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LOUISIANA USED MOTOR VEHICLE COMMISSION  
STATE OF LOUISIANA

REGULAR MEETING  
MARCH 20, 2023  
BEGINNING AT 9:30 A.M.  
3132 VALLEY CREEK  
BATON ROUGE, LOUISIANA

REPORTED BY:  
BETTY D. GLISSMAN, CCR

1 APPEARANCES:

2

3 CHAIRMAN:

MR. RICHARD WATTS

4

5 COMMISSIONERS PRESENT:

MR. TRAVIS BROWN

6

MR. JEFFEREY BRITT

7

MR. RICKY DONNELL

8

MR. GEORGE FLOYD

9

MR. ROBERT "BOBBY" HINES

10

MR. JOHN POTEET

11

12

13

14

15 REPRESENTING THE LOUISIANA USED MOTOR

16 VEHICLE COMMISSION:

17

18

19 SHERI MORRIS, ESQUIRE

20 DAIGLE, FISSE & KESSENICH, PLC

21 8480 BLUEBONNET BOULEVARD, SUITE F

22 BATON ROUGE, LOUISIANA 70810

23

24

25

1       ALSO PRESENT:

2                   MS. KIM BARON

3                   MR. DEREK PARNELL

4                   MR. MONTIE WISENOR

5                   MS. TONYA BURKS

6                   MS. RHONDA ROBERTSON

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1 (Pledge of Allegiance.)  
2 MR. WATTS:  
3 Roll call.  
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 MS. BARON:  
17 Tony Cormier?  
18 MR. CORMIER:  
19 (No response.)  
20 MS. BARON:  
21 Matthew Pederson?  
22 MR. PEDERSON:  
23 (No response.)  
24 MS. BARON:  
25 Jefferey Britt?

1 MR. BRITT:  
2 Here.  
3 MS. BARON:  
4 Ricky Donnell?  
5 MR. DONNELL:  
6 Here.  
7 MS. BARON:  
8 Travis Brown?  
9 MR. BROWN:  
10 Here.  
11 MS. BARON:  
12 Robert Hines?  
13 MR. HINES:  
14 Here.  
15 MS. BARON:  
16 Wydette Williams?  
17 MR. WILLIAMS:  
18 (No response.)  
19 MS. BARON:  
20 Mr. Chairman, we have a quorum.  
21 MR. WATTS:  
22 Thank you. Anybody for public  
23 comments?  
24 MS. BARON:  
25 I don't think so.

1 MR. WATTS:

2 Adoption and approval of minutes from  
3 last month's meeting -- I mean January's  
4 meeting. I need a motion.

5 MR. BRITT:

6 I make a motion.

7 MR. WATTS:

8 I need a second.

9 MR. HINES:

10 Second.

11 MR. WATTS:

12 Approval.

13 All right. Today, items for  
14 discussion. First of all, office staff.

15 MR. PARNELL:

16 Mr. Chairman, if I can, can I make  
17 a -- I would like to amend the agenda to look  
18 at -- look a little bit further into under  
19 ratification of imposed penalties, Case  
20 Number 2020-342, Robert Autin. I would like to  
21 pull it off of the agenda and amend it to  
22 remove it from the agenda for this month and  
23 add it to next month's agenda.

24 MR. WATTS:

25 All right. Do I need a motion to do

1           that?

2           MS. MORRIS:

3                     You don't to defer it.

4           MR. WATTS:

5                     Just going to defer to next month.

6           MR. PARNELL:

7                     Right.

8           MR. WATTS:

9                     That's noted.

10                    Our next discussion is our --  
11           Commissioner Ricky Donnell wants to talk about  
12           a receptionist here at the office. He has some  
13           insight there, knowledge.

14           MR. DONNELL:

15                    No. I have been receiving some  
16           complaints that they couldn't get through to  
17           here. Just kind of want to let y'all discuss  
18           it. Do y'all have those problems?

19           MR. HINES:

20                    Yes.

21           MR. DONNELL:

22                    What about you, Jeff?

23           MR. BRITT:

24                    Oh, yes. We talked about it. We all  
25           talked about it, I mean, it's -- I don't know

1           how to fix it other than put a human on there,  
2           but I know this. I mean, we are not the only  
3           ones that has got the problem. The Department  
4           of Public Safety's got it.

5                   MR. DONNELL:

6                           They just got called out publicly.

7                   MR. BRITT:

8                           And I just don't want to see that  
9           happen for us. And I think it might have  
10          something to do with not -- I think we hear  
11          more complaints because I think of the time of  
12          year. Don't our dealers in different parts of  
13          the state get their licenses at different  
14          months?

15                   MR. DONNELL:

16                           Every other year.

17                   MR. BRITT:

18                           So I think that is why "we," the  
19          central, north Louisiana guys heard a little  
20          bit more about it this cycle and y'all will  
21          hear about the next time if we don't figure  
22          something out. All that I want is -- and I  
23          don't mind people calling me. Evidently, Kim  
24          knows. Evidently, I am the guy that they pull  
25          up on the web page and they call me. And I



1           enjoy interacting with some of these people and  
2           listening to their problems and trying to help  
3           them. But, you know, it is something that  
4           needs to be addressed.

5                     And, like I said, I just saved the  
6           article. I don't know if I texted it to any of  
7           y'all or not, but the DPS just made the news  
8           for it and I don't want to see us. I just want  
9           us to fix it any way we can fix it.

10                    MR. WATTS:

11                             Making that statement, I am going to  
12           let --

13                    MR. PARNELL:

14                             With that, I do know that there have  
15           been concerns for everyone. You know, I am  
16           trying to look at the performance of what we  
17           have been doing and how we can approve upon it.  
18           With that, I went in and tried to really look  
19           at it and evaluate what we could do and how we  
20           could do it better and differently. So we went  
21           in and tried -- I am restructuring that  
22           department.

23                             What I mean by "restructuring," I am  
24           bringing an additional person on. That person  
25           will be a licensing person. They will have the

1 full responsibility of providing the licenses  
2 for an individual. If you notice in that  
3 office space right there, we had one person  
4 there. I am breaking that up into two persons  
5 to be in that office. The persons that are not  
6 sitting in the office, number one, their prime  
7 responsibility, one of them, is to answer the  
8 phone. Second one is to take the walk-ins that  
9 is coming up.

10 With that said, there was a meeting  
11 that was held here with those individuals, and  
12 if that continues not to operate the way it is  
13 supposed to operate, they won't be here  
14 anymore. I will get some people in that can  
15 conduct it better.

16 Now, the way that I have the phones  
17 set up, I did set it up that way for a reason,  
18 because the amount of phone calls that normally  
19 would come in without the phones set up that  
20 way, it is insurmountable. One person couldn't  
21 handle that, period. Reason being because it  
22 is the simple question that they are asking.  
23 What do I have to submit later? Did I submit  
24 everything into you?

25 So I kind of tried to set it up in a

1 way to actually kind of put the due diligence  
2 on the dealer so that they can understand what  
3 they are supposed to have and to conduct and to  
4 hold their business and I think it's worked  
5 really well. I know we are still getting calls  
6 sliding through, I mean, we probably had 20 or  
7 30 or so during this renewal period, we  
8 licensed 5100 licensees. I do understand that  
9 those calls are coming through, but the way I  
10 believe it is going to work moving forward, we  
11 won't have as many calls with those kind of  
12 complaints.

13 I believe that's the solution for  
14 now. I will be able to see it more in action  
15 once we get into renewal season once again.  
16 But bringing on an additional person to  
17 handle -- handle our licenses. And so when I  
18 say those two persons -- one person right now,  
19 their goals are different. They do license the  
20 dealerships, but they actually have way less  
21 licensees to license because of the two other  
22 responsibilities that they are supposed to be  
23 covering. So I believe -- I believe it will be  
24 handled. I don't believe this is going to be  
25 an ongoing issue that's going to create a

1 larger snowball effect --

2 MR. BRITT:

3 Let's just monitor it and see what  
4 happens. Monitor the complaints that we get.

5 MR. DONNELL:

6 When do you think this will go into  
7 effect?

8 MR. PARNELL-- :

9 I placed -- right now, I have gone in  
10 we are posting for job descriptions. Just  
11 creating a job description, which is really  
12 transposing them over to the other spaces.  
13 Right now we are just waiting to see if the  
14 jobs have posted so we can start the  
15 interviewing process now.

16 That's going to be effective  
17 immediately. And surplusung that desk and some  
18 other spaces around here, and I purchased two  
19 new desks already.

20 MR. DONNELL:

21 So two weeks, anybody will be able to  
22 call in here and a live person will answer.

23 MR. PARNELL:

24 No, I am not going to say that is  
25 going to happen in two weeks.

1 MR. DONNELL:

2 I am just asking.

3 MR. PARNELL:

4 I do not -- personally, I do not  
5 believe there will be a live person -- I do not  
6 believe to be effective and efficient having a  
7 live person answering phone calls, every phone  
8 call that comes into this building, is  
9 efficient. I do not believe it.

10 I have seen the difference when we  
11 had that in place and I see where we are today.  
12 Big difference on the complaints that's coming  
13 in. Far less, far, far less.

14 Now, if these persons take care of  
15 the business as they are supposed to in the  
16 office, y'all shouldn't be getting the  
17 complaints y'all are getting now. I believe  
18 the situation will be handled. I can't give  
19 you a two-week time frame.

20 MR. BRITT:

21 If you got somebody to answer the  
22 phone and still got the automated thing, that  
23 is going to relieve -- that should help.

24 MR. PARNELL:

25 So with that said, that is how this

1 is structured and how it is supposed to go. It  
2 wasn't happening. Without getting in too deep  
3 with that, that will be happening in the  
4 future, so.

5 But, no, not every single call that  
6 is coming in somebody is going to pick up the  
7 phone. I just didn't think that's efficient  
8 for this agency to be productive.

9 MR. WATTS:

10 I would like to remind everybody that  
11 we're an agency. That you are out in the  
12 field -- Montie, what are you doing? Your  
13 people out in the field, they get a complaint  
14 and get their number. Do they call Kim and  
15 discuss it to help them out if they can't get  
16 in for some reason. We are all out there for  
17 them.

18 MR. WISENOR:

19 Yes, sir.

20 MR. WATTS:

21 I know I get plenty -- not plenty,  
22 but I do and I follow up on it. I settled one  
23 for Ricky. He didn't have enough bond for four  
24 licenses. So we got the license so he could  
25 buy at the auction.

1 MR. DONNELL:

2 That was his complaint. He couldn't  
3 find out what he needs.

4 MR. PARNELL:

5 That's my concern, that's my issue  
6 right there. That is what I run into over and  
7 over since I have been here. I think that a  
8 dealer -- he is a dealer and he should have  
9 four licences falls upon that dealer. I don't  
10 think that it is our responsibility to  
11 constantly be telling you what you need to be  
12 in business. All of the information is there.  
13 All of the information has been provided. It  
14 is printed out. Check it off as you go. We  
15 shouldn't run into these problems.

16 The complaints that usually come in  
17 are the persons who, number one, submitted  
18 their stuff incredibly late. Number two, they  
19 want it within a week. Number three, the  
20 persons that did not submit everything. Number  
21 four, the persons that have no idea what they  
22 are supposed to do who say they have been in  
23 business for 20, 30, 40 years.

24 MR. DONNELL:

25 I agree with you solely, but these

1 dealers pay our salaries -- and do they not?

2 MR. WATTS:

3 Do they pay our salaries?

4 MR. DONNELL:

5 Not mine, yours.

6 MR. WATTS:

7 I don't get much.

8 MR. PARNELL:

9 But efficiency -- when I was brought  
10 on, I was brought here to make sure this place  
11 would be efficient and become an actual  
12 business model that could be looked at. That's  
13 what is happening. I don't want to get into  
14 the situation where everybody is calling.

15 MR. DONNELL:

16 I appreciate what you just said, but  
17 you just also stated that we license 5800  
18 dealers.

19 MR. PARNELL:

20 Yes.

21 MR. DONNELL:

22 What's one of the requirements of  
23 licensing a dealer?

24 MR. PARNELL:

25 What's one of the requirements?



1 MR. DONNELL:

2 They have a phone.

3 MR. PARNELL:

4 Okay.

5 MR. WATTS:

6 They have to have a land baseline.

7 MR. PARNELL:

8 Okay. I hope my suggestion and what  
9 I produced to you-all will be taken into  
10 consideration.

11 MR. DONNELL:

12 Yes, yes.

13 MR. WATTS:

14 To follow-up, I went to Derek right  
15 when I talked to Jeff right when that happened,  
16 and that's what I was waiting for this meeting  
17 to discuss this with you-all. I wanted to put  
18 it on the agenda, but that's where we are at  
19 right now.

20 I haven't had that problem. I always  
21 handle it when I do, but that's just me.

22 MR. POTEET:

23 You know, in our business, we have a  
24 receptionist and we try to get her to -- we  
25 have always done this, we try to get her to do

1 other things besides being a receptionist.  
2 Because for one thing, I can be boring and you  
3 get somebody good in there and they don't want  
4 to be a receptionist anymore, they want new  
5 titles or talk to customers or whatever it is.

6 The biggest problem that we find  
7 is -- and I kind of feel your pain here a  
8 little bit -- is she answers the phone and  
9 somebody starts asking her and they go on for  
10 two minutes with a question, you know, a  
11 two-minute-long question. So now this one  
12 lights up, this one lights up. So she tries to  
13 answer the question as best she can or move it  
14 to another person. But it is the trafficking  
15 that they have to really work at. The  
16 receptionist or the people answering the phone  
17 and, you know, it's amazing to me that a lot of  
18 times when our receptionist is out -- she only  
19 works three days a week -- we are more  
20 efficient without her because the people who  
21 are doing the other work can get to the  
22 question more quickly. So the receptionist is  
23 not, in our case, is not well-versed in  
24 Maryland titles, but I have four people that do  
25 know about Maryland titles. And so, you know,

1           it's -- I think the issue that I found when  
2           people complain to me, well, I call over there  
3           and nobody answers the phone. I think the  
4           issue is from what I can see is sometimes you  
5           don't know how to answer the question. And so  
6           it is like who is going to answer this  
7           question.

8                        I want to give Derek a little bit of  
9           a pass here and say, I think that if you -- it  
10          is not so much hiring a person, although you  
11          said that you are hiring a person anyway, but  
12          it's a matter of properly dispersing the work.

13                   MR. PARNELL:

14                                Right.

15                   MR. POTEET:

16                        So people do get their questions  
17          answered. Theoretically, it should be -- to  
18          me, answering the phone is not that big of a  
19          deal. Having the message returned is the big  
20          deal. If I do leave the message and it gets  
21          returned, I am not concerned about it since I  
22          am getting a response.

23                   MR. BRITT:

24                        The other thing that I am sure you  
25          see it in your business, the guys that have

1           been around the longest in this business are  
2           the ones that are computer savvy or savvy with  
3           the modern way of doing things. And that's  
4           going to be the ones to first complain, you  
5           know. To kind of go with what Derek said a  
6           while ago. I mean, it's all self-explanatory,  
7           if you get on the internet and you look at it  
8           and if you need the guidelines.

9                        But a lot of people aren't -- I mean,  
10           it's just not -- they are not going to. I own  
11           a business that has a lot to do with  
12           technology. And I theoretically can say why do  
13           you still maintain a call center? I maintain a  
14           call center because there is about 25 percent  
15           of my business that's never going to get on a  
16           phone -- I mean on any app I have got or any  
17           web page, they can't do it and they won't do  
18           it. So theoretically probably where we are  
19           getting complaints from are those people that  
20           aren't going to get on and use technology.

21                       That's my two cents. But, I mean,  
22           all that I know to do is we will try it. And I  
23           think if it works, that satisfies everybody.  
24           It looks like you got a plan. We will see as  
25           long as it works we don't end up on Fox 8 or

1           whatever that was. We will all be happy.

2           MR. POTEET:

3                   The worse thing ever happened to me  
4           since I have been on this commission is when I  
5           get something done. Because somebody will call  
6           me and say, I can't get anything done with the  
7           commission. And I call up Kim, oh, we just  
8           sent that out. So I call the guy back, okay,  
9           your license is on its way. Oh, my God, John,  
10          you are the best.

11          MR. PARNELL:

12                   I truly, truly understand the  
13          concerns and especially during -- in the middle  
14          of the renewal period, I heard everything that  
15          you guys were saying and I understood it.  
16          That's why I really kind of try to look at it  
17          how can I improve upon the process and make it  
18          more efficient.

19          MR. DONNELL:

20                   And thank you. Because I call  
21          sometimes during the renewal and you got right  
22          on and tended to it. Thank you.

23          MR. PARNELL:

24                   Yes. It is just you do what you have  
25          to do.

1 MR. DONNELL:

2 Good job.

3 MR. PARNELL:

4 In a nutshell, that is what we do.  
5 We shouldn't be running into those phone calls  
6 if everybody is doing what they are supposed to  
7 do.

8 MR. WATTS:

9 Anybody else have anything to say on  
10 this?

11 I do want to point out, if somebody  
12 hears a complaint out there, just pick up the  
13 phone and call Kim or something like that.

14 MR. WISENOR:

15 Well, when I receive complaints or  
16 calls --

17 MR. WATTS:

18 Or call me.

19 MR. WISENOR:

20 -- I have explained to the dealers  
21 that during renewal, it is hard for the ladies  
22 that are processing the application are the  
23 person to stop and have to answer every call  
24 that takes them off their actual work that we  
25 are trying to process the application. I mean,

1 as long as that call is returned.

2 MR. WATTS:

3 One thing about car dealers, they  
4 want their stuff right then. They don't tend  
5 to it three or four months ahead of time, they  
6 want it right in and they want it done right  
7 now.

8 MR. BRITT:

9 Either on the deadline or the week  
10 after.

11 MS. BARON:

12 Like what Derek said, they can call  
13 him, me, Tonya. If I don't answer my phone,  
14 it's because I am not sitting at my desk.

15 MR. WISENOR:

16 I will try to keep them from calling  
17 them. I will call the lady or send an email to  
18 whoever is processing and we normally get it  
19 sorted out.

20 MR. WATTS:

21 All right. That's good. We are  
22 going to ratification of imposed penalties.

23 MR. PARNELL:

24 Commissioners, you will find in your  
25 package, a chart that illustrates the licensees

1 that were in violation of state law. This case  
2 was investigated and I have determined that the  
3 public's interest can be served without further  
4 administrative procedure; thus, civil penalty  
5 were imposed. Total amount for civil penalties  
6 is 6500.

7           Commissioners, I ask that you ratify  
8 the imposed civil penalties listed. The  
9 dealership name is Auto Trends, LLC, Christen  
10 Bossier, in Baton Rouge, Louisiana, committed  
11 one fraudulent act of causing injury to the  
12 public, one count. 25 counts of non-delivery  
13 of title.

14           MR. WATTS:

15                   I need a motion to ratify.

16           MR. POTEET:

17                   Make a motion that we ratify this.

18           MR. WATTS:

19                   I need a second.

20           MR. BRITT:

21                   Second.

22           MR. WATTS:

23                   Second by Commissioner Britt.

24           MR. BRITT:

25                   Quick question. We have seen this



1 name before, haven't we?

2 MR. PARNELL:

3 Yes.

4 MR. BRITT:

5 Have they got anything else pending  
6 or coming up?

7 MR. WATTS:

8 Do we have a whole bunch coming  
9 through?

10 MS. BARON:

11 Not a bunch.

12 MR. WATTS:

13 This is just a fine right here.

14 MR. PARNELL:

15 Yes. Once we go out there and saw  
16 something, we issue a fine that is out there.  
17 And if they agree to paying, we go ahead and  
18 accept the fine amount and present it to  
19 you-all. Some of the cases are not -- they  
20 don't warrant hearings on this one.

21 MR. WATTS:

22 The one that sticks out to me is the  
23 non-delivery of titles, it is 25 counts.  
24 That's a lot.

25 MR. BRITT:

1                   That's my question. Are we going  
2 to --

3                   MR. WATTS:

4                   If we fine them, are we still working  
5 on getting the titles for the 25 people?

6                   MR. WISENOR:

7                   They have delivered the titles. They  
8 were just way late. That seemed to be the  
9 pattern that dealer had was very late. Months,  
10 many months later after the sale.

11                  MR. WATTS:

12                  Where do we stand with it now?

13                  MR. WISENOR:

14                  They have been delivered. I hadn't  
15 looked to see recently what's new since that's  
16 been imposed.

17                  MR. WATTS:

18                  Legal matters.

19                  MS. MORRIS:

20                  So the one case that's pending,  
21 Federated Mutual Insurance Company versus H and  
22 N Auto Sales and the Commission, that was filed  
23 in Orleans. It is being handled by the  
24 Attorney General's Office in-house and they  
25 filed an exception. So it going to be

1 transferred to East Baton Rouge. And I am not  
2 really sure why it hasn't been transferred  
3 earlier, but that's really the plaintiff's  
4 issue to resolve. We did receive a letter from  
5 Sedgwick Claims Management Services, which is  
6 the third-party adjusting company for the  
7 Office of Risk Management. This Commission  
8 pays into the risk management pool which covers  
9 certain losses. And Sedgwick did issue a  
10 reservation -- what we call a reservation of  
11 rights letter saying that they will provide  
12 indemnity in defense tort claims, but any other  
13 claims they will not cover.

14 So, for that reason, you know, it  
15 leads us to monitor it because there may be  
16 uncovered claims. But until it gets  
17 transferred and the case moves forward, I think  
18 it is in good hands with the Attorney General's  
19 Office. She has been communicating with me.  
20 You know, once it gets transferred and then the  
21 records, we will probably have to have some  
22 records sent to the other side and request  
23 their records and it will go through a  
24 discovery phase.

25 But right now, not much is going on

1 with it. It seems the transfer was ordered by  
2 the Court.

3 MR. WATTS:

4 What's the update with H and N?

5 MS. BARON:

6 He was murdered.

7 MS. MORRIS:

8 It is not in business anymore. So,  
9 for that reason, it is not a concern that any  
10 other administrative hearing needs to be  
11 taken -- the allegation against the Commission  
12 is that the Commission didn't bring a  
13 disciplinary action which you-all have  
14 discretion to do. So the insurance company is  
15 complaining about that.

16 MS. BARON:

17 It has to be moved back to Baton  
18 Rouge, you said?

19 MS. MORRIS:

20 It is going to be moved to the 19th  
21 Judicial District in East Baton Rouge. There  
22 was a transfer.

23 I have another suit that's similar  
24 and the judge ordered it transferred before  
25 this one and it hasn't made it to Baton Rouge

1 yet. I don't know if it's because the  
2 plaintiffs didn't pay for the cost, there is a  
3 transfer cost, maybe they didn't go in and pay  
4 their transfer cost. But really, it is the  
5 defendant, it is their suit that they need to  
6 move.

7 MS. BARON:

8 Okay.

9 MR. WATTS:

10 Compliance investigator report,  
11 Montie.

12 MR. WISENOR:

13 Yes, sir. I have the monthly  
14 production totals for the field for the month  
15 of January and February of 2023. The totals  
16 for January were -- there were 5 audits  
17 conducted. There were no 5-day notices issued.  
18 There were 76 site visits conducted. There  
19 were no cease and desist or hand deliveries  
20 issued. There were 19 cases where consumers  
21 were assisted in receiving title and  
22 registration. There were 4 violations issued.  
23 There were 4 refunds issued which total  
24 \$12,900. There were 16 cases closed that were  
25 assigned. 21 cases closed that were not

1 assigned, and 18 physical inspections.

2 For the month of February, there were  
3 4 audits conducted. There was no 5-day notice  
4 issued for notice of revocation. 79 site  
5 visits conducted. There were no cease and  
6 desist issued. There were 16 consumers  
7 assisted in receiving title and registration.  
8 There were no violations issued. There were 5  
9 refunds issued that total 31,884.67. There  
10 were 16 cases closed that were assigned. 26  
11 cases closed that were not assigned and then 29  
12 physical inspections conducted. And those are  
13 the totals for those two months.

14 MR. WATTS:

15 Montie, while I got you here.

16 MR. WISENOR:

17 Yes, sir.

18 MR. WATTS:

19 I was scrolling through the Louisiana  
20 buy and sell app or the websites.

21 MR. WISENOR:

22 Yes, sir.

23 MR. WATTS:

24 Who is that that just came up that we  
25 just -- ABC? What's the name?

1 MR. WISENOR:

2 ABZ.

3 MR. WATTS:

4 He is up there selling cars.

5 MS. BARON:

6 Jason Helmke.

7 MR. WATTS:

8 I just signed something for him to  
9 get something collected over the last time and  
10 his response was y'all can't do me nothing.

11 MS. BARON:

12 He told you that?

13 MR. WATTS:

14 That's what one of y'all told me,  
15 that he's above the law.

16 MS. BARON:

17 Yes.

18 MR. WISENOR:

19 I wondered if he told Monroe --  
20 Investigator Allmond that at some point. We  
21 are still pursuing complaints.

22 MR. WATTS:

23 He is selling cars out there. They  
24 are not in his name, with no license plates and  
25 he is advertising them.

1 MR. WISENOR:

2 Yes, sir. As a matter of fact, while  
3 I was here in town, this week we were  
4 working --

5 MS. MORRIS:

6 You don't want to discuss the case  
7 that might come before the Commission.

8 MR. WATTS:

9 Okay.

10 MR. WISENOR:

11 There are a lot of other moving parts  
12 of what we are doing.

13 MR. WATTS:

14 We will skip through that. My point  
15 is do we oversee these websites? I know when I  
16 was -- had a lot, we ran a three-line ad and I  
17 had to put an agent behind their name if you  
18 were a dealer. And there are a lot of dealers  
19 out there that don't try to do that on these  
20 websites. They are pretending to be  
21 individuals.

22 So I don't know if you can go to  
23 these administrators on these websites and let  
24 them know, hey, they are a dealer. I don't  
25 know how can we police that.



1 MR. BRITT:

2 I don't think that you can on those  
3 marketplaces.

4 MR. WATTS:

5 And they were advertised. I don't  
6 know if we can or not.

7 MS. BARON:

8 I get complaints every once in a  
9 while saying that they bought a car and they  
10 thought it was from an individual, but when it  
11 boiled down to it, they were a dealer. And  
12 they were not real happy about that because  
13 they thought they were buying from an  
14 individual.

15 MR. BRITT:

16 I texted Montie one the other day  
17 that I just kept seeing on marketplace. It  
18 looked like he was selling out of his house and  
19 I thought the name sounded familiar. And I  
20 texted Monty to see if they knew if they had a  
21 license. He got back and they stayed they did  
22 and they moved their location. But I still  
23 say --

24 MR. WISENOR:

25 He has been in business for a long

1 time.

2 MR. BRITT:

3 But I still think they are doing it  
4 out of their house. But you see that all of  
5 the time.

6 MR. WISENOR:

7 You see phantom dealers or the  
8 vehicles don't even exist and they will post  
9 people submitting a deposit on it. And then  
10 they will try to get that post removed, but  
11 then it will pop up again. There was one up in  
12 Shreveport that was just constant. The dealer  
13 had never -- had not been in that location for  
14 5 years, but it kept popping up and people were  
15 submitting or, like, sending deposits for  
16 vehicles that never existed.

17 MR. BRITT:

18 They will show a slick-looking car or  
19 a truck and it will be \$1500.

20 MR. WISENOR:

21 We need to educate the general public  
22 on not doing that. They want us to fix the  
23 problem for them.

24 MR. WATTS:

25 I just got an email -- I guess it



1 McLaren that went from a construction company  
2 in Calgary, Canada, to a dealer in Houston, to  
3 a retail customer in Atlanta, to a dealer in  
4 Atlanta, to a dealer in Louisiana, and it's  
5 never had the right VIN on the title, ever.  
6 And it turns out, the VIN that's on the McLaren  
7 is actually for a Chevy truck that was  
8 manufactured in Mexico.

9 So we got the FBI involved, we got  
10 the state police involved, we got the Canadian  
11 FBI involved, we have the city police in  
12 Calgary involved, we have got the Houston  
13 police department involved, and that car is now  
14 sitting somewhere.

15 MS. BARON:

16 Do you know where the car is?

17 MR. POTEET:

18 Yes, we know where it is.

19 MR. WISENOR:

20 Do they know where it came from? Who  
21 it was originally stolen from?

22 MR. POTEET:

23 You can imagine, look at that, and it  
24 is the cloning of VINs, and that is going to be  
25 a big, big problem for a while. It can be

1 fixed with technology, but nobody wants to. I  
2 just mentioned to you two states and three  
3 countries that are involved in one vehicle.

4 MR. BRITT:

5 There is no telling how many are out  
6 there like that.

7 MR. POTEET:

8 I think the only reason why this one  
9 got a lot of publicity here was the last person  
10 that got hung with it, it is McLaren. It is a  
11 \$280,000 car. All of these people involved are  
12 people of means and they are all mad at each  
13 other.

14 MR. WATTS:

15 All right. Derek, executive  
16 director's report.

17 MR. PARNELL:

18 As we talked about this at our last  
19 commission meeting in January, we have our  
20 Legislative auditor, an audit that is currently  
21 still going on. We have to submit the final  
22 product by March 31. After speaking with the  
23 auditor, he should be finished at that point.  
24 He is kind of winding up, closing it out right  
25 now. And so with that said, he should be here

1 next to present the findings to you-all about  
2 that audit. It is a pretty extensive audit  
3 this year. This newer -- this CPA company that  
4 we have gone with, man, they are really going a  
5 lot deeper than we were accustomed to, but I  
6 didn't have any concern that we would have any  
7 problems that they will find. He did make  
8 mention he really isn't finding very much to be  
9 concerned about. A lot of what he is finding  
10 is immaterial so it is not going to cause any  
11 real issues, which is great. So, hopefully, I  
12 should get some closure to that within this  
13 week, the beginning of next week, so we can  
14 present it to you guys and submit it to the  
15 Legislative auditor.

16 The second audit that we had going on  
17 with our compliance review of our purchase  
18 cards, our credit cards, that audit concluded  
19 at the end of January. The review did find  
20 that we had one item which was not in  
21 compliance. It was about a training session  
22 that should have been signed off and taken  
23 place at the end of last fiscal year that  
24 wasn't done. And so that was what they found  
25 as an issue with our process.

1                    Nothing about the process of the  
2                    cards and how we are handling the card  
3                    situation. They found that to be better than  
4                    most of the other agencies and how they are  
5                    handling their situation. Because the way it  
6                    happens for us, we have four cards, four  
7                    cardholders, and those persons each and every  
8                    time that they want to make a purchase on  
9                    something that's business related, they have to  
10                   submit or request to me and I have to submit to  
11                   them what we call the LC number, which is the  
12                   card number. They must do that prior to any  
13                   purchase that they make. Anything that's  
14                   annual, anything that comes out of those cards,  
15                   they have to have that request to me and  
16                   approved prior to that purchase.

17                   So in speaking with E-card, that's  
18                   something that doesn't happen with any other  
19                   state agency to that degree. I say it works  
20                   for us because we are so small and we have four  
21                   cards. We don't have 200 cards so it is not  
22                   like a large state agency. So that has  
23                   concluded.

24                   All right. So I am also really  
25                   looking at all of our processes. Our

1           accounting department, I am still really  
2           looking to get the right fit what I am doing in  
3           that department. I did bring Ms. Rhonda on.  
4           She is a great, great person. She works really  
5           well with us, but I am in the process of  
6           restructuring the accounting department right  
7           now.

8                         When I spoke to Civil Service, I  
9           really got kind of frustrated with them because  
10          they kind of pigeonhole us in kind of treating  
11          us like a large agency, which we are not. We  
12          can't get those job titles. We can't get some  
13          of those, like, perks, but the job titles that  
14          large agencies have. But those titles actually  
15          fit what we are actually calling it. We pretty  
16          much operate as a small business, not  
17          necessarily a large state agency that's getting  
18          money from the State.

19                        So I really expressed it and I really  
20          need a CFO to actually -- someone in the role  
21          of chief financial officer and kind of focus on  
22          what positions that are out there that can give  
23          me that type of level of accounting experience,  
24          and so they did come back with me and they kind  
25          of gave me some options. So I am going through



1 the process right now, as I said, restructuring  
2 that department as well as going in and  
3 re-creating the job descriptions to fit within  
4 everyone's skill set of where we are.

5 So I just wanted to give you guys an  
6 update on that. We also have been in talks  
7 with Barrett-Jackson. They are wanting in  
8 September to come to the New Orleans Convention  
9 Center to hold the auction there. So we kind  
10 are working with them throughout the process.  
11 I think this morning they went in their license  
12 applications. And so we should be holding --  
13 they will be holding one in September, so  
14 looking forward to that hopefully.

15 MR. WATTS:

16 What kind of license do they need?

17 MS. MORRIS:

18 Trade show.

19 MR. HINES:

20 Auction license.

21 MS. BARON:

22 They are going to hold an auction.

23 MR. WATTS:

24 So it is an auction license.

25 MR. BRITT:

1                   Did they say how often they were  
2 going to do it?

3                   MR. PARNELL:

4                   I think it is going to be, like, a  
5 week or so, a week or two.

6                   That was all that I had. If you have  
7 any comments or concerns.

8                   MR. WATTS:

9                   Anybody have any questions for Derek?  
10 Anything else?

11                   Moving on to the catalytic converter.  
12 Anybody have any comment on it?

13                   MS. MORRIS:

14                   It is still in a rough draft. We had  
15 a couple of conferences and I think we have a  
16 willing author. But, basically, the thing that  
17 we were trying to address is that the law that  
18 was adopted was for catalytic converter  
19 purchasers, you know, the transaction involves  
20 purchasers and sellers. So really should have  
21 been for the transfer of catalytic converters.

22                   So I have a draft that's very rough.  
23 I can pass it out. It needs a little work.  
24 But I thought the easiest thing was to make  
25 them -- they were catalytic converter purchases

1 was the definition and then that would carry  
2 through the law to make them catalytic  
3 converter dealers because that's more parallel  
4 with our other licenses.

5           There were -- I am trying to clean up  
6 just terminology. In some places it talked  
7 about detached converters. Other places talked  
8 about used converters. So I am trying to make  
9 sure it uses both terminologies throughout.  
10 There was a reference to the fees and it said  
11 that you paid a licensing fee in this section,  
12 but it wasn't -- the licensing fee is not  
13 actually in that section so I am putting the  
14 reference to the statute for dealer fees.

15           And then there -- one of the concerns  
16 that we have discussed is that the decanters  
17 that buy the catalytic converters take them out  
18 of state to process them. We didn't have a  
19 decanter in the state of Louisiana at this  
20 time. So those purchasers don't really have a  
21 place of business here. So I did some research  
22 and outside of our law, there is what's called  
23 a transient merchant law which requires  
24 transient merchants to register with the local  
25 government and to keep certain records.

1                   Coincidentally, some of the records  
2                   that they are required to keep is what we were  
3                   discussing because transient merchants would  
4                   include people that buy, sell, trade, and  
5                   acquire for disposal any secondhand property  
6                   consisting of gold, silver, copper, brass, or  
7                   other precious metals, jewelry, precious stones  
8                   or other objects composed of metals and stones.

9                   So that's really the catalytic  
10                  converters that were being purchased for the  
11                  precious metals. So I was thinking we might --  
12                  it might be easier really to go into the  
13                  transient merchant law and to specify that if  
14                  the objects are detached from a vehicle or  
15                  catalytic converters that instead of reporting  
16                  to the local government, you report to this  
17                  commission rather than creating a whole other  
18                  structure, or we can just kind of lift it and  
19                  replicate it in our law. Those are two  
20                  options.

21                  That's kind of up to the author of  
22                  the bill and the drafters as to whether they  
23                  think that it fits better. But I think it  
24                  gives us some, you know, parallel that, you  
25                  know, a transient merchant should have to

1 report somewhere and have an agent that's  
2 responsible and have their records available  
3 for inspection when requested.

4 In the transient merchant law, the  
5 records have to be available to the chief law  
6 enforcement of the area. We could simply add  
7 that they be available to our investigators as  
8 well. So that, you know, they are tracking the  
9 sales. They have a photograph of the person  
10 selling or delivering it, and they have to  
11 retain that for a certain period and I think  
12 address the concerns that we have.

13 There is still a lot of catalytic  
14 converter theft going on, and we did look at  
15 some other states. When this was adopted in  
16 Louisiana, we were kind of ahead of a lot of  
17 the other states. There are now 30-something  
18 states that either have pending legislation or  
19 active legislation. It's kind of all over the  
20 board. So we did look at what California has  
21 and we can borrow some language from there.

22 I heard on the radio this morning,  
23 one of the stories was that the cars with  
24 catalytic converters most likely to be stolen.  
25 It was on the local radio this morning. Last

1 week, I texted Derek because I was watching the  
2 evening news and there was an article about  
3 catalytic converter theft.

4 So it's still very prevalent, but I  
5 think in Louisiana we, at least, do have some  
6 sort of regulation, it is required reporting,  
7 and I think it's discouraging our dealers from  
8 buying, you know, the catalytic converters from  
9 people that are not willing to disclose the  
10 information as to where it came from.

11 MR. BROWN:

12 If we -- since that many people or  
13 states are starting to get licensed, can we  
14 require them to have a license in their home  
15 state and be in good standing with their state  
16 to get a license from us?

17 MS. MORRIS:

18 We could if the state issues  
19 licenses, if it is a licensed trade within  
20 their state.

21 MR. BROWN:

22 Rather than somebody just doing it in  
23 the backyard, you know, storing stuff across  
24 state line.

25 MS. MORRIS:

1                   Right. We could allow them to apply  
2 for, you know, some -- not really reciprocal  
3 license, but --

4                   MR. WATTS:

5                   How much does a license cost?

6                   MS. MORRIS:

7                   \$200?

8                   MR. WATTS:

9                   \$200. Travis brought it up in a  
10 conversation last week. If you are an  
11 out-of-state hunter, like in Mississippi, it is  
12 \$425 to go shoot a deer. And it seems like in  
13 Louisiana, they would pay more to buy  
14 converters.

15                  MS. MORRIS:

16                  There are two different things.  
17 Interstate commerce laws for doing business in  
18 our state. But, like, hunting, universities --  
19 I pay out-of-state tuition for my child to go  
20 to Mississippi. But if is supported and  
21 maintained by public funds, then the people in  
22 the state are paying their taxes for the public  
23 parks. Universities and all of those things,  
24 you can charge a higher fee for out-of-state  
25 residents. But to do commerce in the state,

1           you can't charge somebody more for retail sales  
2           for a fee to engage in the retail.

3           MR. DONNELL:

4                     Is State Representative Rodgers going  
5           to be your author?

6           MS. MORRIS:

7                     I hope so, yes.

8           MR. DONNELL:

9                     You hadn't contacted him?

10          MS. MORRIS:

11                     I have not yet. I wanted to get  
12          you-all to approve us going forward with some  
13          cleanup legislation.

14          MR. DONNELL:

15                     Well, last week he was onboard but he  
16          wants y'all to get that to his staff.

17          MS. MORRIS:

18                     Yes. We do need to do that. But I  
19          was waiting for -- to make sure I understood  
20          the scope of what you-all are wanting to do.

21          MR. BROWN:

22                     Did we put a description of the  
23          vehicle the converter come off of?

24          MS. MORRIS:

25                     I have not yet, but that was one of



1 the pieces of information --

2 MR. BROWN:

3 I know we do this on the scrap side,  
4 but doing the description for buying from  
5 individuals, we need a dealer, possibly the  
6 dealer/business transaction exemption per se,  
7 because salvage yards have all of these cars --  
8 they own the cars. They are going to pull them  
9 off. They are not buying converters. That's a  
10 lot of recordkeeping for a salvage yard to know  
11 what every one of those converters came off the  
12 cars.

13 Now, if he is buying them, that's one  
14 thing. Same thing with the scrape side, we  
15 have a lot to come off the cars we buy. Are we  
16 going to have to keep that record of every one  
17 we pull off? That were the questions that we  
18 had we were discussing the other day.

19 MS. BARON:

20 Mr. Couvillion is here and he came  
21 specifically for that part of the meeting. Do  
22 you have anything that you wanted to add?

23 MR. COUVILLION:

24 I think Travis pretty much summed it  
25 up about the dealer -- the dealer transaction.

1           Because, like I said, we don't actually buy  
2           from the general public. All we do is  
3           dealer -- you know, like business related. And  
4           if you had to go back and keep records on every  
5           single converter, you know, basically you would  
6           be following like the secondhand dealer law, it  
7           actually states like the towing yard, salvage  
8           yard, and stuff like that are actually exempt  
9           from that because of their recordkeeping with  
10          the vehicle to begin with.

11           MR. WATTS:

12                     Who are you with, Mr. Couvillion?

13           MR. COUVILLION:

14                     Couvillion Converters and Recyclers.

15           MR. WATTS:

16                     Okay.

17           MS. MORRIS:

18                     I think that we can do that in the  
19           recordkeeping for -- you know, unless you are  
20           licensed a salvage yard or dismantler.

21           MR. BROWN:

22                     Buying one from an individual is  
23           completely different than buying from a salvage  
24           yard.

25           MR. COUVILLION:

1           A lot of shops, you know, your  
2           automotive-based shops, like you got your --  
3           like if you go to a mechanic shop and they  
4           change one out or swap it out for something,  
5           there is no core charge for these guys actually  
6           can legally sell them because they generate,  
7           you know, the converter in their everyday  
8           process.

9           MS. MORRIS:

10           But they would have the VIN number  
11           and the information to supply to you on that  
12           one.

13           MR. COUVILLION:

14           Yes. You see something like that in  
15           a mechanic shop.

16           MR. WATTS:

17           What does a mechanic shop do after he  
18           takes them off if he needs them? Does he sell  
19           them?

20           MR. COUVILLION:

21           He just sells them, like, for scrap  
22           or whatever.

23           MR. WATTS:

24           There is no record of it where it  
25           comes from. He just goes in the junk pile.

1 MR. COUVILLION:

2 Exactly, exactly. And that is why we  
3 try to stay strictly in an automotive-based  
4 industry to where, you know, you are less  
5 likely to run across the theft if you are  
6 dealing with an automotive-based business as  
7 opposed to, you know, buying off the streets.  
8 And most of the stuff that's getting stolen is  
9 being sold to these guys that are coming  
10 through from out of states that keep no  
11 records; they breeze through here at night and  
12 they roll on out. They are not, you know,  
13 employing any employees. They are not paying  
14 any taxes. They are not buying any licenses.  
15 They are just rolling through. And the legal  
16 guys like us, we are the ones that are  
17 suffering from having to jump through hoops to  
18 appease everybody. But, you know, because a  
19 basic -- like I always said, a basic criminal  
20 is not going to go out there and buy a license  
21 and go out, start stealing some.

22 MS. MORRIS:

23 I guess one of the things to try to  
24 plug the holes, I guess, because automotive  
25 shops that provide service are not licensed by

1 anyone unless they are a dealer or some other  
2 category, and so the people stealing them, if  
3 they can't go selling them at a salvage yard  
4 because they don't want to give their identity  
5 and information, then we are going to find  
6 another avenue. And is this an automotive  
7 shop, do they then go to a muffler shop and  
8 start paying the muffler shop?

9 MR. COUVILLION:

10 Most of the guys, they are catching  
11 these guys coming through. You can get on  
12 marketplace and you can type it in and you can  
13 have 15 different out-of-state unlicensed guys  
14 sitting at your door in the morning. And there  
15 is no record, all cash, no nothing, and roll  
16 on. You know, like with us, you know, like  
17 even guys that haul salvage cars, we make them  
18 go out and get an occupational license to show  
19 that they are an automotive-based business.  
20 And I even write them guys checks just to  
21 really cover our side of it, you know.

22 MR. BROWN:

23 Prior to the legislation, there was  
24 not even a law against buying converters. So  
25 that law enforcement really couldn't do

1 anything to an extent unless they caught you  
2 stealing.

3 MR. COUVILLION:

4 Correct.

5 MR. BROWN:

6 That's kind of what all of this is  
7 geared towards. It is trying to stop some of  
8 them. And that's all we are doing here is  
9 trying to beef up ours to where what we are  
10 buying from the public, we have a description  
11 of the vehicle, and hoping to have that back  
12 in. And we are already getting licenses and  
13 all of that.

14 So on top of that, our discussion  
15 today was from the out-of-state side. Just not  
16 licensing every criminal that comes in. Just  
17 making sure they got a license in their state  
18 or, you know, different ideas of what we are  
19 talking about. Making sure they are in good  
20 standing with their state.

21 We know the criminals aren't going to  
22 buy a license. But we are narrowing it down to  
23 an extent.

24 MR. COUVILLION:

25 Only thing on an out-of-state buyer

1           like that, is if he is coming through and says  
2           he is licensed in this state and over here  
3           doing illegal stuff, how are you going to go  
4           across state lines to do anything? Don't you  
5           not have jurisdiction to go out of your state?

6           MR. WISENOR:

7                     We would coordinate in with their  
8           state.

9           MS. MORRIS:

10                    They would still need a license here  
11           to do the purchase here and transport them.

12           MR. WISENOR:

13                    They can pass it on -- investigators  
14           will pass that on to the other state.

15           MR. COUVILLION:

16                    Like I said, our biggest problem is  
17           you got them rolling here with no license.  
18           That's our biggest problem, you know. Because,  
19           like I said, 9 times out of 10, a licensed  
20           dealer is not going to go out knowing that this  
21           is just some Joe off the street, can't prove  
22           nothing. These cats are just breezing through,  
23           and that's where our biggest issue is coming  
24           through with a lot of theft in the state.

25           MR. BROWN:

1                   But if you are pulled over and you  
2                   are asked for your license, you got a license.  
3                   They pull him over and he doesn't have license,  
4                   then that's -- they can take care of him  
5                   immediately.

6                   MS. BARON:

7                   So if somebody drives up to your  
8                   dealership and wants to sell you catalytic  
9                   converters and they don't have a license, what  
10                  do you do? Send them here to get a license  
11                  first?

12                  MR. BROWN:

13                  No. I don't buy -- I buy from the  
14                  public.

15                  MS. BARON:

16                  You know, just saying if they did.  
17                  If an out-of-state drives up and wants to sell  
18                  you a catalytic converter and he doesn't have a  
19                  license with us.

20                  MR. BROWN:

21                  I wasn't talking about that. I was  
22                  talking about the guys coming in and buying  
23                  from individuals, they don't have a license.

24                  MS. BARON:

25                  Okay.



1 MR. BROWN:

2 You can go on marketplace and pull  
3 one of those guys up, they will come to your  
4 house and buy a converter that you stole from  
5 someplace.

6 MS. BARON:

7 I see.

8 MR. BROWN:

9 But what I am saying is when law  
10 enforcement pulls that guy over and has got the  
11 trailer behind him and he doesn't have a  
12 license, he is going to lose a lot of money.  
13 If that trailer is full, \$100,000 easy.

14 MR. COUVILLION:

15 With this new license that we have  
16 now -- we are just talking on the way down  
17 here -- just say if you get pulled over in some  
18 little parish and all you got detained there,  
19 if he is giving you a hard time, will it go  
20 through his parish or will they have to go  
21 through the State now or the used motor vehicle  
22 commission since we are licensed through the  
23 commission and not him?

24 MS. MORRIS:

25 They are licensed through the

1 commission, but the way the law was structured,  
2 it gives the law enforcement authority to  
3 arrest them. There is a site in there. The  
4 enforcement is mostly law enforcement.

5 MR. COUVILLION:

6 We run into some instances like that  
7 where we, you know, gotten pulled over and, you  
8 know, and show all of our proper paperwork and  
9 all of that and have all a detective that  
10 doesn't really know what is going on and we get  
11 harassed so bad over that.

12 MR. BRITT:

13 That's the problem and that's why we  
14 are trying to clean all of this up, because our  
15 ultimate end game plan is to train every law  
16 enforcement agency in the state and our  
17 investigators to do regional training. Then,  
18 my hope is to see it implemented in every  
19 police academy to where we have one of our guys  
20 go to the North Delta Academy in Monroe and do  
21 a two-hour program. And the next week, Rapides  
22 at their academy or in Thibodaux at the  
23 LaFourche Academy. And we do -- we implement  
24 it in their POST training. And that's -- it is  
25 going to take -- it is not going to happen

1           overnight.

2                   But the main thing -- you can share  
3 this with your guys, is if you get stopped,  
4 just tell the guys, I am not being a smart  
5 aleck, but call during business hours, call the  
6 Used Car Commission, or get Montie's phone  
7 number and have them call Montie. They just  
8 don't understand and they will. I field those  
9 questions all of the time. That's our plan.

10           MR. COUVILLION:

11                   We will help you anyway we can. Just  
12 let us know.

13           MR. BRITT:

14                   We might need you to host a training  
15 deal once a month.

16           MR. WISENOR:

17                   Would that fall in part of the  
18 recordkeeping requirements is having the -- if  
19 you buy from an individual that has more than  
20 one converter or off of one vehicle, would you  
21 require them to produce that license -- a  
22 license, period? If it stands to reason, you  
23 can't be in a position of so many without  
24 having a license, then that will be part of a  
25 recordkeeping piece that is part of you have to

1 have their license information number or  
2 whatever state they are from, either Louisiana.  
3 And then would that trickle to these shops you  
4 mentioned, exhaust shops, automotive shops that  
5 are dealing, would they have to have a license  
6 even doing what they are doing with them if  
7 they are even taking them off of customer  
8 vehicles and accumulating them and then  
9 re-selling them, does that put him in that  
10 business?

11 MR. BROWN:

12 Well, to me the salvage yard -- I  
13 will speak on that behalf -- the salvage yard  
14 has a license with this department. They are  
15 not buying from the general public. I don't  
16 see where they should get a license. As they  
17 are a licensed dealer and he comes in and buys  
18 from a licensed dealer and they are an  
19 automotive dealer, they have a right to have  
20 that car with converters on. They are already  
21 licensed through us as a dealer.

22 Now, he can't go to a lawnmower shop  
23 because they don't have catalytic converters.  
24 If that guy has got converters, he needs to  
25 know where they are coming from.

1 MR. PARNELL:

2 Sheri, the changes that we are  
3 looking at doing, do you foresee any pushback  
4 because we know that the law last year changed  
5 several times before the final product came  
6 out?

7 MS. MORRIS:

8 I think it should be easier this time  
9 because it was so new last time and it was a  
10 bill that was originally drafted by law  
11 enforcement without coordinating with the  
12 Commission. So I think that then the  
13 Commission -- it did not provide who was  
14 supposed to issue the licenses. So we kind of  
15 had to intervene to become the agency to  
16 provide the licenses and define all of that  
17 process. So that is all pretty well defined.  
18 I think, though, you know, there are some other  
19 definitions that we probably needed, you know  
20 if purchasing doesn't include an auto mechanic  
21 who is used once to repair a car, we would have  
22 to carve that out so that those auto mechanics  
23 don't have to be. But there were very little  
24 specifics at that time. And, like I said, we  
25 were kind of, you know, ahead of a lot of other

1 states because we kind of followed Mississippi.  
2 Mississippi was kind of ahead and we were  
3 following theirs. So I think now that we kind  
4 of understand the transactions a little bit  
5 better and the licensing structure, I think we  
6 could -- last time we just ran out of time, I  
7 think, to get it.

8 MR. BROWN:

9 I can show you some wording that's in  
10 the scrap law like for copper. You know, you  
11 can't buy -- we will have to have all of this  
12 information for buying copper wire. And a  
13 dealer-to-dealer transaction is basically if a  
14 dealer is generating that product in his -- I  
15 don't know the exact wording, but it is in his  
16 normal course of business, then they are exempt  
17 on a dealer to dealer.

18 If a guy brings in a whole truckload  
19 of wiring harnesses from a salvage yard, he  
20 generated that from his normal course of  
21 business. And there is some wording in it that  
22 we need to look at.

23 MR. WATTS:

24 I think that as a licensing body, we  
25 just want the fees. There is no sense to make

1 the laws and give our input for the scrap yards  
2 or -- we can't afford it. It seems like state  
3 police should be sitting here talking with us.  
4 Somebody with the law. We collect the fee and  
5 give them a license.

6 MR. BRITT:

7 We are going to wind up investigating  
8 it and then involving local authorities or the  
9 state police; that's exactly what was going to  
10 happen. And, Sheri and Derek, last year when  
11 it all evolved so quickly, I think the LSA  
12 understood that this -- what we did last year  
13 is not the final. That it was going to take  
14 some tweaking like this. And, you know, a year  
15 from now, two years from now, it might be  
16 tweaked a little bit more. And I see --  
17 because the world is evolving and I see this  
18 commission evolving with what they are going to  
19 be involved in.

20 And I just -- you summed it up right  
21 there, Mr. Chairman, you said we just need to  
22 be the licensing agency. That's not the way  
23 this is going to work. We are going to be a  
24 training agency. We are going to be working  
25 with the enforcement more because this is a hot

1           topic and it's all -- it is on our lap.

2           MR. BROWN:

3                     If we don't take a point on it, it is  
4           just another bill.

5           MR. BRITT:

6                     Another dead law. And just like Mr.  
7           Couvillion said -- and where are you from?

8           MR. COUVILLION:

9                     Pollock.

10          MR. BRITT:

11                     Pollock and you are a Couvillion.  
12          You are not from Vermilion Parish. But what he  
13          said a while ago -- and I've seen it happen a  
14          thousand times even when I was a deputy, you  
15          would stop -- you would stop somebody for  
16          whatever and you have got nothing. Whatever it  
17          is, you have to call somebody to figure it out.

18                     And it is just like those young  
19          troopers at home and the sheriff's office at  
20          home, they know that I am on this Commission.  
21          My phone will ring at 11 o'clock at night, it  
22          will be a young trooper on the side of the  
23          highway or a deputy saying, what are we  
24          supposed to do about this? Call Montie, don't  
25          call me.



1                   But, you know, they are going to  
2                   be -- and that's why I am going to be adamant  
3                   about why we are here and we are involved in  
4                   this is we finish our job and we get the  
5                   training done. And once that training is done,  
6                   all of those guys is going to be just like them  
7                   writing a ticket for speeding. They are going  
8                   to know. They are looking for drugs. They are  
9                   going to know what they can do and what they  
10                  can't do. And I think that should be our  
11                  ultimate goal in the end game is for us to  
12                  finish fine-tuning everything. Get our guys  
13                  trained. Get our ladies in the office to know.  
14                  We know how to answer the questions if we get  
15                  asked and then we get the training done. Then,  
16                  in 24 months or 36 months, everybody in the  
17                  state will be trained. And if it's a 2-hour  
18                  deal or an hour-and-a-half deal, if we can  
19                  narrow it down, every police academy from here  
20                  on out, then it is done. We have done our  
21                  jobs.

22                   MR. WATTS:

23                                It sounds like the legislature  
24                   pointed to us as a commission.

25                   MR. BRITT:

1           If we hadn't, it is no telling where  
2           it would have wound up. The only other place I  
3           could have seen this landing would be DPS with  
4           the standards guys. And that's now under LSP.

5           MR. WATTS:

6           It sounds like they should be the  
7           lead, the state police.

8           MR. BRITT:

9           Well, they are not. We saddled this  
10          horse and we have to ride it now.

11          MR. BROWN:

12          We got a good group in this here from  
13          law enforcement to scrap to auctioneers and  
14          used car guys. This is our problem. It is in  
15          our realm of what we do and we know how it  
16          moves. I know certain parts. They know  
17          certain parts. So the best place for it. If  
18          it goes to state police, they are going to just  
19          stamp it.

20          MS. MORRIS:

21          It was really for the local  
22          governments -- and that's just we have over 300  
23          municipalities in 64 parishes, and so it kind  
24          of was whether or not it was going to be  
25          enforced. In some of those municipalities, it

1 is made up of 200 in population. They don't  
2 have the resources to even sometimes go to the  
3 training or to enforce it. So I think it's  
4 good that it's a statewide commission. And I  
5 don't think we are going to get the push -- we  
6 are trying to take what we have and make it  
7 work for the legitimate businesses. And I  
8 don't anticipate that the people who are going  
9 to steal them are going to show up at the  
10 Capitol.

11 MR. COUVILLION:

12 One other thing that we need to try  
13 to work on, too, is the law. It states that if  
14 you are buying from the general public, you are  
15 allowed to buy one converter per person per day  
16 with proof of ownership. The problem is that  
17 95 percent of your vehicles have two to four  
18 converters on it. So if a man comes every day  
19 for four days with his proper paperwork and  
20 he's doing a legal deal, but then, say Montie  
21 comes in and checks our books, and he is, like,  
22 you got the same title for four different  
23 converters, four different days, you know, this  
24 is going to look bad on the dealer.

25 MR. BROWN:

1                   We have addressed that. We are  
2 trying to put wording there for one VIN number.  
3 One car up to four or five converters.

4                   MS. MORRIS:

5                   I failed to mention that but that was  
6 discussed on our call and I think some of us  
7 weren't aware that there is more than one  
8 converter in a vehicle. So that was something  
9 that came up and so that's why it is good to  
10 have car dealers as well.

11                  MR. WATTS:

12                  That's all fine with me. We are a  
13 self-supporting agency. This is coming out of  
14 our pockets, this agency; we are paying for all  
15 of this. We don't get a check from the State  
16 to pursue all of this is what I am saying, you  
17 know, funds.

18                  MR. BROWN:

19                  We are not going to be pursuing  
20 anything as far as --

21                  MR. WATTS:

22                  We got schooling we have to give. We  
23 have to get commissioners out there, all of  
24 that. That comes out of this budget. That's  
25 why I am making the point, so.

1 MR. BRITT:

2 That's why we license them and we are  
3 going to charge them. Raise the fee.

4 MR. PARNELL:

5 Sheri, what title is the transient  
6 merchant law under?

7 MS. MORRIS:

8 It is in Title 37. It starts at  
9 37:19901 and it defines transient merchant.  
10 And it almost fits, but it doesn't. But I  
11 think it was designed for the companies that  
12 come in and buy gold and silver and jewelry,  
13 that kind of stuff, a lot of them are from out  
14 of state. And so to keep them from buying  
15 stolen goods, I think they have to hold on to  
16 the merchandise for 15 days. After 15 calendar  
17 days after they purchase it, they have to have,  
18 you know, the person's ID. They have got to  
19 document where that came from.

20 MR. BRITT:

21 Who oversees it?

22 MS. MORRIS:

23 Unfortunately, probably the local  
24 governments. So I don't know how much  
25 enforcement is behind it. And what happens

1 sometimes -- kind of came from local  
2 government, you know, what happens is if -- I  
3 am going to say Denham Springs, because it is  
4 close to here. So they will have good  
5 enforcement. Well, they are not going to go to  
6 Denham Springs, they are going to go to  
7 Livingston or they are going to go to someplace  
8 that has a weaker enforcement.

9 So sometimes when it's left to the  
10 local governments, the dealers or the people  
11 that are not following the law, they just find  
12 the holes in the law so they are not going to  
13 go to a place that has got a police department  
14 that's knowledgeable. They are going to get  
15 busted there once and then they are going to  
16 take that off their map and they are going to  
17 go to the next smaller town that maybe doesn't  
18 have licensing.

19 We have a lot of enforcement cases  
20 that just avoid the places that are educated  
21 and enforcing the law and find the places that  
22 aren't. So that's why I think the statewide  
23 approach is a whole lot better when you are  
24 trying to control crime.

25 MR. BRITT:

1                   Absolutely. I just don't know what  
2 the merchant law fell under.

3                   MS. MORRIS:

4                   You are supposed to register with the  
5 parish police jury. And if there is local law  
6 enforcement and then you are supposed to  
7 register with them.

8                   MR. BRITT:

9                   Like fruit salesmen, you have to have  
10 a permit.

11                  MS. MORRIS:

12                  So there are probably a lot of holes.  
13 I think that it is a good framework so maybe we  
14 can either amend Title 37 to put that if it is  
15 a part that came from a vehicle, then the  
16 registration would be here or we would just  
17 kind of mirror our law. Either way, it would  
18 work.

19                  They have to put up a bond and there  
20 are penalties and violations for all of that  
21 sorts of things.

22                  MR. WATTS:

23                  Yes. Sounds like you are on top of  
24 it.

25                  All right. Nothing else. Items for

1 next agenda.

2 MS. BARON:

3 I don't have anything.

4 MR. WATTS:

5 All right. We are adjourned.

6

7

8 (Meeting adjourned at 10:43 a.m.)

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REPORTER'S CERTIFICATE

1  
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 March  
7 20, 2023, meeting was reported by me in the  
8 stenotype reporting method, was prepared and  
9 transcribed by me or under my personal  
10 direction and supervision, and is a true and  
11 correct transcript to the best of my ability  
12 and understanding.

13 This April 3, 2023, Baton Rouge,  
14 Louisiana.

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21 \_\_\_\_\_  
22 BETTY D. GLISSMAN, CCR  
23 CERTIFIED COURT REPORTER  
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