

MINUTES OF THE ARKANSAS MOTOR VEHICLE COMMISSION

**Business Meeting
101 East Capitol Avenue, Suite 204
Little Rock, Arkansas**

September 15th, 2010

The regularly scheduled meeting of the Arkansas Motor Vehicle Commission was called to order at 9:35 a.m. by Chairman Joe Morgan. Staff present were Executive Director Greg Kirkpatrick, License Supervisor Vicki Wright, Fiscal Manager Jennifer Padgett, Investigators Otis Hogan and Danny Holmes, Secretary Angela Stoffer, and Legal Counsel Arnold Jochums. All Commissioners were present with the exception of Commissioner Clyde Noel. Visitor's present included Hearing Officer Kendra Akin-Jones, Court Reporter Susan Whitson, Attorney Herb Rule with Carter Brothers, John and Wes Harris with Valley Motorsports, Rob Gregory with Gregory Polaris, Gary Duncan with Duncan Outdoors, and Bryan Kirk with Tyler Ford.

The minutes from August 18th, 2010, were reviewed and approved as written.

Director Kirkpatrick reviewed the Advertising, Consumer Assistance, Fiscal, Investigations and Licensing Activities reports with the Commission.

The Ad Hoc Committee presented its findings to the Commission and they were approved as submitted.

The Commission, with the approval of all parties involved, combined H#10-009 Gregory Polaris vs. Carter Brothers, H# 10-010 Valley Powersports vs. Carter Brothers, and H#10-011 Duncan vs. Carter Brothers. After hearing testimony from all parties and reviewing evidence presented in the case, the Commission found Carter Brothers violated Commission statutes by not meeting its repurchase obligations as required by Ark. Code Ann. §23-112-403(a)(2)(K)(i).

The Commission found the current civil or administrative penalties were insufficient in accordance with Ark. Code Ann. §23-112-206 and directed and commanded compliance by Carter Brothers with the termination obligations in Ark. Code Ann. §23-112-403(a)(2)(K).

The Commission held H#10-006 AMVC vs. Tyler Ford. After hearing testimony from Commission Investigator Otis Hogan, Bryan Kirk and reviewing evidence presented in the case, the Commission found Tyler Ford in violation of Commission statutes for false and misleading advertising and issued a monetary penalty in lieu of suspension or revocation of two thousand five hundred dollars (\$2,500.00).

The meeting was then adjourned by Chairman Morgan.

These minutes are subject to approval by
The Arkansas Motor Vehicle Commission

Joe Morgan, Chairman
Bobby Ferguson, Vice Chairman
Joy Blankenship, Secretary