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LOUISIANA USED MOTOR VEHICLE COMMISSION
STATE OF LOUISIANA

REGULAR MEETING
MAY 15, 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. ROBERT "BOBBY" HINES

9

MR. MATTHEW PEDERSON

10

MR. JOHN POTEET

11

MR. WYNDETTE WILLIAMS

12

13

14

15

REPRESENTING THE LOUISIANA USED MOTOR

16

VEHICLE COMMISSION:

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18

ROBERT W. HALLACK, ESQUIRE

19

HALLACK LAW OFFICE

20

13007 JUSTICE AVENUE

21

BATON ROUGE, LOUISIANA 70816

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25

1 ALSO PRESENT:

2 MS. KIM BARON

3 MR. DEREK PARNELL

4 MR. MONTIE WISENOR

5 MR. DREW KRAUS, CPA, CFE

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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 (No response.)
16 MS. BARON:
17 Tony Cormier?
18 MR. CORMIER:
19 (No response.)
20 MS. BARON:
21 Matthew Pederson?
22 MR. PEDERSON:
23 Here.
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 Bobby Hines?
13 MR. HINES:
14 Here.
15 MS. BARON:
16 Wydette Williams?
17 MR. WILLIAMS:
18 Here.
19 MS. BARON:
20 Mr. Chairman, we have a quorum.
21 MR. WATTS:
22 Thank you.
23 Anyone here for public comments?
24 MS. BARON:
25 No.

1 MR. WATTS:

2 Adoption and approval the minutes
3 from March '23. I need a motion.

4 MR. POTEET:

5 I make a motion that we approve the
6 minutes.

7 MR. WILLIAMS:

8 I second.

9 MR. WATTS:

10 Wydette seconds.

11 Items for discussion today is our
12 financial discussion.

13 MR. PARNELL:

14 Commissioners, we have for us
15 Mr. Andrew Kraus. He is the auditor that
16 conducted the audit of -- with the company
17 TWRU. He will present it for us.

18 MR. KRAUS:

19 Good morning, everybody. As Derek
20 said, my name is Andrew Kraus. I am the
21 auditor insurance manager of TWRU CPAs &
22 Financial Advisors here in Baton Rouge. I just
23 wanted to go over a few things about the
24 financial statements with y'all.

25 First of all, as to your cash

1 position, y'all are sitting pretty well. Very
2 similar to the prior year with just over 3
3 million dollars in current assets which a good
4 portion of that is in cash.

5 Next item is debt. The total
6 liabilities for the Commission fell by about
7 \$400,000 or just under 10 percent. So another
8 good indicator of your financial position as
9 your debt is going down, your current assets
10 are staying relatively stable over time.

11 The next thing I want to cover was
12 the revenue -- by all means, stop me if you
13 have questions.

14 MR. WATTS:

15 What page are you on? You are going
16 through the booklet?

17 MR. KRAUS:

18 Yes, sir. From the book I am in the
19 MD&A section, so the first few pages. Page 5
20 shows your current assets and the discussion of
21 the cash position a little bit, as well as the
22 current liabilities amount which is about
23 halfway down on this statement of net position
24 there.

25 The revenues, if we go to the next

1 page, page 6, you will see that your revenues
2 did very well. Y'all went up by almost
3 50 percent, which is to be expected for two
4 reasons. One, y'all's licensing fees are on a
5 two-year cycle. So between that and the House
6 Bill that y'all had to deal with and COVID, we
7 would expect your revenues to increase for the
8 second year as well as the catch-up revenues
9 that you received after that bill left effect.

10 So again, very good position with
11 comparison to the prior years. We also looked
12 during our review at your fiscal year '19 and
13 fiscal year '20 numbers and this seems to track
14 with growing revenues that we have seen from
15 our other governmental clients and also our
16 not-for-profits and our public sector clients.
17 So y'all are sitting pretty good with revenues
18 as well.

19 As for expenses, there was a slight
20 increase in expenses, which we again expect to
21 see as -- with revenues increasing, we expect
22 expenses to increase. Y'all also had a few
23 other things to deal with, like, COVID-related
24 expenses that kind of flowed over from fiscal
25 year '20 and fiscal year '21. Especially for

1 y'all's fiscal year ends on 6/30. Y'all have
2 to basically -- y'all's fiscal year began
3 shortly after COVID hit. So instead of only
4 having a couple of months in a fiscal year,
5 y'all had something like nine months that
6 really got hit hard with COVID. So, again,
7 this a similar trend that we see with all of
8 our other clients as well.

9 With that being said, y'all's change
10 in net position or y'all's net income for a lot
11 of public sector, was a better position than it
12 was in 2021. There was a net loss of about
13 340,000 in 2021 and in 2022, it was about 87.
14 So, again, this is a similar trend where 2021
15 was a very difficult year. 2022 makes
16 everything look a bit more promising.

17 Any questions with regards to the
18 statements as far as I presented them so far?

19 Okay. The next thing, just a couple
20 of notes about our audit. This was our first
21 year doing it. Everyone that we dealt with at
22 the Commission was very professional, very
23 helpful. Everyone seemed to know exactly what
24 they were doing and how it needed to be done.
25 Personally, that's a very good thing to see.

1 Whenever people are confident that what they
2 are doing is the right way to do it, it shows
3 in the numbers and in the documents when we go
4 to do our audits. So I want to commend Derek
5 and Kim and Mona and Rhonda for keeping that
6 up. Everything was very easy to get.
7 Everything was very organized and seemed to go
8 through the property channels as best as it
9 could be.

10 The only other things that we
11 noted -- and I have talked with Kim and Derek
12 about this before, there were a few
13 long-outstanding checks which they were going
14 to check with the -- I think it is the
15 Secretary of Treasury on or the Department of
16 Treasury, checks that are outstanding for
17 longer than one year are required to be
18 surrendered to the State as unclaimed property.
19 So they were in the process of dealing -- of
20 looking into that program.

21 MR. WATTS:

22 What is that total?

23 MR. KRAUS:

24 I don't have the number in front of
25 me, but I don't believe it was very much. It

1 was maybe a couple of thousand dollars. Those
2 checks were more likely was refunds, maybe
3 something like that. And a lot of times they
4 get lost in the mail, people don't know that
5 they should have received them and they just
6 kind of go by the wayside. So there is a
7 program with the treasury department to have it
8 surrendered. And then those people can go
9 online and search their name and it will come
10 up and they can get -- they can receive those
11 funds.

12 The other thing is we had a few small
13 improvements in internal controls. When it
14 comes to writing checks, paying checks, paying
15 invoices, that sort of thing and I think those
16 were implemented or in the process of being
17 implemented the last we spoke.

18 The only other thing to mention as
19 far as the statements themselves is that there
20 was one write-off that we recommended and that
21 was in regards to an outstanding amount for
22 Lauco, which I think it was a fine, that was
23 instituted by the Commission and it had been
24 outstanding for over eight years, and so we
25 recommended that since there was no -- there

1 was no sign that the Commission was going to
2 recover those funds, that they be written off
3 because it wasn't -- it wasn't conceivable that
4 they were actually going to get any of that
5 money back. So recommended that. So that is
6 also in the financial statements back in the
7 notes.

8 And so that's all that I have for the
9 financial statements themselves. We were also
10 engaged by the Commission to conduct what are
11 known as statewide agreed-upon procedures.
12 These are procedures that are required by the
13 Louisiana Legislative auditor for all public
14 agencies that very much track with the kind of
15 things that we do in an audit, but nonetheless
16 are required to be done as a separate
17 engagement along with the audit.

18 That's the second packet that I
19 included. And the only things that I wanted
20 to -- and you can see in there our -- what we
21 determined to be an exception and management's
22 responses to those exceptions. Nothing --
23 nothing ongoing was in there. There was maybe
24 one thing about IT which I think was addressed
25 by Mr. Parnell. There was another regarding --

1 I think it was the sexual harassment report
2 which they are going to be rectifying. So
3 that's pretty much all that I have. Like I
4 said, it was a very clean audit. We issued an
5 unqualified opinion which means we did not find
6 anything that would suggest that the statements
7 are anything other than what they appear.

8 Any questions?

9 I also included one of my business
10 cards. If you later on look at the statements
11 or the Statewide Agreed Upon Procedures and you
12 do have further questions, please feel free to
13 contact me and I will be happy to address your
14 questions or concerns.

15 Thank you.

16 MR. WATTS:

17 Thank you. Anybody have any
18 questions?

19 MR. POTEET:

20 I have a comment. I would like to
21 once again commend the staff. I have been on
22 this Commission for a long time and I was
23 actually part of the group that hired Derek.
24 And I will say unequivocally this is something
25 that shows the improvements that we have made

1 over many, many years, shows the
2 professionalism and the competency that we have
3 in this Commission. I don't know if we had a
4 bad -- I will call it bad audit since Derek's
5 ascension to this post.

6 So, once again, I commend the staff.
7 I commend you, Derek, for your leadership and
8 once again thanks a lot. And thank you for
9 your work.

10 MR. KRAUS:

11 Yes, sir.

12 MR. WATTS:

13 I would like to make a comment that
14 Derek has been under a little stress here as
15 far as getting our accounting department lined
16 up, hiring people. I am going to let him dwell
17 on that if you want to.

18 MR. PARNELL:

19 I will do it my comments.

20 MR. WATTS:

21 Comments, okay.

22 Ratification and imposed penalties.

23 MR. PARNELL:

24 Commissioner, you will find in your
25 packet a chart that illustrates the licensees

1 or the licensee that was in violation of state
2 law. These cases were investigated. I have
3 determined that the public interest can be
4 served without further administrative
5 proceeding; thus, civil penalties were imposed.

6 I will announce the name of this
7 dealer. Do we have anyone representing this
8 dealer present?

9 MS. BARON:

10 No, sir.

11 MR. PARNELL:

12 This dealer is Executive Used Cars &
13 Finance, LLC, from Shreveport, Louisiana. His
14 fine amount was \$250. It was a misuse of
15 temporary tag, a temp tag, that he issued out
16 more than once. A total for civil penalties is
17 \$250. Commissioners, I ask that you ratify the
18 imposed civil penalty and assess.

19 MR. DONNELL:

20 So moved.

21 MR. WILLIAMS:

22 Second.

23 MR. WATTS:

24 Legal matters.

25 MR. PARNELL:

1 I will do the first one because
2 Sherri Morris, she is unavailable to be here.
3 Today her daughter graduated college over the
4 week and so she is still dealing with that.
5 But she did send the information about
6 Federated Mutual Insurance Company, H and N
7 Auto Sales, LLC.

8 This case was transferred from Civil
9 Court District Court out of Orleans Parish to
10 the 19th JDC court. The suit was allotted to
11 Judge Wilson Fields. The Attorney General's
12 office filed exceptions on behalf of the LUMVC
13 which are set for hearing on Monday, May 22 of
14 2023.

15 That's all that I have. Robert, he
16 will discuss the other concern.

17 MR. HALLACK:

18 Also in that case, I don't know how
19 much background you want on the case.

20 MR. WATTS:

21 Which one?

22 MR. PARNELL:

23 H and N.

24 MR. WATTS:

25 Just tell us a little bit about it.

1 MR. HALLACK:

2 This was a claim that was made
3 against the bond for H and N Auto Sales by -- I
4 don't know if it was the insured of the new car
5 dealership or the actual new car dealership.
6 What happened was the new car dealership sold a
7 vehicle to a couple in New Orleans and it
8 turned out that vehicle was stolen. And so he
9 claimed that the used car dealer that sold it
10 to him, H and N Auto Sales, knew that it was
11 stolen. But the fact is he paid \$30,000 for a
12 Tahoe and then turned around and sold it for
13 50. So it sounded a little suspicious. But in
14 order to make a claim --

15 MR. WATTS:

16 He bought the -- new car dealer
17 traded with H and N?

18 MR. HALLACK:

19 No. He bought it from a -- the new
20 car dealership in New Orleans bought it from H
21 and N Auto Sales.

22 MR. WATTS:

23 Bought it from H and N, okay.

24 MR. HALLACK:

25 So he made a claim against H and H

1 Auto Sales against his bond for the stolen
2 vehicle. We denied that. There are two ways
3 to make a claim against the bond; one is tax,
4 the title, and license; and the other is if
5 there has been a violation of the Commission's
6 statutes.

7 So we investigated. We looked into
8 it. His claim that maybe the used car dealer
9 knew that it was a stolen car and, therefore,
10 defrauded him. So we looked into it and the
11 state police, who investigated the criminal
12 aspect of the case, told our investigator that
13 he did not think that the used motor vehicle
14 dealer knew that it was a stolen vehicle.

15 In the interim during all of that,
16 the used motor vehicle dealer was assassinated
17 on the streets in New Orleans. So because we
18 denied the claim against the bond because we
19 did not find any violation of our statutes,
20 they went ahead and they filed a suit against
21 us and the bond company. And the bond company
22 was let out of the lawsuit. This lawsuit was
23 dismissed against the bond company. So if you
24 can't sue the bond company, why are you
25 maintaining an action against the Commission

1 should do it and we should do that as soon as
2 possible, perhaps the next meeting. And what I
3 mean by that, what would you think would be
4 some of the standards for which you believe
5 somebody should not have a license as a used
6 motor vehicle dealer. But because we never
7 developed those, we don't use Part A or 1 or
8 whatever it is. But we need to do that.

9 Because, I will tell you, years
10 ago -- Mr. Poteet probably remembers this, I
11 think he was still on the board then, we had a
12 used car manager for Coleman Toyota who applied
13 for a license to be a used motor vehicle dealer
14 under this Commission. And we had a couple
15 commissioners who were adamantly opposed to it
16 because this individual, who was the sales
17 manager for Coleman Toyota, had stolen money
18 from Coleman Toyota. And he stole excess of a
19 million dollars. And, therefore, they believed
20 that he should not hold a license with this
21 agency.

22 And you look at what we have there,
23 there is not a whole lot upon which we could
24 deny the license. We ended up denying the
25 license under the first section there that he

1 is unfit to be a used car dealer.

2 MR. HINES:

3 Would that follow under Number 2
4 being a convicted of a felony?

5 MR. HALLACK:

6 He had not been convicted.

7 MR. HINES:

8 Oh, he was not convicted.

9 MR. HALLACK:

10 He was under investigation, but not
11 convicted.

12 MR. WATTS:

13 He finally was.

14 MR. HALLACK:

15 He finally was? I think so, yes.

16 But at the time that he applied for a
17 license here, he was not -- he had not been
18 convicted. Now, he had some convictions --
19 back then, we had a different rule with regard
20 to convictions. If it was beyond 10 years --
21 and he did have a felony conviction beyond 10
22 years, but he still didn't come under any of
23 those provisions except for being unfit. And
24 that's what the Commission decided to do with
25 regard to his application; the Commission said

1 that he was unfit to be a used motor vehicle
2 dealer.

3 Originally, we had tried to do
4 Number 5 and that's what happened to Ms.
5 Crain -- Ms. Burnett, her application, we did
6 do it under Number 5. But actually you can't
7 do it under Number 5.

8 You see she has a relationship with
9 Clark Crain. Clark Crain gave up his license
10 to the New Car Commission, but not to us. So
11 he had not lost a license with our agency. And
12 that statute specifically says that it has to
13 be our agency that his license was revoked or
14 suspended.

15 So when somebody, a used motor
16 vehicle dealer, say XYZ, XYZ loses their
17 license with this Commission and the daughter
18 or wife or whoever of XYZ then reapplies, and
19 then this provision comes into play. But Clark
20 Crain had never actually lost his license with
21 this Commission.

22 So, therefore, the section upon which
23 we relied upon in denying the license actually
24 shouldn't have been. And we couldn't use the
25 first one because we really need to develop

1 some standards on what is unfit to be a used
2 motor vehicle dealer.

3 MR. PEDERSON:

4 So we should have read through this
5 before we made our decision. I mean, we can't
6 go back, but in the future whenever we -- maybe
7 we need to look at these when we go into
8 executive session, pull this out and say, okay,
9 can we legitimately revoke this request under 1
10 through 5.

11 MR. HALLACK:

12 Right. That's correct.

13 MR. BRITT:

14 We need to set up a policy.

15 MR. HALLACK:

16 Yes, sir.

17 MR. BRITT:

18 And an understanding here and then
19 there might be -- we might have to go back
20 because this is a statute, correct?

21 MR. HALLACK:

22 That's correct.

23 MR. BRITT:

24 Might have to go back and fix the
25 wording on this at some point to either give

1 you -- like for Number 1, give us a little more
2 purview to do. Or Number 5 reword it. You can
3 really combine 1 and 5 with the right wording.

4 MR. PARNELL:

5 I think if we draft it in rule and
6 regulations as it relates to Number 1 that
7 would be sufficient.

8 MR. BRITT:

9 Right.

10 MR. HALLACK:

11 Yes.

12 MR. PARNELL:

13 I don't think that we would have to
14 go back to statute; we would need to change it
15 in the rules and regulations.

16 MR. HINES:

17 Did Clark Crain have violations that
18 his lines should have been revoked?

19 MR. HALLACK:

20 He had some with our agency that went
21 back to 2016.

22 MS. BARON:

23 But he didn't own the dealership.

24 MR. HALLACK:

25 He did not.

1 MS. BARON:

2 He was just in charge of the
3 dealership.

4 MR. WISENOR:

5 He was running it.

6 MR. HALLACK:

7 But that's from back from 2016. He
8 was never revoked or suspended. Was he ever
9 found in violation? I don't remember a
10 hearing.

11 MS. BARON:

12 I think so.

13 MR. WISENOR:

14 Didn't he have like 100-some-odd
15 complaints filed and it was found out that he
16 was associated with two different dealerships?
17 It was two separate dealerships that he was
18 involved with it.

19 MR. PARNELL:

20 That he was associated with this
21 Commission.

22 MR. WISENOR:

23 Before he moved over to the new side,
24 the new car dealership.

25 MR. HALLACK:

1 Now, he had over 100 with the new car
2 commission.

3 MR. WISENOR:

4 I think we determined that we had
5 over that with us throughout.

6 MR. HALLACK:

7 Well, I would say that anytime you
8 have a license whether it's a plumber's license
9 or a real estate license, if you have been --
10 if you have been revoked or suspended of any
11 state agency license, then that should be
12 grounds for which you should be denied a
13 license.

14 MR. PARNELL:

15 That was the reason -- the one that I
16 used was Number 5 initially when I did the
17 initial denial, because I had authority to do
18 the initial denial and then they can appeal my
19 denial and come before you guys. Because I
20 believe Clark had some dealings with our agency
21 where he was fined in the past. And where it
22 says that the persons who believe are going to
23 operate -- the same person or the person who is
24 related to this person or knows them is going
25 to operate the same business as the person that

1 they are related to in the past. So that was
2 the reasoning for me using Number 5 initially
3 because I understood that he had violations
4 with this agency before and also with the New
5 Car Commission.

6 But that language is not real
7 complete. We need to add to that language.

8 MR. HINES:

9 Is that something that we can change
10 as of right now?

11 MR. HALLACK:

12 No. What he is talking about doing
13 would have to require an amendment at the
14 Legislature. But Number 1, you can do
15 something right now without having to go to the
16 Legislature. You can develop standards by
17 which you believe someone is unfit to hold a
18 license as a used motor vehicle dealer.

19 MR. PARNELL:

20 Which would be a rules and regulation
21 process. We do that ourselves.

22 MR. DONNELL:

23 That will be if you have been denied
24 any state license.

25 MR. HALLACK:

1 That would be a good start.

2 MS. BARON:

3 We can add that. We put that in the
4 rule.

5 MR. BROWN:

6 If we put that in there, would that
7 sill be up to Derek and then up to us --

8 MR. HALLACK:

9 Yes.

10 MR. BROWN:

11 -- yes or no?

12 MR. HALLACK:

13 Yes.

14 MR. PARNELL:

15 The initial would be.

16 MR. BROWN:

17 It would be irrelevant to, you know,
18 being any license in the state and it really
19 didn't pertain to what we are doing, we can
20 say, yes, we will go ahead, get him a license
21 or not.

22 MR. HALLACK:

23 I have been with this agency for over
24 30 years. I have seen convicted murderers, two
25 at least, get licenses. I have seen somebody

1 convicted of marijuana who did not get a
2 license.

3 MR. WATTS:

4 Convicted, serve your time and debt
5 to society, and then they come up here and
6 apply for a license.

7 MR. HALLACK:

8 That's correct. And had preachers
9 with them and all of that.

10 MR. PARNELL:

11 When they send the applications in,
12 if they have been convicted of any crimes, I
13 get a background check. So I review each
14 person's background, you know. And so
15 usually -- Robert kind of mentioned this a
16 little bit about it in the past -- if it was
17 beyond 10 years that they been convicted and
18 they hadn't any issues throughout that time, I
19 will go ahead and, most often, I would approve
20 them and put some stipulations on them and they
21 are going to be watched. But if it is
22 something that's stealing money and/or the
23 industry, I will deny and let them come in, and
24 if they want to kind of talk about the
25 situation, if I feel more comfortable with them

1 moving forward and then I will go ahead and
2 agree to allow them to have the license.

3 But in any situation and all
4 situations, if I deny it, it goes to you-all
5 second as -- just to make sure that y'all agree
6 with that.

7 MR. HALLACK:

8 But in this case, we have to make
9 the -- we have to take some kind of action so
10 that the appeal -- because it is on appeal
11 right now. And it is also in front of Judge
12 Wilson Fields. And so on appeal, I think we
13 can end up losing and we can be liable for her
14 court costs, not for her attorney's fees, just
15 her court costs. And I think it's important
16 that we go ahead and reverse that decision and
17 that not be an impediment to her getting a
18 license. She is going to have to reapply. She
19 is going to sign an affidavit to the effect
20 that Clark Crain will have no involvement in
21 her dealership.

22 So that's where we are at. So we
23 need a motion to reverse the Commission's --

24 MR. PARNELL:

25 What do you mean no involvement? You

1 mean no involvement in the business of the
2 dealership, but him being on the premises?

3 MR. HALLACK:

4 Well, because he's her husband.

5 MR. PARNELL:

6 He is going to be there.

7 MR. HALLACK:

8 We can't prohibit.

9 MR. PARNELL:

10 I just wanted to make sure that we
11 are clear.

12 MR. BROWN:

13 If we reverse the decision and then
14 we make this rule change before she applies.
15 Can we deny it again?

16 MR. HALLACK:

17 That's correct.

18 But, Kim, that takes about six months
19 to do a rules and regs.

20 MS. BARON:

21 And she is supposedly going to be
22 handing in her application next week. She is
23 looking for a new place because she couldn't
24 hold the lease on the last one.

25 MR. HALLACK:

1 Judge Fields, he did not make a
2 ruling. We already appeared before him. He
3 didn't make a ruling. He said y'all need to
4 work this out:

5 MR. BROWN:

6 Can we look into another state agency
7 from another state because that dealership
8 right now there is not hardly any cars. It
9 looked like they shut down at the state line.

10 MR. HALLACK:

11 Well, we have information that he is
12 already out of trust.

13 MR. WATTS:

14 She or him?

15 MR. HALLACK:

16 Him, with the Mississippi lot.

17 MR. DONNELL:

18 Well, I will go ahead, make the
19 motion.

20 MR. BRITT:

21 Hold him, Ricky, just a second. I
22 have a question before that.

23 How long did you say it takes to
24 reword Number 1?

25 MS. BARON:

1 About six months.

2 MR. PARNELL:

3 To go through the process of creating
4 new rules and regulations is about six months.
5 Once we get it all drafted out, and then we
6 have to send it to several places.

7 MS. BARON:

8 We have to appeal to two different
9 commissions.

10 MR. BRITT:

11 Okay.

12 MR. PARNELL:

13 It's a process.

14 MR. BRITT:

15 That's all.

16 MR. DONNELL:

17 Now, wait a minute. Now I got a
18 question. After we invoke this, can we go back
19 then and deny a license after?

20 MR. PARNELL:

21 If it's prior to her -- hopefully I
22 am answering correct. If it is prior to her
23 applying again, I would assume yes.

24 MR. BRITT:

25 But she is going to apply the moment

1 that we resolve this or the judge resolves
2 this.

3 MR. DONNELL:

4 And they Judge has said y'all have to
5 work it out.

6 MR. HALLACK:

7 Well, with Daddy Warbucks out of
8 trust on the last dealership he has got, I am
9 not sure where she is going to get the money to
10 open up a used motor vehicle dealership.

11 MR. BRITT:

12 How long could this be postponed?

13 MR. HALLACK:

14 60 days once she applies. She hasn't
15 applied.

16 MR. BRITT:

17 No, I am talking about this current
18 case.

19 MR. HALLACK:

20 We got to have to take action on it
21 today. The simple fact of the matter is that
22 Number 5 cannot be the basis for which to deny
23 her application.

24 MR. BRITT:

25 I get that.

1 MR. HALLACK:

2 Now she is going to have reapply and
3 it is a whole new process. In fact, Kim -- I
4 asked Kim Friday, her lawyer wants to get her
5 money back, her application fee, \$450. So I
6 asked Kim if we can do that. She said, well,
7 would we do that if she's reapplying.

8 Read between the lines.

9 MS. BARON:

10 But they want the money back.

11 MR. WATTS:

12 We are at an impasse. We can sit
13 here and see what she does.

14 MR. HALLACK:

15 No. You have 60 days upon the
16 application being filed with the Commission in
17 order to act on it.

18 MR. PARNELL:

19 So I will put in to give her her
20 refund back this week so that will be out of
21 the way so the attorney won't be complaining
22 about that.

23 MR. WATTS:

24 Then, when she wants to reapply, she
25 has to bring money back and apply.

1 MS. BARON:

2 And we already told her that she
3 would have to have a new inspection and
4 everything because she is looking for a new
5 place.

6 MR. HALLACK:

7 The original place that she applied
8 for, which we all thought belonged to Clark
9 Crain, actually doesn't belong to Clark Crain.
10 It's been leased to somebody else. So she has
11 to find a new location.

12 MR. PARNELL:

13 And at that point after she
14 reapplies, it is 60 days. It has to be made
15 within 60 days.

16 MR. DONNELL:

17 So we what we are doing today is just
18 getting dismissed out of court?

19 MR. HALLACK:

20 Yes, absolutely.

21 MR. DONNELL:

22 Well, I am gong to make the motion.

23 MR. WILLIAMS:

24 I second.

25 MR. WATTS:

1 What's your motion?

2 MR. DONNELL:

3 To dismiss the case.

4 MR. HALLACK:

5 His motion is to dismiss the appeal
6 to rescind the action of the Commission in
7 which we denied her application.

8 MR. WATTS:

9 So he makes a motion to the appeal,
10 right?

11 MR. HALLACK:

12 And to rescind the Commission's
13 action on her application.

14 MR. WATTS:

15 And seconded by Mr. Commission
16 Wydette Williams.

17 MR. WILLIAMS:

18 Yes.

19 MR. WATTS:

20 That's good.

21 MR. PEDERSON:

22 On decisions like that moving
23 forward, I am not going to say that we need to
24 do a better job at it, but I think -- I mean,
25 these things are so -- there are so many ways

1 opposing teams are going to dissect our
2 decisions. Maybe -- I mean, maybe we just -- I
3 don't know, maybe make sure our i's are dotted
4 more clearly. Do you know what I am saying?

5 MR. HALLACK:

6 Yes, sir.

7 MR. BRITT:

8 You had a lot of moving parts in
9 this.

10 MR. PARNELL:

11 This one was.

12 MR. BRITT:

13 There was a lot of moving parts in
14 this. And the majority of the stuff that they
15 were involved in should have been criminal.

16 MR. POTEET:

17 This is our definition of a loophole.

18 MR. HALLACK:

19 Absolutely. Absolutely.

20 And Mr. Crain had applied for a
21 license through our agency.

22 MR. WATTS:

23 We denied it.

24 MR. HALLACK:

25 He withdrew.

1 MR. HINES:

2 Why wasn't his license revoked?
3 Clark Crain?

4 MR. WATTS:

5 We weren't going to issue him a
6 license and he withdrew.

7 MR. POTEET:

8 He had a license with the new car.

9 MR. BRITT:

10 He was with the new car commission.

11 MR. POTEET:

12 Clark Crain Dodge.

13 MR. HALLACK:

14 So he opened up one in Woodville.

15 MR. WATTS:

16 I know the insight to Clark Crain,
17 the reason he wanted a license for used because
18 he was selling that place to get out of debt,
19 Clark Crain Chrysler. Gerry Lane bought it.
20 And he had a bunch of inventory that he could
21 not floor. Chrysler wouldn't let him keep the
22 floor plan unless he was a dealer. So that's
23 why he wanted to be some kind of used car
24 dealer. And Gerry Lane called me and his
25 representative asking if y'all are going to buy

1 the place, you might as well just buy his
2 inventory would be the easiest way to get this
3 resolved with Chrysler. And that's what he
4 did.

5 MR. HALLACK:

6 Looking at the violations from the
7 new car commission, most of his problems were
8 with regard to used cars.

9 MR. WATTS:

10 Yes.

11 MR. WISENOR:

12 He wasn't making the payoffs on
13 vehicles that were traded in.

14 MR. HALLACK:

15 He wasn't paying his sales tax.

16 MR. WISENOR:

17 His service contracts. Gap.

18 MS. BARON:

19 Does she have to appear before the
20 board when she applies again?

21 MR. WATTS:

22 Yes. I want her to appear again. I
23 think we will do the same thing. If we can't
24 deny her license again, we can tag along
25 different scenarios.

1 MR. PEDERSON:

2 He can't sell cars at my auction
3 anymore just for the fact you never get a
4 title. And those are reasons why because he
5 wasn't paying them off and getting them.

6 MR. WATTS:

7 But that is him; this is her. So I
8 just didn't know how you are going to --

9 MR. BRITT:

10 Well, it's the same time.

11 MR. DONNELL:

12 So, Matt, he is not good with your
13 auction?

14 MR. PEDERSON:

15 Yes. He was selling cars and comes
16 to a point where, you know, I can't sell your
17 cars anymore because he won't give me titles to
18 them. And that's been, you know, three years
19 ago or whatever it was.

20 MR. POTEET:

21 We had the same problem.

22 MR. BRITT:

23 I've had multiple sheriffs call me
24 and I put some of them on Montie, but it was --
25 all of it was used stuff they bought at the new

1 dealership. We had that all of the way to
2 Richland Parish south there were complaints.

3 MR. WATTS:

4 He was doing finance here and stuff
5 like that, self-financing and sell them from
6 the used car inventory and then he would sell
7 it through the Chrysler store which is all --

8 MR. HALLACK:

9 Speaking of Richland Parish, would
10 you believe that Tahoe in the H and N Auto
11 Sales case ended up in Rayville.

12 MR. BRITT:

13 Nothing surprises me. It went
14 through Tallulah and Lake Providence before it
15 landed in New Orleans.

16 MR. WATTS:

17 So what do we conclude here?

18 MR. HALLACK:

19 We concluded that y'all are going to
20 dismiss the appeal.

21 MR. WATTS:

22 We had a motion already. All right.

23 So we are done.

24 MR. HINES:

25 As far as changing the wording in 5,

1 we are in the processes of doing that now.
2 That's in the works already.

3 MR. PARNELL:

4 No. We hadn't started that. We need
5 to. If we change the language in this one as
6 it is written, yes, and that would have to go
7 through the statute. But rule and regs with
8 proof prove unfitness, we can get it to where
9 we want.

10 MR. POTEET:

11 You don't have a rule that backs that
12 up anyway.

13 MR. HALLACK:

14 That's correct.

15 MR. POTEET:

16 It's just a continuation without
17 having passing an extension.

18 MR. HALLACK:

19 So I recommend that we put it on the
20 agenda for the next time that we discuss this
21 to change our rule and regs to develop
22 standards for what we deem to be unfit.

23 And what Mr. Donnell said earlier is
24 a good step. You know, any time you have lost
25 your license with any regulatory agency, that

1 should be part of being unfit.

2 MR. PEDERSON:

3 Maybe each one of us between now and
4 our next meeting, we can each come up with two
5 reasons to be unfit. And we will throw them
6 around and we will talk about them and pick
7 ten.

8 MR. HALLACK:

9 Kind of, like, to be out of trust
10 with your floor planners.

11 MR. PARNELL:

12 If you want to send them in an email
13 to me.

14 MR. PEDERSON:

15 And then we can kind of discuss and
16 put it all together.

17 MR. WATTS:

18 All right. Moving forward. The
19 compliance investigator record.

20 MR. PARNELL:

21 Hold on one second.

22 MR. HALLACK:

23 So we have one other thing. We had a
24 potential appeal in ABC, ABZ fiasco. And they
25 didn't actually perfect the appeal. So it's

1 final. The Commission's decision is final.
2 And Kim, I believe, you submitted a claim
3 against the bond.

4 MS. BARON:

5 We have been paid for it. As of
6 Friday we got the check for ABZ's part. And
7 ABC's part, their bond company hasn't paid yet.

8 MR. PARNELL:

9 What was the amount of the payment?

10 MS. BARON:

11 The amount of the check?

12 MR. PARNELL:

13 Yes.

14 MS. BARON:

15 It was 49,000.

16 MR. HALLACK:

17 So the Commission got 49,000?

18 MS. BARON:

19 No, we have to pay restitution out of
20 that. We have to pay the 12,5 and 6,850
21 restitution out of it.

22 MR. WATTS:

23 One was in New Orleans and one in
24 Franklin.

25 MS. BARON:

1 It was 12,500 for one and 6,850 for
2 the other. And then we get to keep 19- or
3 18,000 of it. And then I will send him a
4 letter that he owes the rest. We may end up
5 sending to the justice department.

6 MR. WATTS:

7 So do we get the titles to their
8 vehicles? The one we are paying restitution
9 to.

10 MS. BARON:

11 No. Those vehicles will have to be
12 given up.

13 MR. WATTS:

14 They are getting their money back.

15 MS. BARON:

16 They are getting their money back and
17 they will have to give the vehicles up. One is
18 for the floor planner in Tennessee. The other
19 one belongs to United Auto Credit.

20 MR. HALLACK:

21 But the lawyer has filed with this
22 office a notice to withdraw as counsel of
23 record and asks Mr. Parnell to sign it. So we
24 just want to let y'all know that she is --

25 MR. WATTS:

1 What was the attorney's name?

2 MS. BARON:

3 Charlotte McDaniel.

4 MR. HALLACK:

5 So we have been paid on ABZ and we
6 are waiting to be paid on ABC. And I want to
7 let y'all know Mr. Parnell's allowing her to
8 withdraw as counsel of record. Not that there
9 is anything for her to do anyway.

10 MR. WATTS:

11 Okay. Montie.

12 MR. WISENOR:

13 Mr. Chairman, yes, these are the
14 monthly production report totals for the field
15 for the months of March and April 2023.

16 For March of '23, there were -- these
17 are ongoing and new audits have started -- been
18 started, but there are 10 ongoing audits in the
19 process. We have no notice of revocation
20 issued. We had 63 site visits conducted. Two
21 cease and desist orders issued. 19 consumers
22 that were assisted in receiving title or
23 registration. One violation issued. One
24 refund issued in the amount 9,225. There were
25 23 cases closed that were assigned. There were

1 32 cases closed that were not assigned, and 27
2 physical inspections conducted for the months
3 of March.

4 Month of April, there were -- there
5 are 8 audits conducting, again some ongoing
6 already. There were two notice of revocations
7 issued. There were 51 site visits conducted.
8 There is one cease and desist issued. 23
9 consumers that were assisted in receiving
10 titles or registration. There were two
11 violations issued. There were two refunds that
12 were -- the field assisted consumers in
13 receiving which added up to \$284.92. There
14 were 12 cases closed that were assigned. 31
15 cases closed that were not assigned. And 27
16 physical inspections completed for the month of
17 April. And those are the totals for those
18 months.

19 MR. WATTS:

20 All right. Finally, Derek's
21 director's report.

22 MR. PARNELL:

23 Yes. So I will give you several
24 updates of what has been going on.
25 Barrett-Jackson, they are going to host in New

1 Orleans an antique auto auction that is
2 scheduled for the end of September. That's
3 going to be something pretty large at the
4 Convention Center in New Orleans. So we issued
5 them the dealers's license. The way we kind of
6 have it structured as it relates to them is
7 that the dealer's license is going to be housed
8 in Baton Rouge with their, I guess, their
9 attorney that's here in Louisiana. And the
10 Convention Center address is going to be where
11 we have the auction license. So we should be
12 finishing that process up at the end of this
13 week so they will have everything that they
14 need squared away.

15 A few months ago, I kind of expressed
16 to you guys that I was trying to restructure my
17 accounting department to try to get me in a
18 better position. When Mona retired, of course
19 she has 30-plus-years experience. So there is
20 a lot that she was able to do top to bottom in
21 the department herself.

22 And moving on right now, I brought
23 Rhonda in. She is very strong, but I need
24 other bodies that can be as -- on that level or
25 higher as well. So I am actually having a lot

1 of problems fighting with Civil Service. A lot
2 of what happens with Civil Service is a lot of
3 bureaucracy, of course, but a lot what happens
4 is they kind of gauge all position titles for
5 large agencies. And I am looking for an
6 accounting manager. That position title would
7 be more so what I need here because the
8 position to actually lead this department, it
9 would have to have someone with a skill set of
10 a CFO. And a lot of what the position titles
11 offer to me is not that level of expertise in
12 accounting that I am looking for. So I am kind
13 of going through a process and I have been
14 battling with Civil Service for a few weeks now
15 and I am trying to get a meeting so I go up
16 there and sit down with somebody because this
17 is becoming incredibly problematic for me
18 moving forward to get the department structured
19 how I see it and how I know that it could
20 actually work better and it would be more
21 efficient. So they are battling with me on our
22 size. We are not a large agency.

23 Oh, well, what they are telling me is
24 that position titles of that nature may have
25 five or six people that has to be under that

1 person in order to conduct -- even use that
2 position title. So that's what I am running
3 into a lot of issues with that because, as I
4 say, they do one size fits all. What works for
5 the large agencies, they expect it to work with
6 everybody, you know. But even through the
7 process of hiring, you know, I may have people
8 with that level of experience in years that
9 meet their minimal requirements. For example.
10 They have people that work for 20 years in the
11 State but they have been doing Box A in the
12 State for 20 years. They are not doing the
13 entire accounting process. So when they come
14 in sometimes, they don't really understand and
15 it is hard for them to adjust and actually do
16 the entire process is what I have to have here.

17 So I was in the battle with them.
18 Civil Service as it relates to them, I think it
19 is going to work out. I may have to appeal and
20 go before their board or whatever, but that's
21 what I got to do because I have to get to a
22 certain level here so I can really continue to
23 operate at the level that we have been
24 operating at.

25 I also restructured the licensing

1 department. I have persons that were here that
2 weren't doing the job that's required so we had
3 to move on from them. But I also realized
4 going through the interviewing process, you
5 know, we have people call, they want the job.
6 We call them and set up interviews and five
7 times straight, people don't even show up for
8 interviews. We have interviewed three people.
9 And so we interviewed someone last week that we
10 are going to make an offer to her this week.
11 But that process is a little bit slower but we
12 are going to be fine as it relates to getting
13 those persons in place because I did add an
14 additional person, a fourth person if you
15 noticed in that office. We resurplused a lot
16 of furniture we had sitting around here and we
17 purchased two desks to put in that office. We
18 got that put in there. And just to some other
19 areas around the office to try to update our
20 office space so we can accommodate more
21 persons. So we are going through that process.
22 I believe we will be fine as it relates to the
23 moving forward.

24 I do want to employ upon you-all to
25 please be sure that you are here during the

1 June commission meeting because this will be
2 our last opportunity to approve our budget for
3 the 2023 fiscal year. We have been working.
4 Rhonda has been working with Roy Hebert, our
5 CPA. We are getting all of that prepared so we
6 will be ready to present it to you-all for our
7 next commission meeting.

8 MR. WATTS:

9 That meeting date is the 17th.

10 MS. BARON:

11 The 19th.

12 MR. PARNELL:

13 I have a contractor coming this week
14 to re-sand and refinish the sign, the post for
15 the sign. It is pretty bad. And I have a new
16 sign they are going to come in and install that
17 this week as well.

18 MR. POTEET:

19 Going back to the accounting
20 situation. Can't -- I know the governor is a
21 lame duck, but can't the boards and commissions
22 people kind of intercede here and say, wait a
23 minute, we know about all of these boards and
24 commissions, we know what they are, how big
25 they are, how they operate, theoretically, why

1 can't they intercede on our behalf to go and
2 say, this is a little bit different than what
3 the Civil Service Commission is trying to push.

4 MR. PARNELL:

5 Right.

6 MR. POTEET:

7 We should have some -- the governor's
8 office should have some power in that position,
9 and say, look --

10 MR. BRITT:

11 I think the Division of
12 Administration would have to push that through.

13 MR. PARNELL:

14 I mean, that's something.

15 MR. POTEET:

16 I mean, this doesn't fall just on
17 you. There is more.

18 MR. PARNELL:

19 I am sure other agencies our size
20 deal with that problem, yes. But it's just the
21 way the structure of Civil Service is all --
22 everything is by the book and they are not
23 listening to what I have to do in order to
24 accommodate that person. Now, what I can do is
25 go to the board and get an unclassified

1 position, which I am thinking I may need to go
2 ahead and pursue that.

3 Currently, I have only two
4 unclassified positions my size which is myself
5 and I recently gave that position to Kim. So I
6 will have to go before the boards -- I mean
7 before the HR Civil Service Commission and get
8 approved to get an additional unclassified
9 position. At that point, if I get another
10 unclassified position, I can title it what I
11 want and pay what I want. So that may end up
12 being the easiest way.

13 MR. BRITT:

14 That might be your quickest route.

15 MR. BROWN:

16 That's what I was thinking.

17 MR. BRITT:

18 You are going to have to get -- I get
19 what John said, it is going to be under the
20 Division of Administration purview to get to
21 where you need to get.

22 MR. PARNELL:

23 It might be an unclassified, like I
24 said, there is a list.

25 MR. BRITT:

1 That's your best way.

2 MR. PARNELL:

3 Then, I can do what I want and what
4 title I want.

5 MR. DONNELL:

6 You have to get, like, a young CPA.

7 MR. HINES:

8 So unclassified is not a Civil
9 Service and they don't get the same benefits.

10 MR. PARNELL:

11 No, you get the benefits.

12 MR. BRITT:

13 You don't have the protection.

14 MR. PARNELL:

15 You are at-will. I am at-will right
16 now. Kim has been with this agency a long time
17 and I was running into the issue as well of
18 trying to get her to a level of what she does.
19 And I was running into a huge problem with
20 Civil Service on the job titles and how I can
21 move it so I can pay her a decent wage so to
22 speak. But so I went that way and went ahead
23 and, you know, know she is unclassified.

24 MS. BARON:

25 I appreciate it.

1 MR. WATTS:

2 What's the pay scale you are hiring
3 in here? Does that seem to be a problem?

4 MR. PARNELL:

5 Yes.

6 MR. WATTS:

7 So what can we do about Civil
8 Service?

9 MR. PARNELL:

10 Unless I can go unclassified.

11 MR. WATTS:

12 For people behind man the desk -- the
13 girls behind the desk.

14 MR. PARNELL:

15 Here? For the licensing department?

16 MR. WATTS:

17 Yes, for the licensing department
18 behind there. The positions that you are
19 having trouble filling.

20 MR. PARNELL:

21 Yes. They set all of the amounts.

22 MR. WATTS:

23 That's all within the Civil Service?

24 MR. PARNELL:

25 That's all unless it's unclassified.

1 If it is unclassified, it's me. That's just
2 slow. It is just slow. You know, you meet --
3 I am starting to see and I've talked to some
4 other friends that are -- they are running into
5 these same kind of issues with hiring that
6 level of employee. They will call. They will
7 accept the interview and just don't call or
8 show up at all. It's surprising, I guess, the
9 newer worker.

10 But that's all that I have for
11 updates. Any questions, comments, or concerns
12 you want me to address?

13 MR. WATTS:

14 Anybody?

15 You are going to do the regular
16 legislative session.

17 MR. PARNELL:

18 Yes. I will go through that.

19 All right. So House Bill 53 by
20 Representative Sherman Mack provides relative
21 to the authorization of the Office of Motor
22 Vehicles to impose fines on contracts. Within
23 that law, it kind of -- I am talking about that
24 law because it affects our agency. Within our
25 law, there is a section in there because we are

1 now considered an auto title company and a
2 public tag agent, it defines auto title company
3 and public tag agent where it includes local
4 governmental subdivisions, political
5 subdivision, and/or state agency. The reason
6 why we needed that to happen because it exempts
7 our agency from getting a bond and insurance.
8 Because they are sending them now, but
9 initially when we became a public tag agency, I
10 was still required to get a bond and insurance.
11 So when I requested a bond insurance from the
12 State, they said it doesn't make sense for me
13 to give you a bond and insurance because it is
14 the State.

15 So now if this bill passes all of way
16 through, it's passed the House committee on
17 transportation and highway and public safety,
18 passed favorably and no opposition, currently
19 it is going to Senate committee scheduled to be
20 Monday. So if that bill passes, even part of
21 this I don't have to have bonding and insurance
22 through Office of Motor Vehicle, plus being a
23 public tag agent and auto title company.

24 Our bill, House Bill 547 by
25 Representative Riser provide relative to the

1 catalytic converter bill under the sales law.
2 This is an LUMVC law that provides a licensed
3 person may purchase or sell used or detached
4 catalytic converters. Commission Counsel
5 Sherri Morris and I, we were down at the Senate
6 meeting this past week and it passed favorably
7 with no opposition. But I did get a call right
8 before -- well, not a call when we were down at
9 the Capitol, Hunter Duke, he is the one who
10 just actually called me right before we
11 started. He has some concerns, and I forwarded
12 you the email so we can kind of talk to him
13 about it to see what those concerns are. He
14 said he feels like there is a loophole in it.

15 MR. BROWN:

16 What he is asking makes no sense. If
17 you read this, he is wanting to basically
18 exempt people that's buying a junk car and
19 taking it to the scrap yard and cuts the
20 converter off of it and then they can sell it.
21 And he is kind of -- what I am reading it as,
22 he wants to exempt those people and that's
23 exactly the people that you are trying to stop.

24 MR. PARNELL:

25 Right, right.

1 MR. BROWN:

2 If they are only selling a converter
3 off of one VIN number and bring me two or
4 three, then what's the problem?

5 MR. PARNELL:

6 So I will try to get a meeting with
7 him this week so we can kind of discuss it.
8 Even right before, the bill passed on the House
9 committee and the day was going -- about hours
10 before it was going to the House floor, he
11 called me and he wants to pull it so we can
12 have a discussion. No, just let it go through.
13 I would rather it pass the House completely and
14 then if there is an issue, if there is
15 something that we add to the bill, it would
16 have to go back to the House, but I was, like,
17 keep it moving. I don't want to pull it at
18 all. I really want it to finish through the
19 process and then he waited a week or so and he
20 sent me that.

21 MR. BROWN:

22 Well, 28 and 29, that's after they
23 put it in there, it is a little confusing
24 still, on line 28 and 29. Do you have a copy
25 of that?

1 MR. PARNELL:

2 I don't have it in front of me.

3 MS. BARON:

4 It is in the packet.

5 MR. BROWN:

6 Let's see. That is what he was
7 asking about.

8 MR. PARNELL:

9 On page 2?

10 MR. BROWN:

11 This says page 2.

12 MR. PARNELL:

13 This is what we were talking about.
14 I think Sherri was saying that she was going to
15 try to amend this and move it to another
16 section. That would be with the amendments
17 that didn't pass. I think we are going to try
18 to maybe get with her.

19 MR. WATTS:

20 Why is that?

21 MR. PARNELL:

22 On page 2 of 12, 28 and 29. I think
23 that's the one that you had concerns.

24 MR. BROWN:

25 That's the one that I had concerns

1 about and I kept asking her about it because it
2 wasn't basically exempting.

3 MR. PARNELL:

4 I'll try later in the week get with
5 her and we can discuss it.

6 MR. WISENOR:

7 Would that apply to auto repair
8 facilities and bumper shops? Is that what that
9 would be basically applied to?

10 MR. PARNELL:

11 I think Commissioner Brown was saying
12 that in the normal course of business, for
13 example, if a dealer already has a dismantler's
14 license, they are buying the entire car
15 already. And so they should have the ability
16 to use that catalytic converter and sell it.

17 MR. BROWN:

18 Trying to protect the salvage yards
19 on the cars that don't want to buy converters.

20 MR. WISENOR:

21 I see that would possibly fall under
22 that definition.

23 MR. BROWN:

24 I think there is a need for some
25 explanation.

1 MR. HALLACK:

2 Yes. That needs explanation.

3 MR. PARNELL:

4 Yes, that is not real clear.

5 MR. BROWN:

6 But what this guy is asking is when
7 an individual brings a car into us to sell it
8 to us and he takes the converter off and comes
9 around and sells the converter, also. He is
10 wanting to know if they got to have a license
11 to do that. But by the law, actually they
12 don't because they can sell off of one VIN
13 number, the converter.

14 MR. WISENOR:

15 But they are doing multiples.

16 MR. BROWN:

17 They are doing multiple.

18 MR. WISENOR:

19 If they are doing that on a routine
20 basis, that kind of excludes them from the
21 exemption of the whole thing.

22 MR. BROWN:

23 Right.

24 MR. WISENOR:

25 If you can prove that individual has

1 done more than one vehicle over a period of
2 time.

3 MR. BROWN:

4 Well, the law says they can't have
5 more than one.

6 MR. WISENOR:

7 Right.

8 MR. BROWN:

9 It doesn't say how many days. He can
10 have one every day for ten days, I guess.

11 MR. WISENOR:

12 Well, I thought that it read that
13 they had a -- personally owned like registered
14 in your name versus you just going out and
15 buying vehicles that are just in somebody's
16 yard, I was thinking that would apply to
17 something that's owned by you that's proven and
18 with registration or title, you know, that is
19 the capacity.

20 MR. BROWN:

21 As of right now, we don't check if
22 they own the car. We are checking, you know,
23 what car it came off of plus their driver's
24 license and all of their other pertinent
25 information.

1 MR. WISENOR:

2 Because you are talking a whole car
3 under the --

4 MR. BROWN:

5 No. I am, talking about a converter.
6 Somebody brings the converter in, we buy it
7 under the rules. And they can come in. There
8 is nothing that says they can't come in
9 tomorrow and sell us another one.

10 MR. HALLACK:

11 So there is no limitation on it. It
12 could be one an hour.

13 MR. BROWN:

14 But they can't get caught with more
15 than one is what the law says.

16 MR. HALLACK:

17 I am sorry. Say it again.

18 MR. BROWN:

19 They cannot be -- have more than one
20 in their possession.

21 MR. WISENOR:

22 Well, that was part of the
23 amendment because most people have multiple
24 converters anyway.

25 MR. HALLACK:

1 But an exception to the rule is an
2 individual owner can sell his converter and yet
3 he doesn't have proof he owns it.

4 MR. WATTS:

5 He has to have to prove of ownership
6 where he bought.

7 MR. BROWN:

8 No, you don't need to have any
9 paperwork.

10 MR. WATTS:

11 No paperwork.

12 MR. BROWN:

13 It used to 10 years and older; it is
14 not even that now. We still require anything
15 older -- I meant new to have a title, but that
16 law is gone.

17 MR. WATTS:

18 You just have to have that VIN number
19 off that car to match it.

20 MR. BROWN:

21 Nothing on the converter right now,
22 that is what's in this new bill. You have got
23 to have a VIN number.

24 MR. HALLACK:

25 How does this stop people from

1 stealing converters.

2 MR. BROWN:

3 It doesn't.

4 MR. HALLACK:

5 What's the purpose of the law?

6 MR. PARNELL:

7 That was the purpose.

8 MR. BROWN:

9 You can buy them right now without
10 even having the VIN number of the car it come
11 off of.

12 MR. POTEET:

13 You have to have possession.

14 MR. BROWN:

15 Now you have to have a VIN number;
16 that's why we put it in there.

17 MR. HALLACK:

18 So the thief has to get the VIN
19 number.

20 MR. BROWN:

21 There you go.

22 MR. WATTS:

23 He is going to have to do a little
24 more work.

25 MR. PARNELL:

1 It is important to go back to
2 reiterate that we actually need next month
3 everybody to be here so we can approve this
4 budget for the next fiscal year.

5 MR. HALLACK:

6 We will probably have a couple of
7 hearings.

8 MS. BARON:

9 We should.

10 MR. WATTS:

11 Items for next meeting.

12 MR. HALLACK:

13 We are going to discuss some rules
14 and regulations.

15 MR. WATTS:

16 Rules and regs.

17 MR. HALLACK:

18 To set the standards for unfitness.

19 MR. WATTS:

20 Commissioners, anything y'all want to
21 add to the agenda for June? If y'all think of
22 something, give Kim a call.

23 We are adjourned.

24
25 (Meeting adjourned at 10:35 a.m.)

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 May 15,
7 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 May 30, 2023, Baton Rouge, Louisiana.
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21 BETTY D. GLISSMAN, CCR
22 CERTIFIED COURT REPORTER
23
24
25

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