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5	LOUISIANA USED MOTOR VEHICLE COMMISSION
6	STATE OF LOUISIANA
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13	REGULAR MEETING
14	June 21, 2021
15	BEGINNING AT 9:30 A.M.
16	LOUISIANA STATE ARCHIVES
17	3851 ESSEN LANE
18	BATON ROUGE, LOUISIANA
19	
20	
21	REPORTED BY:
22	BETTY D. GLISSMAN, CCR
23	
24	
25	

1	APPEARANCES:
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3	CHAIRMAN:
4	MR. RICHARD WATTS
5	COMMISSIONERS PRESENT: MR. TRAVIS BROWN
6	MR. JEFFEREY BRITT (Present by
7	Videoconference)
8	MR. TONY CORMIER (Present by Videoconference)
9	MR. RICKY DONNELL
10	MR. GEORGE FLOYD
11	MR. MATTHEW PEDERSON
12	MR. JOHN POTEET
13	MR. MICHAEL ROUSSEL
14	
15	
16	
17	REPRESENTING THE LOUISIANA USED MOTOR
18	VEHICLE COMMISSION:
19	
20	ROBERT W. HALLACK, ESQUIRE
21	HALLACK LAW OFFICE 13007 JUSTICE AVENUE
22	BATON ROUGE, LOUISIANA 70816
23	SHERI MORRIS, ESQUIRE DAIGLE, FISSE & KESSENICH, PLC
24	8480 BLUEBONNET BOULEVARD, SUITE F BATON ROUGE, LOUISIANA 70810
25	

1	ALSO	PRESEN	T:
2		MS.	KIM BARON
3		MR.	DEREK PARNELL
4		MS.	MONA ANDERSON
5		MR.	MONTIE WISENOR
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1		(Pledge of Allegiance.)
2	MR.	WATTS:
3		Call to order. Roll call, please.
4	MS.	BARON:
5		Richard Watts?
6	MR.	WATTS:
7		Here.
8	MS.	BARON:
9		John Poteet?
10	MR.	POTEET:
11		Here.
12	MS.	BARON:
13		George Floyd?
14	MR.	FLOYD:
15		Here.
16 I	MS.	BARON:
17		Matthew Pederson?
18	MR.	PEDERSON:
19		Here.
20	MS.	BARON:
21		Tony Cormier?
22	MR.	CORMIER:
23		Here.
24	MS.	BARON:
25		Travis Brown?

1	MR. BROWN:
2	Here.
3	MS. BARON:
4	Mr. Britt?
5	MR. BRITT:
6	Here.
7	MS. BARON:
8	Michael Russell?
9	MR. RUSSELL:
10	Here.
11	MS. BARON:
12	Ricky Donnell?
13	MR. DONNELL:
14	Here.
15	MS. BARON:
16	Steve Olave?
17	MR. OLAVE:
18	(No response.)
19	MS. BARON:
20	Mr. Chairman, we have a quorum.
21	MR. WATTS:
22	Thank you. All right. Anybody for
23	public comments?
24	MS. BARON:
25	No, sir.

Τ	MR. WATTS:
2	All right. I need adoption and
3	approval for the minutes for the May meeting,
4	please.
5	MR. DONNELL:
6	So moved.
7	MR. POTEET:
8	Second.
9	MR. WATTS:
10	Items for discussion and action.
11	Ratification of imposed penalties.
12	MR. PARNELL:
13	Commissioners, I will ask that we
14	move to amend the agenda because of hearing
15	items. The documents that is in the hearing
16	items Damien M. Bolden, Jr. and Sr., they were
17	scheduled to come in today for a I denied
18	their salesperson license and they just wanted
19	to go before you-all and see if they can get
20	that turned over. They are not present. They
21	won't be present until next month. So we need
22	to amend the agenda to reflect that they won't
23	be here.
24	MR. DONNELL:

Mr. Chairman, I don't see any place

25

1	for financials.
2	MR. WATTS:
3	We had no financials today.
4	MR. PARNELL:
5	We don't have financials today. So
6	we will have two sets for next month.
7	MR. WATTS:
8	Do I have a motion for change of the
9	agenda like that? Does anybody make a motion
10	or a second?
11	MR. FLOYD:
12	I make a motion.
13	MR. DONNELL:
14	Second.
15	MR. WATTS:
16	Do we have any objections?
17	(No response.)
18	Motion passes.
19	Ratifications of imposed penalties.
20	MR. PARNELL:
21	Commissioners, you will find in your
22	packet a chart that illustrates the licensees
23	that were in violation of state law. These
24	cases have been investigated and I have
25	determined that the public interest can be

served without further administrative

proceeding; thus, civil penalties were imposed.

We do not have anyone present from this list

and I will announce the names of the dealers

that have been imposed civil penalties for the

record.

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First on the list is Alvin Merrell doing business as Al's Capital Auto Sales from Marksville, Louisiana, fine amount is \$1,000. This dealer contacted compliance investigator Ronnie Wisenor and informed him that he was out of trust with his floor planner dealer. He sold 11 vehicles but did not pay the floor planner. The investigator contacted Kim Baron at the office. She obtained 10 titles from the floor planner. And the investigator contacted the consumers. We did not obtain one of the titles as of yet, but all other titles had been registered and dealers have paid taxes, titles, and license fees, and late penalties and interest has been paid.

The next on the list is HD Pay Here
Auto Sales, LLC, from Denham Springs,
Louisiana, fine amount is \$200. Vehicle was
purchased while at the lot on Plank Road. When

1	the compliance investigator questioned the
2	dealer, he stated that he had already spoken to
3	complainant. She agreed to give him an
4	additional week to obtain the title. Confirmed
5	this with the complainant. And the title has
6	been delivered.
7	T&C Mixed Auto Sales, LLC, from Baton
8	Rouge, Louisiana, fine amount is \$300.
9	Complainant stated that he had not received a
10	title. Compliance investigator proceeded t
11	dealership and asked to look at the
12	complainant's transactions file. The documents
13	in the file were a copy of the buyer's guide,
14	60-day temp tag. He contacted his notary. The
15	dealer visited he ascertained that he had no
16	monthly sales report filed. So his fine amount
17	was \$300.
18	The total fine amount for is
19	\$1,500. Commissioners, I ask that you ratify
20	the imposed civil penalties assessed.
21	MR. WATTS:
22	I need a motion.
23	MR. DONNELL:
24	So moved.
25	MR. WATTS:

1	Second.
2	MR. POTEET:
3	Second.
4	MR. WATTS:
5	Anybody agree or disagree?
6	MR. DONNELL:
7	I do see Mr. Dees' name again.
8	MR. PARNELL:
9	This was at the last commission
10	meeting, if you recall. He came in before us
11	and spoke. He mentioned that there was one
12	fine that was still out there. That was this
13	one. That he did pay that day. He came to the
14	office later on that day. He did pay that
15	fine. This was at the other dealership so.
16	MR. WATTS:
17	He is cleared up, right?
18	MR. PARNELL:
19	He cleared up everything. I will say
20	this. He came into our office. He met with
21	myself, Kim Baron, the compliance investigator,
22	and our counsel. And he kind of talked about
23	everything where he was with the entire
24	process. He has cleared up most of everything.
25	I can let Kim kind of speak to it a little bit.

1	She has a little bit more detail, if you will.
2	MS. BARON:
3	When he came in, Robert had asked him
4	about one when he was here last month, Keith
5	Johnson. And that was one that had been just
6	sitting out there and sitting out there and we
7	hadn't been able to do anything with it. And
8	so he went ahead and made payment to the
9	floorplan company. We had talked to the floor
10	planning company. They said if we would send
11	them a certain amount for that particular
12	vehicle that he would go ahead and give him the
13	title so that this man could be have his
14	vehicle registered. And so Mr. Dees went out
15	and he got he sent him a check. He got the
16	title and he got the vehicle registered. He
17	sent me documentation on all of that.
18	So that, like Mr. Parnell said, that
19	was the last payment that he owed the office
20	and that has been cleared up.
21	MR. PARNELL:
22	Was it over 100 titles that he had?
23	Was it 79?
24	MS. BARON:
25	It went to 72 or 72 or something like

1 that. And all of those either agreed or doing 2 claims with surety or he cleared them up. 3 MR. WATTS: 4 So what I understand, he just has HD 5 Pay Here Auto. That's him by himself. It's just him. 6 7 MS. BARON: 8 That's correct. 9 MR. WATTS: 10 No affiliation with nobody else? 11 MR. PARNELL: 12 Correct. 13 MR. WATTS: 14 All right. The ratifications of revocations. 15 16 MR. PARNETIT: 17 You will also find in your packet a 18 chart that illustrates the licensees that their licenses have been revoked. Please note that 19 20 each of the licensees on the list have been 21 through the revocation process. Once again, we 22 do not have anyone present from the list. And 23 so I will go through and announce the names of

the licensee and we will revoke revocation for

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the record.

1	Butler Brothers, LLC, from Harahan,
2	Louisiana. Suspension letter went out on
3	February 25 of '21. Notice of revocation went
4	out on $5/10$ of '21. The reason was no licensed
5	salespersons. Everyone on this list is because
6	of an unlicensed salesperson. And we did reach
7	out to them via letter, suspension letter, just
8	advising them, hey, you have got to get a
9	license from the dealers for a salesperson. If
10	not, then we will go through the revocation
11	process with them. So each person on this
12	list, that is the process that has taken place
13	with them.
14	The second one on the list is ASAP
15	Auto Sales, LLC, from Harvey, Louisiana.
16	Reason, of course, no licensed salesperson.
17	Suspension letter went out on 2/24/21. Notice
18	of revocation on 5/10 of '21.
19	Central Station Auto Sales,
20	Incorporated, from Gretna, Louisiana.
21	Suspension letter went out on 2/25/2021.
22	Notice of revocation on 5/10 of 2021.
23	Father and Son's Automotive, LLC,
24	from Port Allen, Louisiana. Reasons for the
25	revocation is no licensed salesperson.

1	Suspension letter was sent down on February 1
2	of '21. Notice of revocation was on 5/10 of
3	'21.
4	GT Wholesale Auto, LLC, from
5	Greensburg, Louisiana, no licensed salesperson.
6	Suspension letter went on 3/1 of '21. Notice
7	of revocation was 5/10 of '21.
8	Hercos Auto Repair, LLC, from
9	Metairie, Louisiana, no licensed salesperson,
10	notification was sent out suspension letter
11	was sent on 3/1 of '21. Notice of revocation
12	was 5/10 of '21.
13	Just Right Auto Sales, LLC, from
14	Kenner, Louisiana, no licensed salesperson.
15	Suspension letter was sent out on 3/2 of '21.
16	Notice of revocation was 5/10 of '21.
17	Vinson Enterprises, LLC, of Florida,
18	doing business as Vinson Enterprises of Kenner,
19	Louisiana, no licensed salesperson. Suspension
20	letter was sent out on 3/4 of '21. Notice of
21	revocation on 5/10 of '21.
22	Raymond Lacombe doing business as
23	West Baton Rouge Auto, Port Allen, Louisiana,
24	no licensed salesperson. Suspension letter was

sent out on 3/2 of '21. Notice of revocation

Τ	was on 5/10 of '21.
2	Commissioners, I ask that you ratify
3	the revocation of the dealers I just announced.
4	MR. WATTS:
5	Do I have a motion?
6	MR. POTEET:
7	I move we ratify those revocations.
8	MR. DONNELL:
9	Second.
10	MR. WATTS:
11	Any objections?
12	(No response.)
13	Hearing no objections, they are
14	approved.
15	Next up with your compliance
16	investigation report from Montie.
17	MR. WISENOR:
18	Good morning. I have the total for
19	the activity for the field for May of 2021.
20	The number of audits that were conducted for
21	the month of May was 10. There were 3 notices
22	issued for revocation. Work orders or site
23	visits conducted were 39. Hand delivery of
24	cease and desist orders, zero were delivered in
25	the month of May. Assisted titles with

1	registration for consumers either title
2	delivered or title registration were 16.
3	Violations delivered during that month was 5.
4	Refunds, assisting consumers received was
5	10,000 total. Cases closed that were assigned
6	were 21. Cases closed unassigned were 19. And
7	physical examinations were 27. And those are
8	the totals.
9	MR. WATTS:
10	Does anyone have questions for
11	Montie?
12	(No response.)
13	If there are no questions, we will
14	move on. We don't have no hearings.
15	MR. PARNELL:
16	Not until July. And it is a pretty
17	large one in July that we are going to have.
18	Also, we are going to have the two persons that
19	were denied licenses to come back in July. So
20	I want to make sure we all have a quorum for
21	July because we have a pretty big one.
22	MS. BARON:
23	Mr. Chairman, is it okay if Ms.
24	Morris reiterated what she said before
25	everybody was here about Zoom versus them being

in person, because we need to make sure everybody understands that process, because they are not going to be able to vote or whatever. So if she go ahead and reiterate that to the right people.

MR. WATTS:

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Go ahead and make your statement and then I will ask questions.

MS. MORRIS:

There was some legislation that allows meetings to take place during -- by Zoom or video platforms during a declared emergency -- state of emergency only. So it can only be used when there is a current state of emergency declared by the governor. And if you were meeting remotely because of the emergency, then it has to be noted on the agenda that it will be remote meeting. If you plan an in-person meeting but you don't have a quorum in-person but people are participating remotely and it was not noticed as a remote meeting, you cannot conduct it as a remote meeting.

If we have a quorum present and people are watching by Zoom, they are not

participating. They cannot vote, but they can keep up with what's going on for the board. So it's a good way if it is broadcasted by Zoom for the other commissioners that can be here to at least know what is going on because sometimes things continue from more than one meeting.

MR. WATTS:

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That's it. Now, let me ask you how long is this going to persist with Zoom?

MR. PARNELL:

Really, it depends on -- like Sheri said -- the governor did a declaration of emergency. If he pulls that away and then we won't be able to do Zoom in this context is what I understood.

MS. MORRIS:

Well, it's been ongoing because of the pandemic. But the state of emergency could be because of weather, if there is a hurricane or something like that. But it is limited to business that can't be delayed. So it's not designed for regular meetings, but a lot of things that you do are time-sensitive. And so, say, there was a hurricane but you knew that

1	you needed to do something going forward to
2	meet a deadline, you could still meet remotely.
3	But it is not really not for regular business
4	meetings. It is more to handle things that
5	need to be handled in a timely manner and can't
6	be delayed until your next meeting.
7	MR. DONNELL:
8	You are saying they can still tune
9	in, but they can't vote.
10	MS. MORRIS:
11	Absolutely.
12	MR. BROWN:
13	Even after the state of emergency,
14	they can still tune in?
15	MS. MORRIS:
16	If we continue to use the Zoom, yes.
17	MS. BARON:
18	They could still, but they couldn't
19	participate.
20	MS. MORRIS:
21	A lot of the agencies are using
22	streaming video because they have small meeting
23	places as you-all do. And during the pandemic
24	they couldn't allow the public in because they

couldn't meet their distancing requirements.

And because of that, a lot of people are watching those meetings so they are going to continue to stream them so that people can across the state see what's going on at the board meetings without traveling.

MR. PARNELL:

7 I will look into that.

MR. WATTS:

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Derek, the executive report.

MR. PARNELL:

I just want to give a little bit of background because some of this I am covering again. Commissioner Russell was not present and we had a few other commissioners there who were not at our last meeting. Give you a little background for our new commissioner. There was a discussion with Office of Motor Vehicle to allow the LUMVC to become additional location to issue dealer plates to our used dealers. This was done -- we are doing it for the convenience of the dealers just so they have another outlet to where they can go to and get their dealer plates.

My assumption is since we are the ones that issued the license, they can get it

all in one place. They are not going to have to go to the Office of Motor Vehicles if they come and pick up a license. They can go ahead and pick up their dealer plate at that time.

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Last month I advised that Officer of Risk Management approved issuing a bond for our agency for the Office of Motor Vehicles.

Initially, Office of Risk Management said that they would not do this because we were going from state agency to state agency. But they did approve the bond and advised that the bond would be written at no charge for our agency.

Our Office of Risk Management sent a draft for -- to our office and we sent it to Office of Motor Vehicles for approval. Reached out a couple of times to Office of Motor Vehicles. It took them a little bit to get to it because they are kind of bogged down. We submitted the draft and we submitted it back and they just kind of let us know that they would be approved and received that back a week and a half ago. Office of Motor Vehicle has a two-stage process as it related to getting final approval. My goal is to be at least at the first stage fully completed by the middle

of next week with all of the documents in their hand, and I will just be waiting at that time for them to approve so we can move on to the second stage.

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We know that House Concurrent Resolution 71 was passed in the 2020 legislative session. That the state agencies and licensing boards that adopted emergency rules suspending fees that are imposed on businesses and final adjourning -- until final adjournment of the 2021 regular session. June 1 of 2021, we will start taking fees for licensees affected by the HCR-71. We have sent out notices to those dealers that are affected advising them that the fees will begin July 1. We will do renewals for those persons. should be -- there should be a smaller -- in essence, we are going to do two renewal periods towards the end of this year. We are going to try to go July through August for those dealers that was affected with House Concurrent Resolution 71 and then get into our regular renewals which start in September and goes to the end of that year. Those persons, their license is going to expire on December 31;

whereas, the other persons that were affected with House Resolution 71, their licenses are going to expire at the end of this month.

So we had to -- we were down quite a few staff members, like 4, just from turnover. So this past month we worked really hard at hiring new staff. We hired four new full-time employees to help in the licensing department and the accounting department. We do have one other staff person that's on maternal leave that she should be returning very soon. If I am not mistaken, I think toward end of this --

MS. BARON:

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July.

MR. PARNELL:

In the beginning July. Well, at that point. So we really have been kind of bogged down with, you know, getting through the contracts because a lot of our contracts expire specifically from our IT company that we have been going with, Transformyx. They do our phone system and they do our IT. And we had a lot of back and forth with them on getting the contract exactly how it was last year versus, you know, how we can have a contract as a dual

state agency. I think sometimes they always forget -- they said we have state agencies, we have state agencies. With their new management that came in, they are trying to send things in a different direction to where we couldn't follow that. We had to follow the state law demands of us of what a contract should look like. So we're getting to the end of that; hopefully, we will have something at the end of this week solidified and we can go on -- well, June 30 is upon us. So we have to have something in place. And so they also do our website as well.

So, with that said, we really have been working really hard at trying to get contracts out of the way to make sure that we are rolling July 1 without a break in service from anything or anyone. And so with that said, that's my report. This kind of just letting you know what was going on. If you have any comments or questions or concerns, please do at this time.

MR. DONNELL:

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I apologize because I let it slip my mind. Jill -- I talked with Jill the week

before last, Jill Jarreau. And she said she is emailing you all of the documents you that needed to be DocuSigned. Did she do that?

MR. PARNELL:

Yes, I did. I signed it.

MR. DONNELL:

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She was going out of town last week and I forgot to call you.

MR. PARNELL:

That's fine. But that was actually for this Memorandum of Understanding that we have in place already with them. So our process is going to be a little bit better because currently we do have access to their portal where we can go in our office. We have two persons that have gone through the background check process and they can go in and pull up a lot of information off of their So what she was talking about with website. that was Memorandum of Understanding that we have between our two agencies as it relates to us having access to their portal, I guess that you will say. Their system -- their computer system.

So it's going to help us -- some of

our process moving into with the dealer plates is going to be easier because we do already have two persons in our office, and I want to limit the amount of persons that would have contact with dealer plates. I want to make sure that the person that I have are, you know, responsible. But it is going to be a process because we have been through all of the set up as it relates to what we have in our computer system, our servers, the capacity. So we already have that in place. So I just -- we just got to get through the process for the public tag agent situation moving forward.

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One other thing I am going to ask them about is allowing us -- right now for a dealer in order to get issued a second temp tag, they have to go through their management account system -- their managers. They contact Office of Motor Vehicles, the specific manager that they have now, four, maybe five for the entire state. And so I get a lot of complaint a lot of times from dealers saying they reach out to them but they never hear anything back and if they do, it is about a month later. So they have said, yes, okay. We'll allow you-all

to do that. But I just want to get something
more formal from them written stating, you
know, that we will be able to offer -- we will
be able to approve the dealers. Really
compliance investigators that's in those areas,
approve them to give a second dealer plates.

So that's some things. We will have

So that's some things. We will have the capacity to be a full public tag agent, but that's way outside of our scope. We are really going to just concentrate on just issuing dealer plates, number one. And, number two, if they allow us to do -- well, that's necessarily a public tag responsibility, but on the management side to allow dealers to have a second temp tag. That's about.

But she did send that information. I did DocuSign it and send it back to her.

MR. DONNELL:

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Only one other thing that I have.

The commissioners that travel, they are beginning to ask us -- I have been asked the last two times at these hotels to show some identification. Could you get us identification card or commission cards?

MR. PARNELL:

1	Like some IDs?
2	MR. DONNELL:
3	Yes, like IDs.
4	MR. PARNELL:
5	Well, I will get to that for sure.
6	There was something that we tried to do for
7	staff as well.
8	MR. DONNELL:
9	I have been asked the last two times
10	I have been there.
11	MR. PARNELL:
12	They require an ID card? Or would
13	they require any kind of identification?
14	MR. DONNELL:
15	They are looking for an ID card. I
16	paid for a badge last time. I happened to have
17	that in my truck and that's worked. We need
18	some identification cards.
19	MR. PARNELL:
20	What kind of badge are you referring
21	to?
22	MR. DONNELL:
23	I ordered the badge, like a
24	commissioner badge. I will show it to you. I
25	got it in the truck. We need something with

1	our picture on it.
2	MR. PARNELL:
3	It might be something that we we
4	kind of talked about it with other agencies so
5	see what agency they use. It is kind of like
6	on your own to do it.
7	MR. DONNELL:
8	George has one.
9	MS. MORRIS:
LO	That's from the Secretary of State.
11	MR. PARNELL:
12	We will look into that and try to get
L3	something for you-all moving into the future.
L 4	MS. MORRIS:
L 5	That's a commission card is what the
L 6	Secretary calls that. It is from the Office of
L7	Commissions.
L 8	MR. PARNELL:
L 9	I will definitely look into that.
20	MR. WATTS:
21	I talked to Derek earlier in the week
22	and I will just bring you up to date on it. I
23	would like to get a Darty Smith passed away
24	with COVID. And Darty Smith's dad y'all
) 5	knew him better than I did was on the

1	Commission. So we are going to get a plaque
2	made. Might Zoom his wife in over in Alex when
3	we get it all set up.
4	MR. DONNELL:
5	He was a good guy.
6	MR. PARNELL:
7	We have a company that we deal with
8	that they do that as well. So we will reach
9	out to them and we can just get some language.
10	MR. WATTS:
11	It ain't no big hurry. Just the
12	right language and stuff.
13	MR. PARNELL:
14	We had a discussion about for the
15	rest of this year holding the commission
16	meetings here. It's no cost to us to get the
17	building and so we had discussions about it and
18	we will go ahead Kim said that she will go
19	ahead and let them know that. She will put in
20	the request to have it here, and if anything
21	changes from there, we already have dates
22	looked in.
23	MR. DONNELL:
24	Who is opposing us coming back to the
25	office?

1	MR. PARNELL:
2	The space isn't in there. I guess
3	social distance is not as huge.
4	MR. WATTS:
5	I would rather get back to the
6	office, if I could, for y'all's sake.
7	MS. MORRIS:
8	I guess that you have a hearing, it
9	might be crowded.
10	MR. PARNELL:
11	Next month for sure we are going to
12	do it here. But if we don't have any hearing
13	or any people coming in.
14	MR. WATTS:
15	Another thing I said for the meetings
16	for the rest of the year, I think that the
17	December meeting, I am not going to have the
18	December meeting, because it is always on the
19	21st. If you got business that you want to
20	tend to, you need to get it done in the
21	November meeting. Unless we have got something
22	pertinent or into something, which I don't
23	think it is going to be this year, who knows.
24	We are ready to adjourn.
25	(Meeting adjourned at 10:01 a.m.)

1	<u>REPORTER'S CERTIFICATE</u>
2	
3	I, BETTY D. GLISSMAN, Certified Court
4	Reporter, Certificate No. 86150, in and for the
5	State of Louisiana, do hereby certify that the
6	Louisiana Used Motor Vehicle Commission June
7	21, 2021, meeting was reported by me in the
8	stenotype reporting method, was prepared and
9	transcribed by me or under my personal
LO	direction and supervision, and is a true and
11	correct transcript to the best of my ability
12	and understanding.
13	This July 1, 2021, Baton Rouge, Louisiana.
L 4	
L 5	
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L8	
L 9	
20	
21	BETTY D. GLISSMAN, CCR
22	CERTIFIED COURT REPORTER
23	
24	
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