

**MINUTES OF THE ARKANSAS MOTOR VEHICLE COMMISSION**

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

**August 15<sup>th</sup>, 2012**

The regularly scheduled meeting of the Arkansas Motor Vehicle Commission was called to order at 9:37 a.m. by Chairman Sandy Stroope. Staff present were Executive Director Greg Kirkpatrick, Fiscal Manager Jennifer Padgett, License Supervisor Vicki Wright, Secretary Angela Stoffer, Investigators Danny Holmes and Otis Hogan and Legal Counsel Mark Ohrenberger. All Commissioners were present with the exception of Gary Dan Futrell and Clyde Noel. Also in attendance were William Eberle, Joshua Gates, and Adam Lansky, witnesses for the Roll Out LLC, hearing, Clarence Walters with Roll Out, LLC, Toni Robinson and Bart Calhoun with the Arkansas Attorney General's office, Court Reporter Susan Whitson and Hearing Officer Karen Wallace.

The minutes from the July 18<sup>th</sup>, 2012, meeting were reviewed and approved unanimously as written following a proper motion and second.

The Commission unanimously approved the expenditures for the August 15<sup>th</sup>, 2012, meeting following a proper motion and second.

The fiscal reports were reviewed and approved unanimously following a proper motion and second.

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

Legal Counsel Mark Ohrenberger updated the Commission on his progress towards collecting the ordered amount owed to the Commission from Nathan Pruss and Bruno's Powersports. Mr. Pruss, through his attorney Tim Blair, inquired if the Commission would settle this matter without litigation, proposing that Mr. Pruss and Bruno's Powersports pay a fine of three thousand five hundred dollars

(\$3,500.00) within seven (7) days. The Commission unanimously opposed the offer and expressed their desire to collect the full amount due of ten thousand dollars (\$10,000.00).

The Commission moved on the agenda to hearing #12-003 AMVC vs. Roll Out, LLC. Roll Out, LLC, was found in violation of Commission statutes when they failed to complete written agreements and defrauded retail buyers to the buyers damages, and when Roll Out failed to provide proper titles to vehicles. The Commission ordered a fine of one thousand dollars (\$1,000.00) and issued a corrective action plan that includes the following: 1) Resolve to the satisfaction of the Commission all consumer complaints; 2) Comply with all provisions of statutes related to warranty work at the licensed location; 3) Comply with all facility requirements and storage of documents; 4) Develop a written document that is to be distributed to consumers that outlines the details the warranty commitments of Roll Out; and 5) Create a written plan for handling future consumer complaints. The fine and corrective action plan will not be due until the thirty (30) day appeal period has expired, and Roll Out is to have implemented the corrective action plan and paid the fine no later than sixty days following this appeal period.

Legal Counsel Mark Ohrenberger informed the Commission that the Duncan Outdoors\Gregory Polaris\Valley Powersports vs. Carter Brother's matter has been reduced to one case and is currently scheduled for oral arguments on August 16<sup>th</sup>, 2012, in Pulaski County Circuit Court at 11:30 a.m.

Chairman Stroope accepted a motion and second to adjourn the meeting.

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

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Sandy Stroope, Chairman  
Bobby Ferguson, Vice Chairman  
Joy Blankenship, Secretary