

MINUTES OF THE ARKANSAS MOTOR VEHICLE COMMISSION

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

January 16th, 2013

The regularly scheduled meeting of the Arkansas Motor Vehicle Commission was called to order at 9:35 a.m. by Chairman Sandy Stroope via teleconference. Staff present were Executive Director Greg Kirkpatrick, Secretary Angela Stoffer, and Legal Counsel Mark Ohrenberger. All Commissioners were present during the teleconference.

The minutes from the November 14th, 2012, meeting were reviewed and approved unanimously as written following a proper motion and second.

The Commission unanimously approved the expenditures for the January 16th, 2013, meeting following a proper motion and second.

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

Legal Counsel Mark Ohrenberger updated the Commission on the progress towards collecting the ordered amount owed to the Commission from Nathan Pruss and Bruno's Powersports. An offer of \$8500.00 was made by Mr. Pruss's attorney and was accepted by the Commission, if the payment was received by January 18th, 2013. Mr. Ohrenberger also informed the Commission the Arkansas Supreme Court reversed and remanded the order from AMVC vs. Voltage Vehicles. The Court requires the Commission provide a clear answer to the current model year of the vehicles in question. The court requested a brief by both parties to determine the effective date of termination and the current model year at the time of termination. Following up on the November Commission meeting, Mr. Ohrenberger advised the Commission the facts as presented in the transcript of the AMVC vs. Voltage case are not sufficient to provide a clear answer to the current model year of the vehicles in question; therefore, it is necessary for the Commission to schedule a hearing on this matter. Following a

proper motion and second, the Commission will request briefs on the above question from all parties prior to scheduling the hearing.

Director Kirkpatrick presented the Ad Hoc Committee findings to the Commission. These findings included issuing a Notice of Violation to a dealer for advertising discount(s) not available to all consumers. The Commission unanimously approved these recommendations.

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

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

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