan.

The Chair announced that there were enough members present to constitute a quorum. Also present were Brad Bailey, Executive Director, Marilyn Maxwell, Deputy Director, and Sandra Balzer, Assistant Attorney General.

Each Commission Member had received a copy of the **Minutes** of the December 10, 2019 Commission Meeting. Megan Vance Ochs made a motion, seconded by Carol Carver, to approve the Minutes as submitted. The Chair called for a roll call vote; votes were as follows:

Curtis Hayes – aye	Jim Norton - aye	Eric Stuteville - abstain
Carol Carver– aye	Randy Bowen – aye	Megan Vance Ochs – aye
Fred Malone - abstain	Ervin Randle - abstain	

Motion passed.

The **Claims** and **Financial Reports** for the month of December 2019 were presented by the Deputy Director. A motion to approve both the payment claims and financial reports as submitted by the Deputy Director was made by Jim Norton, seconded by Fred Malone. The Chair called for a roll call vote; votes were as follows:

Curtis Hayes – aye	Jim Norton - aye	Eric Stuteville - aye
Carol Carver– aye	Randy Bowen – aye	Megan Vance Ochs – aye
Fred Malone - aye	Ervin Randle - aye	

Motion passed unanimously.

The next item on the agenda was discussion and possible action to authorize injunctive action concerning sales of powersports by an unlicensed dealer. Counsel Sandra Balzer advised the

Board that the Commission may convene into an Executive Session pursuant to 25 O.S. Section 307(B)(4) for confidential communications between a public body and its attorney concerning a pending investigation, claim or action. Eric Stuteville made a motion, seconded by Carol Carver, to go into Executive Session. The Chair called for a roll call vote; votes were as follows:

Curtis Hayes – aye	Jim Norton - aye	Eric Stuteville - aye
Carol Carver– aye	Randy Bowen – aye	Megan Vance Ochs – aye
Fred Malone - aye	Ervin Randle - aye	

Motion passed unanimously.

Eric Stuteville made a motion, seconded by Jim Norton to exit Executive Session. The Chair called for a roll call vote; votes were as follows:

Curtis Hayes – aye	Jim Norton - aye	Eric Stuteville - aye
Carol Carver– aye	Randy Bowen – aye	Megan Vance Ochs – aye
Fred Malone - aye	Ervin Randle - aye	

Motion passed unanimously. The Chairman indicated that no action would be taken at this time.

#### **Executive Director’s Report:**

Summary of Consumer Complaints for the period November 8 – December 5, 2019. The summary detailed seven written consumer complaints. The Board asked that the complaint report format provide the dealer’s name once the complaint is resolved.

The Executive Director apprised the board that he went to a Director’s Retreat Meeting which was the Governor’s Agency Leadership Summit on January 7<sup>th</sup> whereby the Governor spoke about the direction of his administration, gave update on the re-branding image and focused on digital technology as it applies to agencies providing online processes and services.

The Director indicated that he would be providing the Commission with a Legislative Report starting in February regarding potential legislation that directly or indirectly affects this agency.

#### **Consideration of Proposed Agreed Settlements and Fines:**

The Commission considered the following proposed Agreed Settlements with offers to pay a fine in lieu of a hearing:

1. Classic Chevrolet, Owasso. \$1000 for advertising violation;
2. Mark Allen Buick GMC, Glenpool. \$500 for advertising violation;
3. Tulsa Hyundai, Tulsa. \$1000 for spot delivery violation

Megan Vance Ochs made a motion, seconded by Fred Malone, to accept the offers to pay a fine in lieu of a hearing, as recommended by the Director. The Chair called for a roll call vote; votes were as follows:

Curtis Hayes – aye  
Carol Carver – aye  
Fred Malone - aye

Jim Norton - aye  
Randy Bowen – aye  
Ervin Randle - aye

Eric Stuteville - aye  
Megan Vance Ochs – aye

Motion passed unanimously.

**Initial License Applications:**

The following License Applications were presented for consideration and action:

**MANUFACTURERS / DISTRIBUTORS**

**a. Emergency Services Supply - Jefferson City, MO**

Application for distributor of Osage Ambulances  
Director recommended approval

**DEALERS**

**b. Dorsey-Jones Buick GMC - El Reno, OK**

Application for purchase of Rick Jones Buick GMC  
Director recommended approval pending receipt of Dealer Agreements

**c. Jay Hodge Chevrolet Cadillac - Muskogee, OK**

Application for purchase of Muskogee Chevrolet Cadillac  
Director recommended approval pending receipt of Dealer Agreements

**d. RV General Store - Newcastle, OK**

Application for adding Georgetown Motor Homes  
Director recommended approval pending receipt of Dealer Agreement

**e. Southwest CDJR of Ponca City**

Application for purchase of Bob Hurley DCJR  
Director recommended approval pending receipt of Dealer Agreements

**f. Stuteville Ford Lincoln of Ponca City**

Application for purchase of Jack Bowker Ford Lincoln  
Director recommended approval pending receipt of Dealer Agreements

**g. Tractor Supply Company - 45 stores statewide**

Application for adding Sunright & BMS powersports to all 45 locations  
Director recommended approval

**h. Warren Cat - Oklahoma City, OK**

Application for new dealer selling CAT UTVs  
Director recommended approval

Motion was made by Jim Norton, seconded by Ervin Randle, to approval applications A-E and G-H as recommended by the Director. The Chair called for a roll call vote; votes were as follows:

Curtis Hayes – aye	Jim Norton - aye	Eric Stuteville - aye
Carol Carver– aye	Randy Bowen – aye	Megan Vance Ochs – aye
Fred Malone - aye	Ervin Randle - aye	

Motion passed unanimously. Carol Carver then made a motion, seconded by Megan Vance Ochs, to approve application F, as recommended by the Director. The Chair called for a roll call vote; votes were as follows:

Curtis Hayes – aye	Jim Norton - aye	Eric Stuteville - abstained
Carol Carver– aye	Randy Bowen – aye	Megan Vance Ochs – aye
Fred Malone - aye	Ervin Randle - aye	

Motion passed.

The Chair asked if there was any **New Business**. There being no New Business, he asked if there was a motion to adjourn. Megan Vance Ochs made a motion to adjourn, seconded by Fred Malone. So moved, meeting adjourned.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_