

**Georgia State Board of Registration of Used Motor Vehicle Dealers and
Used Motor Vehicle Parts Dealers
Meeting
November 15, 2006**

Public Hearing

A Public Hearing was held at 9:30 a.m. to provide interested parties an opportunity to comment on proposed rule amendments to Board Rules 681-1-.01, 681-2-.01, 681-3-.05, 681-6-.01, and 681-16-.01. No written comments were received. The Board members discussed Rule 681-3-.05. Sidney McLeod, Michael Bradley, and Gene Sapp expressed concerns that licensees with common businesses in one location may be adversely affected by the proposed amendment. The Board agreed to take these comments into consideration during the meeting when the amendments are presented for a vote on adoption. Mr. Gene Sapp declared the hearing closed at 10 AM.

A meeting of The Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers was held on November 15, 2006 at 237 Coliseum Drive, Macon, Georgia. Mr. Gene Sapp, Chairman, called the meeting to order at 10 AM.

A quorum was established with members present being:

Used Car Division

Jeff Wilkinson, Chair; Dewell Sanford, Vice Chair; Phil Nowicki and Chris Chambers, representing the Governor's Office of Consumer Affairs; Diana Waldrop; Donny Riner; and Michael Bradley.

Used Parts Division

Gene Sapp, Acting Chair; Sidney McLeod; Butch Hon; and Steve Sumner.

Others present were as follows: Steve Lindsey, Executive Director; Joann Lyde, Application Specialist; Kathy Bradley, Board Secretary; and Ajay Gohil, Assistant Attorney General.

The following appeared before the Board to discuss appeals:

Warren E. Thornton
Michael Wayne Watson
Carol M. McClure
Robert Colon and Attorney James Wilson Smith
William P. Harrell
Mohammad Baig
Phillip Pope
Balde Mamadou

Approval of Minutes:

Mr. McLeod moved, Mr. Hon seconded and the Board voted to approve the September 7, 2006 Used Parts Division Minutes.

Mrs. Waldrop moved, Mr. Sanford seconded and the Board voted to approve the September 20, 2006 Used Car Division Minutes.

Adoption of Rule Amendments:

681-1-.01:

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-47-2, 43-47-6, 43-47-8, and 43-47-12.

Additionally, Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-47-2, 43-47-6, 43-47-8, and 43-47-12 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and that the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of used motor vehicle dealership.

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously to adopt Rule 681-1-.01 as follows:

681-1-.01 Definitions.

As used in these Rules and Regulations and in the Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers' Registration Act, the following terms shall mean the following:

- (a) "Administrative Procedures Act" means O.C.G.A. Chapter 50-13.
- (b) "Alter ego" means a person who is actually acting on behalf of and in the place of another person for purposes of being licensed or seeking licensure under this act, where the person on whose behalf the other person is acting is ineligible for licensure under Section 681-12-.05 of these rules.
- (c) "Applicant for a new license" means an individual or designee on behalf of a partnership, limited liability company, or corporation, who submits an application for a new license.
- (d) "Application for a new license" means an application made by an individual who has not held a valid license within the twelve months prior to the date of the application, except that any application made by an individual who has never attended the seminar shall be considered an application for a new license.
- (e) "Appropriate permanent sign" means a sign of sufficient size so as to apprise a reasonable consumer that a used motor vehicle business is being conducted at said location, identifying the business as a retail used car motor vehicle dealer, and using the name under which the applicant is to be licensed. The sign must meet the requirements in Board Rule 681-6-.01.

(f) "Building" means a permanent structure affixed to real property and shall include modular or manufactured office building, tied down and on blocks, with the wheels removed.

(g) "Business License" means any license required by a city, county, or other municipality as a prerequisite to operating a business within the city, county, or municipality.

(h) "Conspicuously displayed" means posted inside the permanent building in an area which is most likely to be visited by consumers and posted in a manner which allows the consumer to easily read and copy from the license.

(i) "Consumer," for purposes of these rules, means anyone who is solicited, or who seeks to purchase a used motor vehicle.

(j) "Dealers' registration plate" means the license plates issued to dealers by the State Revenue Commissioner as described in Georgia Code Annotated Section 40-2-~~36~~ 38.

(k) "Fee schedule" means a written listing of the amounts of all fees charged by the Board.

(l) "Investigate" means to conduct fact-finding inquiries and activities in the public interest in order to arrive at an objective conclusion on the full and complete facts regarding a particular complaint, complaints, incident, or incidents. Investigations shall include those investigations:

1. conducted by the Board, its designee, or by investigators assigned to the Board; or
2. conducted by the Administrator of the Fair Business Practices Act of 1975, or conducted by the State Revenue Commissioner or by his employees, where a violation found in such investigations would also be a violation of the Used Motor Vehicle Dealers' Registration Act.

(m) "Maintenance of records by licensees" means maintaining, at a designated sales office, records such as the books and files necessary to conduct such business. Further, at such designated sales location, there shall be a working land line telephone listed in the licensee's trade name and where the licensee maintains appropriate signage whereby a reasonable consumer would know the business of used car sales, used car rebuilding, used parts sales, or salvage operation is taking place.

(n) "Motor vehicle" or "car" means every vehicle which is self propelled and required to be registered under the laws of this state, except trackless trolleys (which are classified as streetcars) motorcycles, motor driven cycles, or go-carts.

(o) "Odometer disclosure forms" mean those forms required under the Federal Motor Vehicle Information and Cost Savings Act, 15 U.S.C. Sections 1081 through 1991, regulations found at 49 C.F.R. Part 580, and O.C.G.A. Subsection 10-1-393(b)(15).

(p) "Open Lot" means lot where used motor vehicles offered for sale are to be displayed, upon which the applicant has a legal right to display such vehicles.

(q) "Penalty fee or fine" means a fee assessed by the Division without the necessity of a hearing for failure on the part of a licensee or applicant to act in an appropriate or timely manner under the Used Motor Vehicle Dealers' Registration Act or under these Rules.

(r) "Permanent license" means all licenses issued by the Division, except for Temporary Site Permits.

(s) "Person" means any individual, partnership, firm, association, corporation, or combination of individuals of whatever form or character.

(t) "Photograph" means an image produced on film or digitized and printed which is an exact likeness of the facility, and not an artist's rendition or depiction.

(u) "Procedural safeguards" mean those procedures required by a used car dealership of its employees, agents, or principals, to reasonably ensure that the activities described in O.C.G.A. Section 43-47-10(2) do not occur at the dealership.

(v) "Purchaser" means a consumer who has completed a transaction to obtain a used car or used motor vehicle from a used car dealership.

(w) "Records" mean all originals, photocopies, carbon copies, files, books, memoranda, etc., and shall include data maintained on an electronic data storage and retrieval system, provided such data can be retrieved and copied.

(x) "Reinstatement" means re-issuance of an expired or revoked license.

(y) "Salesroom" and "sales office" are synonymous and mean within a permanent building on an open lot, furnished with a working telephone listed in the applicant's trade name.

(z) "State Revenue Commissioner" means the office created in O.C.G.A. Section 43-2-2.

(aa) "Supplemental license" means an additional license issued to a person who already maintains a current Georgia used car or parts license. A supplemental license may be issued for an additional location operated under the same name by the licensee, but which location is not immediately adjacent to the principal place of business.

(bb) "Temporary Site" means a location at which used motor vehicles are sold or offered for sale for which a temporary site permit has been issued by the board in accordance with Code Section 43-47-8.2 and which location is:

(1) Used for a period not to exceed 96 hours in any 30 day period of time;

(2) Located in the county in which the established place of business of the used motor vehicle dealer using the temporary site is located or an adjoining county; and

(3) Used not more than three times in any calendar year.

(cc) "Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers' Registration Act" and "Act" are synonymous and mean Chapter 47 of Title 43 of the Official Code of Georgia Annotated.

681-2-.01:

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-1, 43-47-6, and 43-47-8.

Additionally, Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-1, 43-47-6, and 43-47-8 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and that the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of used motor vehicle dealership.

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously to adopt Rule 681-2-.01 as follows:

681-2-.01 Organization of Board.

(1)The Division Director of the Professional Licensing Boards Division shall be the secretary to the Board.

(2)A simple majority of the division members shall constitute a quorum for duly called division meetings. Official division action can be taken by a simple majority vote of the members present at a duly called meeting where a quorum exists.

(3)The public may obtain information and all necessary application forms from the website of the Secretary of State's Office or by written request to:

State Board of Registration of Used Motor Vehicle Dealers and
Used Motor Vehicle Parts Dealers
237 Coliseum Drive
Macon, GA 31217

681-6-.01:

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-47-2 (3), 43-47-6, and 43-47-12.

Additionally, Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-47-2 (3), 43-47-6, and 43-47-12 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and that the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of used motor vehicle dealership.

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously to adopt Rule 681-6-.01 as follows:

681-6-.01 Established Place of Business.

Used motor vehicle dealers and parts dealers shall be required to maintain an "established place of business", which shall be a permanent building meeting the requirements of Rule 681-1-.01 (f) where the records required to be kept in Rule 681-1-.01 (y) are located and from which sales are negotiated. In determining whether the building meets the requirements of Rule 681-1-.01 (f), the Board will allow modular or manufactured office buildings that are tied down and on blocks, with the wheels removed. Effective January 1, 2007, the Board will not allow storage buildings or similar moveable structures that are clearly manufactured or constructed for purposes unrelated to office use. Any dealer who has previously obtained licensure in such a building will be allowed to remain in such building as long as the dealer remains at the location of licensure; however, effective January 1, 2007, if the dealer changes location, or allows the license to lapse, the dealer must meet the requirements of this rule.

A dealer who operates an open lot, according to Rule 681-1-.01 (r), shall conduct business in a building on the same property as the display lot. If the dealer is a used car broker, and will not display an inventory of vehicles for sale, the requirements of this rule

for an established place of business shall still be met, with the exception of the display area for vehicles. Effective January 1, 2007, for new applicants, only one dealer shall be licensed to operate an open lot on a plat of property as defined by the county tax assessor's office records. Once a dealer is licensed to operate an open lot on a defined plat of property, no other dealer, including a broker, shall be licensed to operate on the same plat of property. Dealers who allow their licenses to lapse must meet the requirements of this rule in order to reinstate the license.

The established place of business shall also have installed and maintain a working land line telephone whose number shall be listed in the licensee's trade name, the same as that which is listed in the application and in any advertisement by the dealer made available to the consumer. The established place of business shall also erect and maintain a permanent sign which shall be in compliance with board rules and the local ordinances of the particular city or county in which the established place of business is located. If no local ordinances exist, then the Board's criteria for an appropriate permanent sign shall be met. The sign shall list the trade name of the licensee, the same as that which is listed in the application and in any advertisement by the dealer. If the telephone number is listed on the sign, it shall be the phone number listed in the application and in any advertisement by the dealer.

Free-standing signs shall be affixed to a metal base or frame with concrete footings. Signs affixed to the building shall be so affixed by metal bolts or on a metal frame affixed to the building by metal bolts. Signs shall be professionally designed on permanent material, and the lettering applied on the sign shall be a minimum of six inches in height. At least one sign must be located and positioned to be clearly visible to consumers from the street. Signs painted on the building, or on the door or window of the building are allowed, as long as the painted sign meets local ordinances and/or board criteria for size of lettering and visibility to consumers from the street.

Effective January 1, 2007, a used motor vehicle dealer may operate from an office suite in an office complex, provided that the facility meets the criteria established in this rule and in Board Rule 681-3-.05. The permanent sign for the dealer must be erected at the nearest point of public access from the street to the building in which the dealer has established the office. Local ordinance and property lease regulations will authorize where the sign may be erected and displayed. At a minimum, the sign shall be at the entrance to the building, in a publicly displayed marquee in the lobby of the building that lists all businesses within the building, and directly outside the entrance to the office of the dealer.

Effective January 1, 2007, used motor vehicle dealers may be permitted to operate from a residential address, as long as local ordinances allow such operations in a residential area, and in accordance with Board rules. The requirement for an appropriate permanent sign must be met at the location. The office of the used motor vehicle dealer shall be a separate building that is detached from the residence. Such office shall be readily accessible to the public and to official inspectors during regular business hours. Such office shall have a dedicated phone line for the business telephone required by OCGA § 43-47-2 (3), as well as for computers and related equipment used exclusively for the business. The office shall also contain the office furnishings and filing cabinets

necessary to file the records required by OCGA §§ 43-47-2 (3) and 43-47-12. The license issued by the appropriate division of the Board shall be displayed in a conspicuous place within the office, as well as the sales & use tax number issued by the Georgia Department of Revenue and the local business license.

681-16-.01:

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19, 43-47-6, 43-47-8 (a) (1), and 43-47-10 (J).

Additionally, Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-19, 43-47-6, 43-47-8 (a) (1), and 43-47-10 (J) to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and that the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of used motor vehicle dealership.

Mr. Riner moved, Mr. Nowicki seconded, and the Board voted unanimously to adopt Rule 681-16-.01 as follows:

681-16-.01 Schedule of Fines. Amended.

The Used Motor Vehicle Division may impose fines for violations of O.C.G.A. Chapter 43-47. The fines shall not exceed \$500 per violation. A licensee, who actually holds a license or a person who is required to be licensed by this Chapter, who commits a violation as listed below, may be fined as indicated. However, the Division may, in its discretion, change the Schedule of Fines in whole or in parts as necessary. Further, the licensee shall pay the fine within thirty (30) days after receiving written notification from either the appropriate division or a representative of the Division unless the licensee requests, in writing, a hearing before the Division. Such request for a hearing must be received by the Division within thirty (30) days after receipt of the written notification from the Division. Failure either to pay the fine or request a hearing shall result in immediate suspension of the license pending a hearing by the Division to determine whether revocation or other disciplinary action should be imposed on the licensee. In addition to the fine schedule, the Division may impose further disciplinary action against a dealer who is cited for repeated violations. The Division may impose the following progressive disciplinary action:

- a) First violation within a six-month period: Appropriate fine for the violation as listed in this rule;
- b) Any subsequent violation within a six-month period: A Public Consent Order with appropriate fine for the violation as listed in this rule and Probation for 12 months;
- c) Any violation during Probationary period: Suspension of the license for six months. At the end of the six-month suspension period, the applicant may make written request to the Division to release the suspension of the license. If the Division grants the lifting of the suspension, the license shall be reactivated by Public Consent Order with Probation

for 12 months. Any operations of the dealership during the period of Suspension shall be grounds for and may result in Revocation of the license.

d) Any violation during this Probationary period shall be grounds for and may result in Revocation of the license.

(a) The violations and Fines are as follows:

1. Failure to apply for a title in the retail purchaser's name within 30 calendar days after the date of sale; \$500 per violation;
2. In possession of an open title not properly assigned as prescribed by O.C.G.A. Title 40: \$250 per violation;
3. Failure to display a properly completed buyers guide as prescribed by the Federal Trade Commission Rules: \$250 per violation;
4. The display or sale of a vehicle for profit in violation of O.C.G.A. Chapter 43-47 by unlicensed persons who have not properly titled and tagged, in their name, the vehicle offered for sale: \$500 per violation;
5. Failure to furnish the retail purchaser of a vehicle the proper documents in order for said purchaser to obtain a tag for that vehicle within thirty (30) calendar days from the date of purchase: \$500 per violation;
6. Aiding and abetting an unlicensed person in selling vehicles by allowing the unlicensed person to sell those vehicles using a license granted by the Division: \$500 per violation; and
7. Failing to properly complete a "finance contract" which complies with the Federal Reserve System, Title I, Regulation Z (Truth In Lending Act) when financing vehicles which are being sold to purchasers: \$500 per violation.
8. Failing to maintain the required surety bond or liability insurance: \$500 shall be imposed;
9. Failure to properly make application to the Division for a name change or change of location within the required 30 day period: \$250 shall be imposed;
10. Failure to make application for an off-premises ~~Class H~~ temporary license: \$250 per violation;
11. Failure to check the appropriate box on odometer disclosure statement and certificate of title: \$500 per violation; and
12. Failure to submit an application for change of ownership in the required 30 day period: \$100 shall be imposed.
13. Failure to obtain a bill of sale or odometer statement from the individual or company from which the licensee acquired the vehicle: \$250 per violation. (Such information must be maintained in the records of the licensee.)

681-3-.05:

Mr. Hon moved, Mr. Sumner seconded, and the Board voted unanimously against the adoption of the amendments to the rule.

The Board discussed a new amendment to Rule 681-3-.05. Mr. Bradley moved, Mr. Nowicki seconded, and the Board voted unanimously to post the following amendment to Rule 681-3-.05:

681-3-.05 Joint Used Motor Vehicle Dealers Operations. Multiple Business Operations.

~~Joint used motor vehicle dealer operations may be conducted by licensees provided that each licensee maintains a separate office, entrance, inventory, records and files necessary to conduct said business. Furthermore, each such business must maintain its individual name on all required documents and vehicles for sale. Also, each such business must provide the required sign and telephone as set forth in O.C.G.A. 43-47-2.~~

Effective March 1, 2007, new applicants for used motor vehicle dealer license may conduct business at a location where other businesses are conducted, provided that a clear and distinct separation of business is established. Exemption from the requirements of this rule will be granted to like-kind businesses with common designee/ownership, including, but not limited to, title pawn stores, used parts licensees, and auto rental businesses. The entrance to the dealer's office or salesroom may not be shared by another business of any kind. The dealer must maintain a separate office with separate inventory, records, and files necessary to conduct the business. The dealer must maintain the dealership name on all required documents and vehicles for sale. The dealer's office must be accessed from outside the building. No dealer may maintain an office or salesroom that is entered from within another business office. The dealer's address must be differentiated from the other businesses at the location by a separate suite number or office number. The telephone of the dealer must be listed in the dealer's name, the same name listed on the application and all advertisements, and cannot be shared with another business. The sign must be in compliance with local ordinances and with Board requirements.

Executive Session:

Mr. Sumner moved to enter into Executive Session to deliberate on applications, complaints, and investigations, as authorized by OCGA §§ 43-1-2 (k) and 43-1-19 (h). Mr. Wilkinson seconded the motion. The motion was carried by Dewell Sanford, Phil Nowicki, Diana Waldrop, Donny Riner, Michael Bradley, Gene Sapp, Sidney McLeod, and Butch Hon. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

Investigative Report:

Mr. Nowicki moved, Mr. Sanford seconded and the Board voted to take the following actions:

J W Scott	Accept the Cease & Desist Order, re-inspect in 60-days
	Mr. Bradley rescued himself from the discussion and abstained from the vote.
UMVD060311	Close

Attorney General Report:

Mr. Nowicki moved, Mr. Sanford seconded and the Board voted to take the following actions as presented by the Attorney General.

Auto Discount	Accept Consent Order and full fine payment, close
Madrid Motors Inc	Accept Consent Order and full fine payment, close
Second Chance Motors LLC	Accept Consent Order and full fine payment, close
Holland Auto Brokers Inc	Accept Voluntary Surrender For Holland Auto Brokers and close all related cases.
D & N Auto Financing	Accept Consent Order and full fine payment, close
Hiz II Com Auto Sales	Accept Consent Order and full fine payment, close
Global Auto Brokers Inc	Accept Consent Order and full fine payment, close
UMVD050391	Close
UMVD060378	Table for further information.
D.O.J. Auto Dealership	Accept Consent Order and full fine payment, close
B & K Pre-Owned Cars Inc	Accept Consent Order and full fine payment, close
UMVD060025	Close

Applications:

Mrs. Waldrop moved, Mr. Sanford seconded, and the Board voted to ratify the issuance of the following Used Car licenses:

UCAR036814	505 Motorsports
UCAR036815	MiddleTown Motors
UCAR036816	Global Used Cars
UCAR036817	TMA Auto Sales
UCAR036818	Big South Auto Brokers
UCAR036819	Blue Ridge Auto Brokers LLC
UCAR036820	Auto Buy Fast
UCAR036821	Rincon Automotive Sales Inc
UCAR036822	Cash Express Title Pawn
UCAR036823	Liberty Auto Brokers, LLC
UCAR036824	Best Buy Autos
UCAR036825	Best Buy Autos of Bainbridge, Inc.
UCAR036826	Titan Auto Brokers LLC
UCAR036827	Speedway Towing Inc
UCAR036828	Ultimate Automotive Services
UCAR036829	Lake City Auto Sales
UCAR036830	Right Choice Auto Sales Inc
UCAR036831	JEL Auto Sales Inc
UCAR036832	Benefield's Auto Sales
UCAR036833	Oaktree Motors
UCAR036834	Wilson Business Enterprises
UCAR036835	DW Truck & Trailer Sales
UCAR036836	Jasper Auto Brokers
UCAR036837	Pro Care Autos
UCAR036838	Central City Motors Inc
UCAR036839	New Auto Body & Collision Shop

UCAR036840 Chosewood Auto Sales Inc
UCAR036841 AL JA Motors LLC
UCAR036842 Do Rack Sales
UCAR036843 Amigo Auto Sales Inc
UCAR036844 Kar Mike's Mustangs
UCAR036845 Westfork Motors Inc
UCAR036846 Express Auto Sales
UCAR036847 Tina's Auto Sales
UCAR036848 Parker Motor Company, Inc.
UCAR036849 A & J Auto Brokers Inc
UCAR036850 Auto-Mated Vehicle Sales & Services
UCAR036851 Lanier Auto Sales
UCAR036852 Heaven Sent Auto's LLC
UCAR036853 Rio Bravo Auto Sales Inc
UCAR036854 Auto Mundo Inc
UCAR036855 Car Collection Inc
UCAR036856 Personal Auto Services LLC
UCAR036857 Prime Auto Finance
UCAR036858 Northside Automotive
UCAR036859 Bowen Auto Sales
UCAR036860 Uwanna Ride Used Cars
UCAR036861 Automax Brokers LLC
UCAR036862 RPM Autosales Inc
UCAR036863 Lewis Bus Sales, Inc.
UCAR036864 TGIF Motors Inc
UCAR036865 A #1 Autos
UCAR036866 Guaranteed Auto Sales & Loans
UCAR036867 Art's Cars Unlimited LLC
UCAR036868 Perry Automotive
UCAR036869 Fleet Lease Finance LLC
UCAR036870 The Car & Truck Place LLC
UCAR036871 MacConnell Motors LLC
UCAR036872 Smokey Mountain Auto Sales
UCAR036873 Ridgeland Motors
UCAR036874 Albany Auto Brokers
UCAR036875 1st Choice Automotive Corp
UCAR036876 Rainbow Motors Inc
UCAR036877 Paramount Imports LLC
UCAR036878 Josh Thompson Auto Sales
UCAR036879 Woodstock Auto Broker Inc
UCAR036880 BlueBay Auto
UCAR036882 Precision Auto Max Inc
UCAR036883 Suwanee Park Auto Service
UCAR036884 Patel Motors
UCAR036885 Cesar's Auto Sales
UCAR036886 Los Gatos Auto Sales LLC
UCAR036887 TW Auto Sales #2
UCAR036888 Luxury Auto Sales

UCAR036889 Lookout Auto Sales
 UCAR036890 Cali Motorsports Inc
 UCAR036891 Marietta Auto Mall
 UCAR036892 Total Member Services Inc
 UCAR036893 A & T Auto Sales Inc
 UCAR036894 Auto Performance Center of Blairsville
 UCAR036895 Security Auto Sales LLC
 UCAR036896 Bramble Motor Cars Inc
 UCAR036897 Freeway Auto Credit
 UCAR036898 La Isla Auto Sales
 UCAR036899 Shawn's Used Autos
 UCAR036900 C & A Auto Sales Inc
 UCAR036901 Buggy One Inc
 UCAR036902 Morgan Auto Sales Inc
 UCAR036903 Ted's Used Car Sales
 UCAR036904 MotorMax Of Augusta
 UCAR036905 World Automart LLC
 UCAR036906 Crosby's Auto
 UCAR036907 Freeway Auto Credit
 UMTP060014 Direct Rental Car Sales

Mr. Sumner moved, Mr. McLeod seconded and the Board voted to ratify the issuance of the following Used Parts licenses:

UP002869 Preferred Auto Collision Inc
 UP002870 Quality Body Shop
 UP002871 Martin J Smith Enterprises
 UP002872 Code Auto Inc
 UP002873 Murray Mix Truck Parts
 UP002874 Harrelson's Auto Sales Inc
 UP002875 Creekside Paint & Body
 UP002876 Onah Used Car Sales

Mrs. Waldrop moved, Mr. Sanford seconded and the Board voted to take the following actions on applications presented:

<u>Business Name</u>	<u>Action</u>
New Vision Auto Care, Inc	Accepted Consent Order for licensure and closed case.
Northside Auto Sales	Accepted Consent Order for Licensure and closed case.
Larry's Auto Sales	Accepted Consent Order for Licensure and closed case.
O & H Auto Sales	Accept Consent Order for Licensure presented by the Attorney General and issue license upon receipt of signed Consent Order.
51 State Inc	Accept Cease & Desist Order and Consent Order for Licensure presented by the Attorney General, and issue license upon receipt of signed Consent Order.
McGarity Carter Sales	Approve Order Accepting Fine Monies and Consent Order for Licensure presented by the Attorney General, issue license upon receipt of signed Consent Order, and

UMVD070243	close all cases. Send to Attorney General's office to prepare a Cease & Desist Order.
H A M	Tabled, pending receipt of social security number for applicant.
G A S	Tabled, pending court disposition

Mrs. Waldrop moved, Mr. Sanford seconded and the Board voted to deny the following used motor vehicle dealer applications:

- Benton Motors
- Payless Auto Sales
- RM Auto International Inc

Appointments and Correspondence:

Used Parts Division

Mr. Sumner moved, Mr. McLeod seconded and the Board voted to approve the following used parts division applications and requests:

<u>Business Name</u>	<u>Action</u>
Central States Management Inc	Approved for licensure
Iveys Used Auto Parts	Approved for licensure
UMVP060039	Forward to Attorney General's Office for payment plan as requested by Respondent

Used Car Division

Mr. Bradley moved, Mrs. Waldrop seconded and the Board voted on the following used car division applications and requests:

<u>Business Name</u>	<u>Action</u>
Universal Motors	Approved for licensure
Auto Catore' LLC	Approved for licensure
A A S	Approved for licensure pending photographs indicating outside door to office.
D A S	Tabled the reinstatement application pending additional information from dealer.
A R B	Tabled incomplete supplemental application. The Board advised to remove vehicles displayed for sale, resubmit a completed application, and settle previous citation.
P U A S LLC	Tabled citation, awaiting a certificate of liability insurance.
UMVD070141	Denied written request to reduce fine.
UMVD060371	Approved written request for payment plan and forward to the Attorney General Office.
Mawuli, Davis & Associates, LLC	Denied written open records request for insurance information.

Sunset Auto Sales	Denied written request for Change of Location.
Career Automobile Retail Selling	Approved submitted photographs for Change of Location.
Fred McGill	Denied written request for return of original bond from application.

Complaints:

Mr. Hon moved, Mr. Sumner seconded, and the Board voted to accept the Used Parts Division Cognizant Member's recommendations on the following complaint cases:

UMVP070008	Send to Inspections
UMVP070009	Send to Investigations
UMVP070010	Send to Inspections
UMVP070011	Send to Inspections

Mr. Hon moved, Mr. Sumner seconded, and the Board voted as indicated on the following Used Parts Division cases:

UMVP060002	Table for Report from the Court on the civil case
UMVP060032	Close
UMVP060034	Close
UMVP060035	Close
UMVP060036	Table until next meeting
UMVP070001	Close
UMVP070004	Forward to the Attorney General' Office for revocation
UMVP070005	Close
UMVP070008	Close
Tony Leverette	Accept Cease & Desist Order with a 90-day follow up

Troy's Paint & Body Shop Accept Cease & Desist Order with a 90-day follow up

Mrs. Waldrop moved, Mr. Bradley seconded, and the Board voted to accept the Used Car Division Cognizant Member's recommendations on the following incoming complaint cases.

UMVD070155	Close
UMVD070173	Close
UMVD070161	Send to Investigations
UMVD070162	Close
UMVD070164	Send to Inspections
UMVD070165	Send to Inspections
UMVD070166	Send to Inspections
UMVD070167	Send to Inspections
UMVD070169	Send to Investigations
UMVD070177	Send to Inspections
UMVD070179	Send to Inspections
UMVD070182	Send to Inspections
UMVD070183	Close

UMVD070184	Close
UMVD070185	Send to Inspections
UMVD070186	Send to Inspections
UMVD070187	Send to Inspections
UMVD070188	Send to Inspections
UMVD070189	Send to Inspections
UMVD070190	Send to Inspections
UMVD070191	Close
UMVD070196	Send to Inspections
UMVD070197	Send to Investigations
UMVD070198	Send to Inspections
UMVD070199	Send to Inspections
UMVD070201	Send to Inspections
UMVD070202	Send to Inspections
UMVD070203	Send to Inspections
UMVD070205	Send to Investigations
UMVD070206	Send to Inspections
UMVD070208	Send to Inspections
UMVD070209	Send to Investigations
UMVD070210	Close
UMVD070211	Send to Inspections
UMVD070212	Send to Inspections
UMVD070213	Send to Inspections and forward to DNR & Revenue
UMVD070215	Send to Investigations
UMVD070217	Send to Inspections
UMVD070218	Send to Inspections
UMVD070219	Send to Inspections
UMVD070220	Send to Inspections
UMVD070221	Send to Inspections
UMVD070222	Send to Inspections
UMVD070223	Send to Inspections
UMVD070223	Send to Inspections
UMVD070224	Send to Inspections
UMVD070225	Send to Inspections
UMVD070226	Send to Inspections
UMVD070227	Send to Inspections
UMVD070234	Send to Inspections

Mrs. Waldrop moved, Mr. Bradley seconded, and the Board voted to accept the Used Car Division Cognizant Member's recommendations based on inspection results for the following cases.

UMVD060021	Send to Inspections to Reinspect in 60 days
UMVD060093	Close
UMVD060256	Close
UMVD060284	Close

UMVD060290	Close
UMVD060301	Send to the Attorney General for revocation
UMVD060352	Close
UMVD060379	Flag the file and Close
UMVD070023	Close
UMVD070060	Send to the Attorney General for collection
UMVD070063	Send to the Attorney General for revocation
UMVD070068	Close
UMVD070071	Close
UMVD070079	Close
UMVD070087	Close
UMVD070090	Close
UMVD070093	Close
UMVD070099	Send to the Attorney General for collection
UMVD070108	Close
UMVD070109	Close
UMVD070110	Send to the Attorney General for collection
UMVD070127	Close
UMVD070132	Close
UMVD070161	Send to the Attorney General for revocation
UMVD070165	Close
UMVD070167	Close
UMVD070168	Send to the Attorney General for collection
UMVD070186	Send to the Attorney General for collection
UMVD070199	Send to the Attorney General for revocation
UMVD070206	Send to the Attorney General for revocation
UMVD070208	Send to the Attorney General for revocation
UMVD070216	Send to the Attorney General for collection
UMVD070218	Close and forward to the Auctioneers Commission
UMVD060315	Close

By the Book Auto Brokers Inc.	Approve Order Accepting Fine Monies and Close
C & L Motors	Approve Order Accepting Fine Monies and Close
David Smith Autoland Inc.	Approve Order Accepting Fine Monies and Close
Sugar Hill Auto Sales Inc.	Approve Order Accepting Fine Monies and Close
Autoplex Import	Accept Cease & Desist Order and Close
Tystanic Customs	Accept Cease & Desist Order and Close
Jimmy Kelly	Accept Cease & Desist Order and Close
The Exchange Lot	Accept Cease & Desist Order and Close
Roy Martin Motor Company	Accept Cease & Desist Order and Close
Hispano American Auto	Accept Cease & Desist Order and Close

New Business:

The Used Parts Division discussed salvage legislation.

Mr. McLeod moved, Mr. Sumner seconded, and the Board voted to meet jointly at the January 17, 2007 and November 7, 2007 scheduled meetings.

Mrs. Waldrop moved, Mr. Nowicki seconded, and the Board voted to approve the 2007 Used Motor Vehicle Dealers Meeting Schedule as follows:

Meetings will begin at 10 AM

January 17, 2007 (Joint Meeting)

March 21, 2007

May 16, 2007

July 18, 2007

September 19, 2007

November 7, 2007 (Joint Meeting)

The Board tabled the Tennessee newspaper article presented by Mr. Nowicki for further discussion.

Adjournment:

There being no further business, the meeting adjourned at 2:35 PM.

These Minutes were signed and approved on January 17, 2007
