

LOUISIANA USED MOTOR VEHICLE COMMISSION

STATE OF LOUISIANA

REGULAR MEETING

NOVEMBER 15, 2010

BEGINNING AT 9:31 A.M.

3132 VALLEY CREEK

BATON ROUGE, LOUISIANA

REPORTED BY:

BETTY D. GLISSMAN, CCR

Betty D. Glissman, CCR  
(225) 754-8609

1 APPEARANCES:

2  
3 CHAIRMAN:

4 MR. GLEN ROBINSON

5  
6 VICE CHAIRMAN:

7 MR. JOHN POTEET

8  
9 COMMISSIONERS PRESENT:

10 MR. GEORGE BREWER

11 MR. TONY CORMIER

12 MR. RON DUPLESSIS

13 MR. GEORGE FLOYD

14 MR. DOUGLAS TURNER

15  
16  
17 REPRESENTING THE LOUISIANA USED MOTOR  
18 VEHICLE COMMISSION:

19 ROBERT W. HALLACK, ESQUIRE  
20 HALLACK LAW OFFICE  
21 13007 JUSTICE AVENUE  
22 BATON ROUGE, LOUISIANA 70816  
23  
24  
25

1 ALSO PRESENT:  
2

3 MS. KIM BARON

4 MR. DEREK PARNELL

5 MS. MONA ANDERSON

6 MR. TOMMY GEE  
7  
8  
9  
10  
11  
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1 MR. ROBINSON:

2 Mr. Bourgeois, do you want to  
3 lead us in the Pledge?

4 (Pledge of Allegiance.)

5 MR. ROBINSON:

6 Ms. Kim, if you would call  
7 the roll, please.

8 MS. BARON:

9 Glen Robinson?

10 MR. ROBINSON:

11 Present.

12 MS. BARON:

13 George Brewer?

14 MR. BREWER:

15 Here.

16 MS. BARON:

17 Louis Bourgeois?

18 MR. BOURGEOIS:

19 (No response.)

20 MS. BARON:

21 Tony Cormier?

22 MR. CORMIER:

23 Here.

24 MS. BARON:

25 Ron Duplessis?

1 MR. DUPLESSIS:

2 Here.

3 MS. BARON:

4 George Floyd?

5 MR. FLOYD:

6 Here.

7 MS. BARON:

8 John Poteet?

9 MR. POTEET:

10 Here.

11 MS. BARON:

12 Kirby Roy?

13 MR. ROY:

14 (No response.)

15 MS. BARON:

16 Darty Smith?

17 MR. SMITH:

18 (No response.)

19 MS. BARON:

20 Douglas Turner?

21 MR. TURNER:

22 Here.

23 MS. BARON:

24 Mr. Chairman, we have a

25 quorum.

1 MR. ROBINSON:

2 Thank you.

3 Anyone for public comments?

4 MS. BARON:

5 No, sir.

6 MR. ROBINSON:

7 Derek, do you want to  
8 introduce --

9 MR. PARNELL:

10 Yes. I would like to  
11 introduce everyone to Ms. Mona Anderson.  
12 She has been here helping us as a restricted  
13 appointment in the accounting department.  
14 As we all know, Ms. Heather Ellis is out on  
15 FMLA right now, family medical leave, but  
16 during that timeframe, I have been able to  
17 bring her in as a restricted appointment.  
18 She has been very helpful for us within the  
19 office. She has got 15 years of accounting  
20 experience. So she is very qualified, very  
21 well respected in the industry. One thing  
22 that I actually had her working on primarily  
23 is looking at recovering those funds, also  
24 working at our budget for -- January 1 we  
25 have to submit a budget.

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1                   So, Ms. Mona, if you want to  
2 say something to the Board.

3                   MS. ANDERSON:

4                   I just wanted to thank you  
5 for having me on board and it's been very  
6 interesting, a lot of things are very  
7 familiar, but some new things also, and I  
8 think we are going to do really well with  
9 these collections. I've gotten a really  
10 good response. We've got to follow up a  
11 little bit more to finish up the  
12 collections, but I think overall it's going  
13 to go fairly well. And thank you again.

14                  MR. ROBINSON:

15                  I appreciate you being here.  
16 All right. Items for  
17 discussion, approval of the minutes from  
18 last month's meeting.

19                  MR. POTEET:

20                  I make a motion that we  
21 approve the minutes from last month's  
22 meeting.

23                  MR. BREWER:

24                  I second.

25                  MR. ROBINSON:

1 Motion and a second.

2 Any discussion?

3 (No response.)

4 MR. ROBINSON:

5 All in favor?

6 (All "Aye" responses.)

7 MR. ROBINSON:

8 Anyone opposed?

9 (No response.)

10 MR. ROBINSON:

11 That passes.

12 Financial matters.

13 MR. PARNELL:

14 If you will turn with us to  
15 Page 1 of the October financial statement.  
16 We are looking at our total revenues year to  
17 date is \$385,297.35, budgeted \$1,120,508.11.

18 If you will go to Page 3, it  
19 actually shows our total expenditures year  
20 to date. We are looking at \$343,119.68.

21 Moving forward to Page 6.  
22 Page 6 shows us the year to date -- well, it  
23 shows our October 2010 versus October 2009  
24 comparison. You see in October 2010, our  
25 revenues are at \$239,003.23, whereas last



1 year in 2009, our total for the month, we've  
2 got \$215,501.05. Also, on the revenue side,  
3 October 2010, we are looking at \$237 -- my  
4 apologies, on Page 7, I'm sorry, it's a  
5 three month comparison October -- August,  
6 September and October. Once again, October  
7 is \$237,697.48.

8 And our total expenditures on  
9 Page 9 for the month of October is  
10 \$79,597.90. On Page 10 is our balance  
11 sheet. It shows our total assets. If you  
12 notice, we have our CD investments on this  
13 form, our AR hearings. Actually, our AR  
14 hearings on here, I need to make a  
15 correction. It shows \$26,377.36. That  
16 total should actually be \$26,500 even. So  
17 which leaves us with total assets of  
18 \$1,182,284.38.

19 Our total liabilities on Page  
20 11 is \$650,339.27. Total liabilities plus  
21 our equity is \$1,182,284.38. On Page 12, it  
22 kind of gives you a review and expenditure  
23 comparison. It kind of just maps out where  
24 we are and how much we have netted so far,  
25 and we are at \$62,816.03.

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1                   If you notice on Page 13, the  
2 last two CD summaries that matured, one in  
3 the -- beginning one at the end of October  
4 and one on November 1. Now, we are looking  
5 at the interest rate currently of 1.45  
6 percent. Moving forward with the Concordia  
7 Bank and Trust, the certificate amount is  
8 \$200,000. It's maturing on 1/3/11. On this  
9 one, I'm having Mona, she is going to go in  
10 and really look at other ways, other things  
11 that we can do with that money. Maybe one  
12 thing we are talking with the CPA is  
13 breaking out -- we've broken out the last  
14 two with Landmark Bank, one at \$99,000 and  
15 \$98,970. It's kind of staggering those CDs  
16 so we will have something every three months  
17 maybe probably maturing, which will be a  
18 better situation for us in case we needed to  
19 pull some money out of one of those  
20 accounts.

21                   If you will turn to Page 14  
22 with me, Page 14 illustrates the accounts  
23 receivables, the hearings, hearings and  
24 violations that are out there. The first  
25 one -- the first four are actually the ones

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1 that have been out there for a little while  
2 now. The one with Pro Auto Sales for  
3 \$21,600, this is one that was the hearing of  
4 last month and that's the one that is going  
5 to be out there. But the last three,  
6 Alexandria Auto Sales, Discount Auto Sales  
7 and Louisiana Auto Brokers, what these three  
8 are, these were violations that I went ahead  
9 and assessed the penalty, assessed a fine  
10 for. But at this point, you know, what I  
11 want to do is kind of go -- talk about it a  
12 little bit. Alexandria Auto Sales,  
13 basically what they are doing, they are  
14 operating --

15 MR. ROBINSON:

16 Is this something that is  
17 going to come before the Commission, these  
18 people plan to appeal and come before the  
19 Commission? Because --

20 MR. PARNELL:

21 It is possible.

22 MR. ROBINSON:

23 If they do, we don't really  
24 need to discuss it. Do we, Robert?

25 MR. HALLACK:

1 That's correct.

2 MR. ROBINSON:

3 We better let this slide and  
4 see what happens.

5 MR. PARNELL:

6 Okay.

7 MR. ROBINSON:

8 Sorry.

9 MR. PARNELL:

10 Well, Alexandria Auto Sales,  
11 the first one on there, I set the fine at  
12 \$500 for violation of unlicensed, but he  
13 went ahead and paid the fine.

14 MR. ROBINSON:

15 Anything that may come before  
16 us, we don't need to discuss.

17 MR. PARNELL:

18 Well, he paid the fine. So  
19 he wanted to go ahead and move forward with  
20 the fine and just go ahead and continue to  
21 operate.

22 MR. ROBINSON:

23 So he was fined for what  
24 then?

25 MR. PARNELL:

1 He was fined for operating  
2 from an unlicensed location. And so I set a  
3 fine at \$500. They went out and violated  
4 them. I set the fine at \$500 and he went  
5 ahead and paid the fine.

6 MR. ROBINSON:

7 Okay.

8 MR. PARNELL:

9 Generally, I'm kind of  
10 gauging it around the \$250 to \$500 mark  
11 depending on what's exactly going on with  
12 them. But moving forward, that's about  
13 where I am at looking at that.

14 Now, on these -- the total  
15 with this again is \$26,500. If you notice  
16 on Page 15, the only difference or changes  
17 that were made is the other charges down at  
18 the bottom, the computer system. We paid --  
19 \$15,000 was paid to CAVU Corporation for the  
20 annual maintenance and support agreement.  
21 Typically -- this was actually due in  
22 August. Typically, it was \$9,500 that --  
23 the cost actually went up once the new  
24 company bought them out. They have been  
25 working really well with us, really, really

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1 well actually and they really have been  
2 going in and we have been meeting with them,  
3 had a lot of conference calls with them, any  
4 issues that come up that we have a problem  
5 with, we immediately discuss it with them  
6 and then go ahead and make the fix for us.

7 MR. ROBINSON:

8 Does that contract allow them  
9 to raise the fee from \$9,500 to \$15,000?

10 MR. PARNELL:

11 It didn't say -- well, I  
12 apologize, I don't know.

13 MR. ROBINSON:

14 Robert, will you look at it?

15 MR. PARNELL:

16 I sent him to review it.

17 MR. ROBINSON:

18 It's not a major issue. We  
19 just need to make sure that they are -- have  
20 the authority and if they don't, they just  
21 need to send us a refund.

22 But you will look at it,  
23 right, Robert?

24 MR. HALLACK:

25 Yes, sir.

1 MR. ROBINSON:

2 The other thing in the  
3 capital outlay and major repairs was the  
4 \$1,000 that we paid for the deductible for  
5 Performance Paint and Collision with the  
6 vehicle that the deer hit on last month that  
7 we discussed.

8 Are there any questions or  
9 comments about the financials?

10 (No response.)

11 MR. PARNELL:

12 One thing I do want to do is,  
13 I kind of want to let Mona kind of tell us a  
14 little bit more about what her plan was and  
15 what her goal was as it relates to getting  
16 those funds back. Initially at the last  
17 meeting, we talked about making sure and  
18 assuring that everybody that worked -- that  
19 was in that group, that we have a hold out  
20 there on the account. I personally went in  
21 and I had Kim go in as well and we made  
22 those changes and put a block out there on  
23 the system so no one could actually make any  
24 movement on them unless they go through the  
25 proper channels and pay that fee.

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1                   So, Mona, if you will, can  
2 you kind of discuss with everyone the money  
3 that was recovered in that process?

4                   MS. ANDERSON:

5                   Sure.

6                   What we did was we reordered  
7 the list according to those companies that  
8 had the highest fees, so that we could start  
9 getting collections in as fast as possible.  
10 And we sent -- we called -- we did call in  
11 originally, got some very good responses,  
12 some not so good responses. Then, we also  
13 e-mailed those people who had not responded  
14 so they would have something in writing.  
15 For the people who did respond, we faxed or  
16 e-mailed the letter that we had sent  
17 previously and the update on the  
18 inability -- there had been some cards that  
19 we tried to re-run, but due to old  
20 expiration dates on the cards, they wouldn't  
21 go through. So that was sort of abandoned  
22 and we contacted them directly and had  
23 people submit payments.

24                   Mostly I found that people  
25 are receptive to it, but they do require



1 multiple follow ups. You know, you have to  
2 get people to the idea that this is due, why  
3 it is due, and then follow up to collect.  
4 And we have had a few who have gone to the  
5 DMV and figured out that there is a hold on  
6 their license. So then they call us and, in  
7 most cases, it's been where we've contacted  
8 them multiple times already, so they just  
9 need to remit the fees.

10 We are going to continue to  
11 follow up on this, the holds are on the  
12 accounts. So I expect that we will get the  
13 majority of the collections done. There is  
14 a small portion of the fees that probably  
15 won't be collected where companies have gone  
16 out of business and there are no funds left  
17 to pay the fees. We are still pursuing them  
18 to see what we can do, but it's probably a  
19 doubtful account.

20 MR. TURNER:

21 How many accounts would you  
22 say that there are like that?

23 MS. ANDERSON:

24 Well, there were 212  
25 transactions and pretty much almost

1 every one of them had at least a UD  
2 and a sales, if not more. So probably in  
3 the neighborhood of 90, something like that.

4 MR. TURNER:

5 Are they uncollectible?

6 MS. ANDERSON:

7 Uncollectible, no, sir.

8 Uncollectible, you are probably talking  
9 about under five.

10 MR. TURNER:

11 Okay. Sounds right.

12 MR. PARNELL:

13 The next item that --

14 MR. ROBINSON:

15 Let's make a motion, someone,  
16 to accept the financials.

17 MR. CORMIER:

18 I make a motion to approve  
19 the financials.

20 MR. TURNER:

21 Second.

22 MR. ROBINSON:

23 Motion and a second.

24 Any discussion?

25 MR. ROBINSON:

1 All in favor?

2 (All "Aye" responses.)

3 MR. ROBINSON:

4 Anyone opposed?

5 (No response.)

6 MR. ROBINSON:

7 The motion passes.

8 Okay. Derek, go ahead.

9 MR. PARNELL:

10 Well, this was something in  
11 the financials. What we have to work on  
12 right now is with the Legislative Auditor.  
13 We have to submit our budget for the fiscal  
14 year starting at July 1 of 2012 -- 2011, I  
15 apologize -- 2012 actually and the deadline  
16 for submitting that is January 1, and this  
17 is also something that I have been having  
18 Mona working on, getting facts, getting  
19 information, and she kind of set a timeline  
20 about when we can try to start having some  
21 information to actually bring before the  
22 Board. The problem is it's due January 1.  
23 So at the December 20th meeting, we would  
24 have to have some actual numbers, actually  
25 have a budget, so it can be looked at and/or

1 approved with the Board. So we have a game  
2 plan of trying to get that out to everyone  
3 so we can actually look at it and be on time  
4 with our budget submission.

5 MR. ROBINSON:

6 Legal matters and pending  
7 litigation, we finally had some movement.  
8 So Mr. Hallack is here to address that.

9 MR. HALLACK:

10 Well, we won both of these  
11 appeals, by the way. The first appeal is  
12 Atchafalaya RV versus Double Tree RV.  
13 Double Tree RV is a manufacturer that  
14 refused to re-purchase two or three units  
15 that Atchafalaya RV had. The court ruled  
16 and confirmed the Commission's decision  
17 demanding that the manufacturer re-purchase  
18 the units.

19 That was heard by the First  
20 Circuit last month and the First Circuit  
21 ruled in our favor and affirmed the  
22 judgment. Our only gain from that is the  
23 hearing costs, \$600 apiece both from the  
24 dealer and the manufacturer. So they have  
25 30 days to appeal that or ask for a writ

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1 application to the Supreme Court. Once  
2 those 30 days have passed and they haven't  
3 done that, then we will ask them for the  
4 \$1,200.

5 MR. ROBINSON:

6 Do they plan to do that?

7 MR. HALLACK:

8 No.

9 MR. ROBINSON:

10 It would be unusual.

11 MR. HALLACK:

12 It would be very unusual.

13 The lawyer that represents the manufacturer,  
14 he has appealed several things from the  
15 Commission and he has never asked for a writ  
16 application to the Supreme Court.

17 To let you understand, you  
18 have an automatic right of appeal to the  
19 Courts of Appeal, but to the Supreme Court,  
20 you have to ask them first if you can appeal  
21 to them and it's denied probably less than  
22 six percent of the cases. So 94 percent of  
23 the cases, the Supreme Court won't even  
24 hear. So even if they do, the chances are  
25 very unlikely that the Supreme Court will

1 hear it.

2           The last one is very  
3 significant. It was also a re-purchase  
4 case. Sundance Boats had refused to  
5 re-purchase boats that were being held by a  
6 dealer named Northlake Marine. The  
7 Commission had ordered Sundance to  
8 re-purchase the units. I can't remember how  
9 many units it was. It seems like it was  
10 like five units, five boats with motors.  
11 They refused to re-purchase them.

12           We ordered Sundance to come  
13 before the Commission to explain why they  
14 hadn't made the re-purchase. He appeared  
15 and he didn't have an explanation, but he  
16 still didn't re-purchase them. He never did  
17 anything. And then the Commission had  
18 another hearing where they determined what  
19 -- how they were going to punish or fine the  
20 dealer for not making the re-purchase, and  
21 then determined at that point that if he  
22 hadn't made the re-purchase by a certain  
23 date, they were going to fine him \$2,000 per  
24 day for each day he had not made the  
25 re-purchase. I can't remember off the top

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1 of my head when that penalty started. I've  
2 got it in my file, but \$2,000 per day and I  
3 figured it up through November 17, it's like  
4 1.2 million dollars that he owes in fines to  
5 this Commission.

6 MR. ROBINSON:

7 That must be \$2,000 per day  
8 per occurrence or per --

9 MR. HALLACK:

10 No, per day. Just per day.

11 MR. ROBINSON:

12 Per day, it's that kind of  
13 money?

14 MR. HALLACK:

15 Yes.

16 MS. BARON:

17 From September of 2008.

18 MR. HALLACK:

19 Yes, from 2008, September 17,  
20 2008. But, anyway, what we had done, we had  
21 filed a judgment in St. Tammany Parish  
22 asking the court to make it into a civil  
23 judgment so that we could go and collect it.  
24 We cannot collect our orders as they are.  
25 We have to have them made into a judgment at

1 district court. So that's what we were in  
2 the process of doing is asking the district  
3 court to make our order into a judgment so  
4 that we could go and collect it. The  
5 district -- the manufacturer had filed an  
6 exception of no right of action saying that  
7 this Commission did not have the right to  
8 enforce that order, that it was up to the  
9 New Car Commission to enforce that order,  
10 and the judge agreed. She dismissed our  
11 case. We appealed it to the First Circuit  
12 Court of Appeals. The First Circuit Court  
13 of Appeals reversed it and said this  
14 Commission does have the right to enforce  
15 that order.

16 So we had gotten input from  
17 the dealer. The dealer had sold all of his  
18 boats -- all of the boats in question at  
19 substantial discounts. He wrote us back and  
20 told us that his loss is about \$23,000 not  
21 including the penalty. Not only did the  
22 Commission order the manufacturer to  
23 re-purchase the inventory, but they assessed  
24 a penalty for the manufacturer's failure to  
25 make the re-purchase, which is one and a

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1 half percent of the value of the final  
2 inventory per month. And I calculated that  
3 out. It was like -- it was about \$24,000.  
4 So the dealer estimates his loss about  
5 \$23,000. The penalty would be \$24,000, and  
6 the \$2,000 a day per -- each day beginning  
7 September 17 is 1.2 million dollars.

8 The attorney for the  
9 manufacturer called me Thursday -- Wednesday  
10 late, and said that they are interested in  
11 paying something as opposed to appealing it  
12 further to the Supreme Court. So I asked  
13 Derek to put it on the agenda for discussion  
14 to see what y'all would like to do.

15 MR. ROBINSON:

16 Do we have any information  
17 about the financial well-being of that  
18 manufacturer?

19 MR. HALLACK:

20 Only that the manufacturer is  
21 still in business. According to the dealer,  
22 he is not operating anywhere in Louisiana  
23 right now. I think you were going to  
24 contact Lessie to see if he is licensed.  
25 Other than that, no.

1                   Just from the dealer, we were  
2 told that the person who owns it, Wallie  
3 Bell, his family is pretty well off.

4                   MR. ROBINSON:

5                   That owns what?

6                   MR. HALLACK:

7                   That owns Sundance.

8                   MR. ROBINSON:

9                   Well, he wouldn't be  
10 personally liable.

11                  MR. HALLACK:

12                  That's correct.

13                  MR. ROBINSON:

14                  I mean, we just need to start  
15 some investigation would be my suggestion to  
16 see exactly what we are looking at, that or  
17 just request -- I mean, you give us some  
18 guidance on it, but the next step to me  
19 would be to look at the status of that  
20 manufacturer and see what the financial  
21 condition of the company is.

22                  I mean, what do some of you  
23 other guys think?

24                  MR. HALLACK:

25                  I had asked the lawyer by

1 letter to submit an offer for your  
2 consideration and we haven't gotten it.

3 MR. ROBINSON:

4 Well, I think it needs to be  
5 -- I think we need to -- you know, to take a  
6 look into the corporation as well as look at  
7 an offer.

8 Ron, I mean, anybody? Mr.  
9 George?

10 MR. DUPLESSIS:

11 I mean, we dealt with him and  
12 he seemed to be financially viable. He is  
13 still in business. I think it's going to  
14 rough to collect 1.2 million dollars.

15 MR. BREWER:

16 For buying boats, you're  
17 right.

18 MR. DUPLESSIS:

19 Yes. I think if we could get  
20 an offer from them, it would make the -- you  
21 know, we are not charged with making the  
22 dealer whole, but I think that is an  
23 obligation that we have to see that the  
24 dealer in this action was maybe reimbursed.

25 MR. TURNER:

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1                   What state is this company --

2                   MR. HALLACK:

3                   Georgia.

4                   MR. ROBINSON:

5                   So do y'all want to look at  
6 information about the company or just try to  
7 do a settlement?

8                   MR. TURNER:

9                   I think we ought to do both  
10 at the same time. I think we need to look  
11 into the viability of the corporation in  
12 Georgia and how strong it is and if they are  
13 operating across the country still.

14                   MR. ROBINSON:

15                   I'm the same way. I think  
16 you've got to do both.

17                   MR. PARNELL:

18                   I did a little Internet  
19 research on them to find out that their  
20 annual income revenue was what about five to  
21 ten million. They are a fairly large  
22 company. Well, they are a national company.  
23 They have about 20 to 50 employees, but  
24 their annual revenue was -- what I found out  
25 was five to 10 million. We will dig a

1 little bit deeper to find more about --

2 MR. TURNER:

3 Did it say what their gross  
4 sales are?

5 MS. BARON:

6 No, they just showed their  
7 annual income.

8 MR. DUPLESSIS:

9 You are going to have a hard  
10 time getting information. You are going to  
11 have to go to Dunn & Bradstreet, probably  
12 level three getting information and that's  
13 going to run you about \$1,000, \$1,200.

14 MR. HALLACK:

15 In the meantime, should I  
16 continue to make efforts to go ahead and get  
17 the judgment so that we can enforce it?

18 MR. ROBINSON:

19 Yes.

20 Would it be advantageous for  
21 the committee to appoint a member to  
22 work on that or just let you and Derek  
23 work on it until we designate somebody to --

24 MR. HALLACK:

25 Derek will be fine.

1 MR. ROBINSON:

2 I would just like to keep it  
3 moving and not just have to deal with it  
4 every 30 days is all, you know.

5 MR. HALLACK:

6 Well, hopefully, we will have  
7 some figure to give to you about what they  
8 intend to do.

9 MR. ROBINSON:

10 Well, that's good news.

11 Any questions for Robert?

12 (No response.)

13 MR. ROBINSON:

14 Item D, policy and procedure.

15 Derek.

16 MR. PARNELL:

17 This is a resolution  
18 regarding false and misleading  
19 advertisement. This was where -- during our  
20 September Commission meeting, we had run  
21 across some areas of concern with the false  
22 and misleading unsubstantiated advertising.  
23 This was the one I had Attorney Hallack  
24 draft a document that clearly defines false  
25 advertising. But, once again, we introduced

1 this at our September Commission meeting,  
2 and then we are going to look at it today,  
3 what action did you want to take with this  
4 document.

5 MR. ROBINSON:

6 We had asked that y'all look  
7 at it and, you know, contact with any  
8 questions or changes that you might be  
9 interested in and that we would take some  
10 action on it today.

11 Does anybody have any  
12 comments or changes or questions?

13 MR. TURNER:

14 I feel like it covers all of  
15 the bases. I don't see anything wrong with  
16 it.

17 MR. ROBINSON:

18 It doesn't cause undue burden  
19 on the dealers?

20 MR. TURNER:

21 I don't think so. I mean,  
22 unless they are shysters or something.

23 MR. ROBINSON:

24 Does anybody else have any  
25 comments or questions about the policy that

1 we are trying to adopt?

2 MR. POTEET:

3 It looks good to me. I think  
4 that as long as the used motor vehicle  
5 dealers in this room agree that that's  
6 something that makes sense and it should --  
7 and it is being followed, I think that's the  
8 most important thing. We have four of you  
9 guys in here, if everybody is okay with  
10 that.

11 MR. ROBINSON:

12 Anyone else?

13 MR. CORMIER:

14 I don't see a problem with  
15 it.

16 MR. ROBINSON:

17 All right. Does somebody  
18 want to a make motion that we adopt it?

19 MR. TURNER:

20 I make a motion that we adopt  
21 it --

22 MR. CORMIER:

23 Second.

24 MR. TURNER:

25 -- the resolution defining



1 false advertising.

2 MR. CORMIER:

3 Second.

4 MR. ROBINSON:

5 I have a motion and a second.

6 Any other discussion?

7 (No response.)

8 MR. ROBINSON:

9 All in favor?

10 (All "Aye" responses.)

11 MR. ROBINSON:

12 Anyone opposed?

13 (No response.)

14 MR. ROBINSON:

15 That passes.

16 Then under --

17 MR. POTEET:

18 I have a question. So how  
19 are we going to get this out to everybody?

20 MR. PARNELL:

21 Currently, I have it out  
22 there on the website as proponents of the  
23 resolution. This was at the request of the  
24 Board last month. What we will start doing  
25 is putting it in with our licenses once we

1 send them out, also send out a mass e-mail  
2 of it that this is something that just  
3 passed, LIADA. We found that we just -- we  
4 were able to generate a report through CAVU  
5 and it pulls up everybody's e-mail  
6 addresses. We sent that out with the notice  
7 of the legislative meeting and got of lot of  
8 responses back from it. A lot of those  
9 things were closed out.

10 MR. ROBINSON:

11 We are getting there.

12 MR. PARNELL:

13 We are going to try to start  
14 pumping it out that way as much as we can  
15 electronically.

16 MR. TURNER:

17 I don't think I got an e-mail  
18 about this.

19 MR. ROBINSON:

20 I don't think I did either.  
21 We are making -- we are continually making  
22 progress. Hopefully, next year, it will be  
23 part of the requirement to have a license  
24 and be a current and ongoing e-mail address.  
25 That's one of the goals. That way we can

1 keep everybody informed. Then if they are  
2 not informed, then it's on them, really not  
3 on us.

4 MR. TURNER:

5 Right.

6 MR. ROBINSON:

7 We want to talk a little bit  
8 -- things have changed actually since Derek  
9 and I put the agenda together, but we have  
10 to meet in December because we have to  
11 approve the budget. And Derek and I had  
12 looked at the calendar originally and our  
13 meeting in January is on a legal holiday.  
14 So we are going to address that for certain.  
15 Our initial thought was we would move the  
16 December meeting back to the first of  
17 January and -- since the January meeting is  
18 on a legal holiday, but we are going to have  
19 to meet in December and we are going to have  
20 to have a quorum and we want to try to make  
21 sure that we have a date when people can be  
22 here and we have a quorum.

23 The budget has to be done by  
24 this Commission prior to December 31st. So  
25 that is Christmas week. That's Monday of

1 Christmas week. But our original plan of  
2 pushing the December meeting into the first  
3 of January, we abandoned that.

4 So is everyone going to have  
5 conflicts with coming the week of Christmas?

6 MR. TURNER:

7 No.

8 MR. POTEET:

9 No.

10 MR. POTEET:

11 That's December 20th, right?

12 MR. ROBINSON:

13 Right.

14 Is that enough time to get to  
15 where we will have a budget to approve or do  
16 you guys need a day or two later?

17 MR. PARNELL:

18 I think that sounds -- that  
19 will be fine.

20 MR. ROBINSON:

21 Okay. Then let's talk about  
22 January. The January date is a legal  
23 holiday, Martin Luther King. So we need to  
24 -- we might as well look at what we want to  
25 do with that. I know Tuesdays are, you

1 know, bad for some people. Wednesdays are  
2 bad for other people.

3 What is everybody's feeling,  
4 do something towards the end of that week?

5 MR. CORMIER:

6 Can we do it the prior  
7 Monday?

8 MR. ROBINSON:

9 No, we wouldn't be able to  
10 have the financials together.

11 MR. CORMIER:

12 For the Monday after?

13 MR. ROBINSON:

14 We can look at the Monday  
15 after.

16 MS. BARON:

17 That would be the 24th.

18 MR. POTEET:

19 The 24th would be the --

20 MS. BARON:

21 The Mondays of that month are  
22 the 3rd, the 10th or the 24th.

23 MR. TURNER:

24 I would say the 24th.

25 MR. ROBINSON:

1                   Either that or push it back  
2 to Thursday. Seems like the two days that  
3 always come up in conflict are Tuesdays and  
4 Wednesdays.

5                   MR. POTEET:

6                   I can't be here on Tuesday.

7                   MR. ROBINSON:

8                   And others can't be here on  
9 Wednesday.

10                  MS. BARON:

11                  Darty has got another  
12 commission like the last week of January on  
13 a Thursday or something.

14                  MR. TURNER:

15                  Thursdays aren't good for me.

16                  MR. ROBINSON:

17                  Let's push it to the next  
18 Monday then.

19                  MS. BARON:

20                  The 24th.

21                  MR. ROBINSON:

22                  If somebody would make a  
23 motion to change the January date to January  
24 24th, the meeting date?

25                  MR. CORMIER:

1 I'll make the motion to  
2 change the next -- the January meeting date  
3 to January 24th.

4 MR. TURNER:

5 Second.

6 MR. ROBINSON:

7 That's still at 9:30, that  
8 works for everybody? Okay. We have a  
9 motion and a second.

10 Comments? Questions?

11 (No response.)

12 MR. ROBINSON:

13 All in favor?

14 (All "Aye" responses.)

15 MR. ROBINSON:

16 Anyone opposed?

17 (No response.)

18 MR. ROBINSON:

19 The motion carries.

20 Item 5, Executive Director's  
21 report.

22 MR. PARNELL:

23 Activity, we had a field  
24 investigator review complaint totals. The  
25 total alleged issues for the month was 43.

1 Seventeen of those complaints were requests  
2 for refund of down payment or just wanting  
3 money back for various things. Seven are  
4 non-delivery of title.

5 One thing that we have been  
6 working at is trying to be a little more  
7 aggressive in how we -- what we do when we  
8 go out in there in the field. There are  
9 some issues that we still need to address  
10 that we kind of discussed at the last  
11 meeting that we still will move forward with  
12 trying to address those things. As they go  
13 out, I want them to be sure that if they are  
14 seeing issues out there initially when they  
15 go out, go ahead and deal with that  
16 situation immediately in the form of a  
17 violation because they are already in the  
18 wrong.

19 Typically, the culture here  
20 was always to if they were going to work  
21 with us, go ahead and if they are going to  
22 solve the situation or help the problem out,  
23 go ahead and allow them to do that and let  
24 them slide on the violation. One thing I  
25 make sure to reiterate to them, let's not go

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1 out there and just try to knock everyone's  
2 head off. We need to be sure that we are  
3 being professional on how we are doing. I  
4 don't want to cause any more grief on any  
5 dealers than -- any more than is needed, but  
6 we still need to be a little bit more  
7 aggressive on how we are actually looking at  
8 our dealers. They need to understand that  
9 we are here for a reason and we will  
10 regulate our laws. And a lot of them, what  
11 I find, they kind of think that we -- I  
12 guess because the history has actually shown  
13 that we are kind of soft and kind of  
14 pushovers as it relates to when they go out  
15 there and look someone face-to-face.

16 The next item on the report  
17 is the license renewal update. One thing --  
18 we are still a small staff as we have been  
19 in the past couple of years, but we are  
20 doing fairly well with renewals this year.  
21 I think it is due to we started processing  
22 the renewals immediately. And once we  
23 started getting them in, we were able to  
24 streamline some of the processes of the  
25 renewals, having the dealers and bond

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1 insurance companies using their e-mails  
2 little bit more. Those things have actually  
3 helped out a bit. Right now, we are  
4 probably about 15 days ahead of where we  
5 were last year at this point. So that's  
6 good. Looking at our size, you know, we are  
7 pretty much almost at the point where -- we  
8 are almost at November 1 as it relates to  
9 our dealers getting their information in and  
10 having -- guarantying to having a license by  
11 January 1. So we've almost met that goal  
12 already. You know at this point last year,  
13 we were way off from that. We are working  
14 through it. It's moving a little bit slow,  
15 but we were able to come in on Veterans Day.  
16 That was a legal holiday. And so I gave  
17 them the option if they wanted to come in  
18 and catch up and stay up on it and they all  
19 wanted to do that. So I went ahead and  
20 allowed them to come in and do that and it  
21 was a very productive day, a good day where  
22 you didn't have a lot of phone calls coming  
23 in. Typically, that is something that  
24 causes some concern. They are not really  
25 answering calls to answer questions. They

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1 typically return calls and e-mails around  
2 three o'clock every day, but you still get a  
3 lot of phone calls and just questions, not  
4 necessarily about renewals, but we still get  
5 a lot of calls coming in daily. So I may  
6 look at some other avenues as it relates to  
7 that, but I will have to dig a little bit  
8 deeper on that.

9           One thing we talked about  
10 during our last meeting was the server  
11 upgrade. I kind of want to start digging  
12 around and getting some research done as it  
13 relates to what kind of cost will be  
14 associated with the servers because we've  
15 got to look at budgeting this and moving  
16 forward. We are going to need to do this  
17 thing immediately actually because we are  
18 not able to move up to the dot net  
19 capabilities that our system can provide for  
20 us, the CAVU system that we have.

21           If you recall, last year we  
22 were looking forward to trying to move to  
23 that new system, but at the end we realized  
24 that our server wasn't capable of moving up  
25 in that direction. Currently, we are

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1 operating out of two -- we have two servers  
2 right now. One is basically housing the web  
3 information, the other one is basically  
4 data. I kind of got with our IT personnel  
5 and we kind of contacted CAVU together and  
6 we both -- we will be having a meeting on  
7 Thursday so we can kind it sit down and just  
8 look at exactly where we need to go, what's  
9 the most cost effective. What we kind of  
10 found out in looking at it thus far is that  
11 it will be more cost effective for us to  
12 actually purchase a better stronger server  
13 ranging in the price range of about --  
14 talking about software, hardware, installing  
15 for about 13 to 14 grand versus what we  
16 have. Trying to upgrade the servers that we  
17 have now, it will cost us much more. I'm  
18 finding that the software for those things  
19 are -- they are running anywhere from \$3,000  
20 and \$3,500 in general software. So we had  
21 two trying to upgrade those, that will kind  
22 of almost double the cost and that was a  
23 round number that I kind of threw out last  
24 week, it was about \$27,000, close to \$30,000  
25 to do that. We would save pretty much --

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1 almost half if we look at it in this kind of  
2 terminology.

3 Another thing we were looking  
4 at, not only specific to the servers, we  
5 were also looking at just our overall  
6 technology. We want to sit down and try to  
7 get a plan of -- maybe a three to four year  
8 plan of where we can go with our computers  
9 that we have on hand. Now, the life of our  
10 computers right now is pretty bad. We have  
11 gotten down to, I think -- we don't have any  
12 spare towers around here and before we did.  
13 Once the Commission decreased in size, if a  
14 tower went out, somebody had some issues  
15 with it, we were able to swap one out, but I  
16 think we are getting down to the bare bottom  
17 right now as it relates to that. So we were  
18 kind of talking about trying to project out.  
19 We want to be more proactive as it relates  
20 to keeping our technology up to date because  
21 we really haven't had an upgrade since 2004.  
22 And by technology computer standards, we are  
23 way, way behind trying to keep up with the  
24 curve. Thursday we are going to sit down.  
25 I do want to go through a lot -- some plans

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1 that we may need to try to implement. But  
2 the first thing we really need to look at is  
3 the server, and then try to finalize some  
4 numbers, so I can bring it back to you and  
5 let you know what we're looking at, but we  
6 have to make some server improvements so we  
7 can actually move up and move forward with  
8 the Commission in the future.

9 Do we have any questions or  
10 comments?

11 MR. ROBINSON:

12 Just one comment as far as  
13 license renewals. In talking with Derek  
14 maybe a week or two ago, I told him it would  
15 be perfectly okay with me if we really see a  
16 backlog that they change the message on the  
17 answering machine and basically just return  
18 calls at the end of the day and not take  
19 calls during the day so we can continue to  
20 crank out licenses and leave a message to  
21 the fact that, you know, because of a heavy  
22 volume of work, you know, your call is being  
23 answered, you will get a call back after  
24 four o'clock this afternoon. But we are all  
25 know that is one of the things that really

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1 slows you down is when you are trying to,  
2 you know, put out a high volume of work and  
3 you are having to stop every few minutes to  
4 take a phone call and go in a different  
5 direction. So I told him if he felt like we  
6 needed to do that, that that would be okay  
7 with me. And I thought I would just, you  
8 know, see if anyone had any objection to  
9 that. But the big thing from now to the end  
10 of the year is getting license renewals out  
11 versus handling a more minor question or,  
12 you know, something of that nature. So it  
13 just affects the dealers when they don't  
14 have their numbers, you know, and they can't  
15 get their dealer plates renewed and they  
16 can't sell a vehicle and take care of the  
17 sales tax at the first of the year. So we  
18 just need to make sure that our number one  
19 focus is getting these renewals out.

20 And so if you call in some  
21 day, you may get a message like that and you  
22 will know what's going on. Just trying to  
23 identify our priority.

24 That's the end of your  
25 report?

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1 MR. PARNELL:

2 Yes.

3 MR. DUPLESSIS:

4 I have a question. Have you  
5 heard the buzz word in the tech industry  
6 called a cloud concept?

7 MR. PARNELL:

8 No, I have not.

9 MR. DUPLESSIS:

10 The cloud is a new concept  
11 that's coming out that I'm looking at in  
12 integrating several businesses and,  
13 basically, you do away with your servers.  
14 And I see Mona is familiar with it back  
15 there. And you can probably take your  
16 \$13,000, \$14,000, \$15,000 down to about  
17 \$3,500, and it gives you unlimited kind of  
18 updates, and it also gives you software  
19 integration at big discounts. And if you  
20 are trying to do mass e-mails or you are  
21 trying to do credit card online, it probably  
22 will run you about 20 percent if you house  
23 no equipment. So you have no equipment  
24 upgrades. So it's something that you might  
25 want to look at, and it appears that Mona is

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1 familiar with it.

2 MR. ROBINSON:

3 So it's basically a host.

4 MR. DUPLESSIS:

5 Yes. It is a host, but it is  
6 now it is starting to cling onto cluster  
7 packages or bundles, if you will, is kind of  
8 the concept.

9 MR. PARNELL:

10 Well, I didn't recognize the  
11 term but that is something that I'm also  
12 going to be looking at. It's actually  
13 something that CAVU actually offers. It's  
14 pretty much hosting. It will always  
15 constantly upgraded, but I don't know if  
16 that's the direct we want to look at. But I  
17 will look into some other avenues as it  
18 relates to that.

19 MR. ROBINSON:

20 That is where everything is  
21 going, even like my backups at my  
22 businesses, it's all done and stored by a  
23 third-party company. The days of doing it  
24 every day are, you know, out of sight. We  
25 stopped that probably a year and a half ago.

1 MR. POTEET:

2 Well, we switched -- our  
3 company switched to Google apps and we got  
4 rid of our server and it saved us 90 percent  
5 of what we were spending. It was huge. And  
6 it's more reliable.

7 MR. DUPLESSIS:

8 It's very fast, too.

9 MR. ROBINSON:

10 Any other questions for  
11 Derek?

12 (No response.)

13 MR. ROBINSON:

14 All right. Committee  
15 reports, Legislative Committee, Mr. Ron.

16 MR. DUPLESSIS:

17 It's today at one o'clock at  
18 the State Archives Building. I don't know  
19 if anyone knows where that's at. It's just  
20 off the interstate on -- it's Essen, and  
21 it's right as you get off the interstate on  
22 Essen. It's just to your left. It's the  
23 large white State building and there is a  
24 real nice meeting room there we have used  
25 for two years. And I think we sent out a

1 mass number. It looks like we've gotten a  
2 pretty good response. Sheri will be there.

3 Robert, will you be there at  
4 that meeting?

5 MR. HALLACK:

6 No, not unless y'all need me.

7 MR. ROBINSON:

8 Do you want Robert there,  
9 have him there?

10 MR. DUPLESSIS:

11 I'm not really -- do we have  
12 anything, Robert, on the agenda? We have a  
13 small legislative agenda. I think this year  
14 we are probably playing defense a great deal  
15 and we are looking at maybe some renewal  
16 legislation and that sort of thing, but I  
17 would love to have you there from one to  
18 three o'clock.

19 Does anybody have anything on  
20 used -- I know this off premises thing is an  
21 issue that we are looking at, but we are  
22 there really to hear from the industry today  
23 and have a presence from the Commissioners.  
24 And we are not going to make a whole lot of  
25 decisions, we will do that in Executive

1 Committee or we will do that in committee.  
2 And once we hear -- you will hear a lot.  
3 You will hear some frustration of the  
4 economy and some other things, but we will  
5 sift through that like any other legislative  
6 body does and we will put together our  
7 agenda.

8 MR. ROBINSON:

9 If you have a fair turn out,  
10 why don't you ask what the feeling would be  
11 if the bond amount was based on your prior  
12 year sales? That is something that we  
13 always talk about. I don't know if you are  
14 fortunate to have a nice representation from  
15 the industry. Why don't you throw that out  
16 and see what kind of feedback we get? The  
17 small dealers might go down. The medium  
18 dealer might stay the same. The big dealer  
19 might go up. Just see what kind of feedback  
20 you get on that.

21 MR. DUPLESSIS:

22 Is there anything else from  
23 the salvage industry? I know that's going  
24 to be -- they are going to be there, a  
25 real presence today, and I know that is

1 going to be an unusual issue, but we will be  
2 there to handle it. I just know Darty is  
3 the only one I am familiar with.

4 MR. POTEET:

5 I'm not going to be able to  
6 be there today, but over the last few weeks,  
7 I've been sort of, at the auction, trying to  
8 talk to as many people as I could about  
9 issues and, you know, what kind of things  
10 they were going to -- that they are  
11 interested in, and I recommended that if  
12 they could, to go to the meeting. But there  
13 were two -- there are only two things that  
14 seem to be -- 90 percent of them had some  
15 comment on curbstoning and repo laws. Now,  
16 I don't know how far we get into the repo  
17 laws, if at all, but those are the things  
18 that a lot of dealers had -- were concerned  
19 about.

20 MR. DUPLESSIS:

21 Well, Sheri and I wrote the  
22 repo law.

23 MR. ROBINSON:

24 It is not our agency.

25 MR. DUPLESSIS:

1                   We knew it wasn't a imperfect  
2 science, but we had to get something passed.

3                   MR. POTEET:

4                   I'm just trying -- that is  
5 pretty much the two things that most people  
6 wanted to comment on.

7                   MR. DUPLESSIS:

8                   Tell me about the repo laws  
9 because we knew that was going be a sticky  
10 one. But what specifically, if y'all can  
11 help on that, because I can get some people  
12 to clarify that.

13                  MR. POTEET:

14                  To be honest with you, I  
15 didn't get into too much detail. I mean,  
16 maybe some of the dealers can tell you.

17                  MR. TURNER:

18                  I never repo anything.

19                  MR. ROBINSON:

20                  Are we talking about repos or  
21 are they talking about self-help.

22                  MR. POTEET:

23                  Self-help.

24                  MR. DUPLESSIS:

25                  Self-help.

1 MR. POTEET:

2 They want to know why we are  
3 the only state that doesn't really have  
4 self-help and why -- and, you know, I tried  
5 to explain a little bit of what I know, but  
6 it's -- that's just something at the  
7 forefront of a lot of people's minds.

8 MR. ROBINSON:

9 Again, that's not --

10 MR. POTEET:

11 That's not -- I told them --  
12 I said I don't think that really falls under  
13 our --

14 MR. ROBINSON:

15 Curbstoning, every legitimate  
16 dealer is interested in curbstoning.

17 MR. TURNER:

18 I'll give you an example.  
19 There is a K-Mart 200 feet, 300 feet from  
20 our store on Veterans, and every day there  
21 are three or four cars there with shoe  
22 polish on them for sale and by the end of  
23 the day, there is an orange tag from the  
24 zoning people in Jefferson Parish that they  
25 put on there to remove the car, and it's

1 just a joke. Because whoever this guy is,  
2 he just takes -- moves the car to another  
3 location similar and just keeps rotating  
4 them and rotating them and it's --

5 MR. ROBINSON:

6 You think this is a dealer or  
7 an individual trying to not be a dealer?

8 MR. TURNER:

9 I hear rumors of who it is.  
10 I don't really know who it is.

11 MR. ROBINSON:

12 Don't say then.

13 MR. TURNER:

14 But it's -- Stacy has come  
15 out there and tried to do something about it  
16 and was not able to do anything. But it's  
17 just ongoing. It seems like there should be  
18 something that could be done. I mean, it's  
19 obviously the same guy -- people over and  
20 over again and they are doing it in my area.  
21 It's the same locations over and over. They  
22 just start putting the cars around. And I  
23 would have to assume that somebody has made  
24 a deal with a licensed dealer to buy the  
25 cars with their license and put them out



1 there and sell them.

2 MR. ROBINSON:

3 You see in my market, we  
4 don't see that. It's almost always an  
5 owner. Now, there are pockets where there's  
6 always cars, but every phone number is  
7 different.

8 MR. TURNER:

9 They've got cell numbers.

10 MR. ROBINSON:

11 There is an indication --

12 MR. TURNER:

13 They use cell numbers. There  
14 are different numbers, but there's no plates  
15 on the cars. The plates are off the cars.

16 MR. ROBINSON:

17 These normally have plates.

18 MR. TURNER:

19 So normally they would have a  
20 plate.

21 MR. ROBINSON:

22 Get with Stacy and follow up  
23 on it.

24 MS. BARON:

25 In the last month, I have had

1 at least four anonymous calls for  
2 curbstoning and it's all been dealers. The  
3 investigators are working on it, but it's  
4 getting worse.

5 MR. HALLACK:

6 Just to let you know, it is a  
7 violation in your statutes for a dealer to  
8 repossess a vehicle any way other than  
9 what's allowed by law. But also, too, the  
10 black market sales, which is the statute,  
11 that is designed to prohibit curbstoning.  
12 The fine for that right now is only \$1,000.  
13 Our regular fines can go up to \$2,000. So  
14 you definitively need to change the fine  
15 amount for curbstoning.

16 MR. DUPLESSIS:

17 Well, you know, you bring up  
18 an interesting point. That kind of spurred  
19 my thoughts. We have been trying -- we  
20 attacked this last year with curbstoning.  
21 We got some stuff passed. But I think there  
22 is a different act between an individual or  
23 a non-licensed dealer curbstoning and a  
24 licensed dealer curbstoning. And why don't  
25 you come to the meeting today and get some

1 input for just an hour or two. But to me,  
2 if you have a licensed dealer doing that,  
3 that's an issue. That's an off premises  
4 display without a permit and we know the off  
5 premises thing is going to get some heat and  
6 we will have to work on that a bit, but  
7 that's a good point.

8 MR. HALLACK:

9 But you definitely need to  
10 bump the fine for that.

11 MR. ROBINSON:

12 That doesn't take a  
13 legislative act.

14 MR. HALLACK:

15 That will take a legislative  
16 act, too, because right now it's set at  
17 \$1,000 is the max. And if that is the  
18 greatest problem that used motor dealers  
19 face, then you need to bump that up to at  
20 least \$5,000.

21 MR. ROBINSON:

22 It's something -- I don't see  
23 it, but I hear about it when I go to  
24 auctions. If -- people if they know who I  
25 am, I mean, I hear about it.

1 MR. BREWER:

2 How about cars put on  
3 consignment to different dealers, no problem  
4 with that?

5 MR. ROBINSON:

6 Well, there is a law on how  
7 you have to do that. It includes filling  
8 out some paperwork to be in compliance.  
9 Generally, that -- those things don't  
10 happen. If you are taking a vehicle from a  
11 customer, there is a law on that. They have  
12 to maintain the insurance and things of that  
13 nature. So, I mean, there are statutes on  
14 the books on those things, how you have to  
15 go about it. Whether dealers do that --  
16 that's why I won't take a car from an  
17 individual.

18 MR. BREWER:

19 I'm talking about dealers  
20 putting -- swapping inventory or whatever.

21 MR. ROBINSON:

22 There is a form that the  
23 dealers have to fill out in order to do that  
24 and if they follow the compliance, it's okay  
25 for them to do that. But they have to -- it

1 still has to be on a state license and  
2 regulated location and, you know, you just  
3 have to do the paperwork.

4 MR. BREWER:

5 Right.

6 MR. ROBINSON:

7 But, generally, they probably  
8 just swap them back and forth, which  
9 technically is a violation without the  
10 appropriate paper work.

11 Is that correct?

12 MR. HALLACK:

13 That's correct. You must  
14 complete a consignment form.

15 MR. BREWER:

16 Can you get that where?

17 MR. CORMIER:

18 The DMV has them, I know.  
19 They have consignment forms.

20 MR. BREWER:

21 They do.

22 MR. ROBINSON:

23 And if you do that and you  
24 are licensed and you are good for that  
25 location, it's 100 percent legitimate.

1 MS. BARON:

2 If you have one of the  
3 seminar manuals or the disks, there's  
4 probably one on there as well.

5 MR. BREWER:

6 Thank you.

7 MR. ROBINSON:

8 We do have a hearing. You  
9 want to see if they are here -- see if Ms.  
10 Morris is here?

11 Items for next agenda, does  
12 anybody have anything? Just remember, it is  
13 mandatory we have a quorum. If we are short  
14 and we don't have a quorum, we are going to  
15 have to come back in December and get a  
16 quorum and pass the --

17 MR. BREWER:

18 It's going to be December 20?

19 MR. ROBINSON:

20 As always, if there is  
21 something you want on the agenda, let me  
22 know and we will get it on there. And as  
23 far as this, if we get a motion, we can  
24 adjourn this part of the meeting.

25 MR. DUPLESSIS:

1 I'll move.

2 MR. ROBINSON:

3 Motion to adjourn.

4 Is there a second?

5 MR. TURNER:

6 Second.

7 MR. ROBINSON:

8 All in favor?

9 (All "Aye" responses.)

10 MR. ROBINSON:

11 Anyone opposed?

12 (No response.)

13 MR. ROBINSON:

14 All right. That takes care  
15 of that part of the meeting.

16  
17 (At 10:25, the meeting was adjourned.)  
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1 REPORTER'S CERTIFICATE  
2

3 I, BETTY D. GLISSMAN, Certified  
4 Court Reporter, Certificate No. 86150, in  
5 and for the State of Louisiana, do hereby  
6 certify that the Louisiana Used Motor  
7 Vehicle Commission November 15, 2010 meeting  
8 was reported by me in the stenotype  
9 reporting method, was prepared and  
10 transcribed by me or under my personal  
11 direction and supervision, and is a true and  
12 correct transcript to the best of my ability  
13 and understanding.

14 This November 24, 2010, Baton  
15 Rouge, Louisiana.  
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23 BETTY D. GLISSMAN, CCR  
24 CERTIFIED COURT REPORTER  
25

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