

BEFORE THE ARKANSAS MOTOR VEHICLE COMMISSION

IN THE MATTER OF:

Hearing # 09-014

SPEEDWAYS POWERSPORTS

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Arkansas Motor Vehicle Commission (hereinafter the “Commission”) held a hearing on September 17, 2009, to determine whether Speedways Powersports (hereinafter “Speedways”) violated the Arkansas Motor Vehicle Commission Act, Ark. Code Ann. § 23-112-101, et seq. The charges before the Commission concerned whether Speedways should have their new motor vehicle dealer’s license suspended or revoked.

The Respondent, Speedways, was not present.

After hearing testimony from Commission Director Greg Kirkpatrick, Commission Investigator Otis Hogan, and reviewing documents received in evidence, the Commission makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- F1. Speedways was closed by the Arkansas Department of Finance and Administration, Office of Motor Vehicle, Sales Tax Division for failure to pay Arkansas Sales Tax.
- F2. On Friday July 27th, 2009, Investigator Otis Hogan visited Speedways location to verify the dealership was in fact closed and found this to be true.
- F3. Speedways was provided proper notice of the September 16, 2009, hearing as detailed in testimony provided by Mr. Kirkpatrick.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Commission makes the following

Conclusion of Law:

- C1. Speedways violated Commission statutes when it failed to maintain its fitness as a licensee.

ORDER

The Commission does hereby suspend indefinitely, or until further notice, the new motor vehicle dealership license of Speedways until the dealership settles its outstanding balance with the Department of Finance and Administration Office of Motor Vehicle, Sales Tax Department.

This is a final Order of the Commission and as such is subject to judicial review pursuant to Ark. Code Ann. § 25-15-212.

ARKANSAS MOTOR VEHICLE COMMISSION

By: _____
Joe Morgan, Chairman

Date: _____