

Georgia State Board of Registration of Used Motor Vehicle Dealers
Meeting
September 19, 2007

PUBLIC HEARING

9:30 AM

A public hearing was held at 9:30 AM. to provide interested parties an opportunity to comment on proposed rule amendments. No written or oral comments were made. Mr. Wilkinson, Chairman, declared the hearing closed at 10:00 AM and called the regular meeting of the Board to order.

A meeting of The Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers (Used Car Division) was held on September 19, 2007 at 237 Coliseum Drive, Macon, Georgia. Mr. Jeff Wilkinson, Chairman, called the meeting to order at 10:00 AM.

A quorum was established with members present being:
Jeff Wilkinson, Chairman; Dewell Sanford, Vice Chair; Donny Riner;
Hoyt Ausburn; Diana Waldrop; Chris Chambers with the Governor's Office of Consumer Affairs; and Doug Hooper with the Department of Revenue.

Others present were as follows: Steve Lindsey, Executive Director;
Kathy Bradley, Board Secretary; Jody Pierce, Administrative Assistant; and Janet Wray, Senior Assistant Attorney General.

Approval of Agenda:

Diana Waldrop moved, Hoyt Ausburn seconded and the Board voted to accept the September 19, 2007 Agenda.

Approval of Minutes:

Diana Waldrop moved, Hoyt Ausburn seconded and the Board voted to approve the July 18, 2007 Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers (Used Car Division) Minutes.

Appointments:

Paul John with GIADA met with the Board to discuss the board rule which requires a used motor vehicle dealer to transfer vehicle tags and titles within 30 calendar days. He stated that often 30 days is not enough time for the dealer to obtain the title for a vehicle trade-in when there is a payoff involved or if the

vehicle was purchased out of state. He asked that the Board modify this time period to 60 days or at least consider 45 days.

The Board asked that the Board staff notify Mr. John that they appreciated him bringing this to the Board's attention. The Board declined to amend the rule.

Executive Session:

Hoyt Ausburn moved to enter into Executive Session to deliberate on applications, complaints, and investigations, as authorized by O.C.G.A. § 43-1-2 (k) and 43-1-19 (h). Donny Riner seconded the motion. The motion was carried by Chris Chambers, Doug Hooper, Dewell Sanford, Diana Waldrop, and Jeff Wilkinson. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

Investigative Report:

Diana Waldrop moved, Doug Hooper seconded and the Board voted to take the following actions:

UMVD070596	Close
Thomas Auto Service	Accept Voluntary Cease & Desist Order and close cases.
UMVD060169 & UMVD060249	Re-inspect in 60 days

Attorney General Report:

Diana Waldrop moved, Dewell Sanford seconded and the Board voted to take the following actions as presented by the Attorney General.

Sugar Hill Auto Sales Inc	Accept Public Consent Order with full payment and close case.
UMVD070307	Close
Aberdeen Motormax Inc	Accept Public Consent Order with partial payment.
Five Points Auto Sales of Stone Mountain LLC	Accept Public Consent Order with full payment and close case.
Drive Now Auto Sales	Accept Public Consent Order with full payment and close case.

Bob's Auto Sales	Accept Public Consent Order with full payment and close case.
Automotive Finance Specialist	Accept Public Consent Order with full payment and close case.
Cherokee Auto Sales	Accept Public Consent Order with full payment and close cases.
Auctionhouse Inc	Accept Public Consent Order with full payment and close case.
Jim Waters Motor Co.	Accept Public Consent Order and close case.
UMVD070437	Deny request, continue with collection.
UMVD070279	Deny request, continue with collection.
R & M Auto Sales LLC	Accept Voluntary Surrender and close case.
International Motorsports	Accept Public Consent Order with full payment and close both cases.
American Auto Brokers Inc	Accept Voluntary Surrender and close all related cases.
UMVD070490	Close case.
UMVD070187	Close case.
UMVD060002	Close case.
UMVD070399	Close case.
UMVD070400	Close case.
UMVD050432	Requested AG to continue with revocation.
UMVD060177	Forward to Inspections for re-inspection.
Action Auto Auction	Accept Licensure by Consent Order.
Green Light Auto Land Inc	Accept Voluntary Surrender and close all related cases.

Rocky-King Used Cars Inc Accept Public Consent Order with partial payment.

FAM Auto Center Accept full payment of fine.

UMVD080096 Forward to Attorney General for Consent Order.

Applications:

Dewell Sanford moved, Doug Hooper seconded, and the Board voted to ratify the issuance of the following Used Car licenses:

- UCAR037356 Nicholas Auto Broker
- UCAR037357 Latin American Motors LLC
- UCAR037358 Hunters Auto Sales
- UCAR037359 Quality Auto Sales
- UCAR037360 SmartMove Auto LLC
- UCAR037361 Tokarz Auto LLC
- UCAR037362 Johnston Auto Enterprise
- UCAR037363 Gibbs Car Rental, Inc.
- UCAR037364 GA Best Car Deals LLC
- UCAR037365 Southside Auto
- UCAR037366 Selective Auto Sales
- UCAR037367 Brad Norris Body Shop & Auto Sales
- UCAR037368 CarMax/ CarMax The Auto Superstore
- UCAR037369 Jake's Auto Sales
- UCAR037370 For Sure Auto Brokers Inc
- UCAR037371 XXX Auto Sales LLC
- UCAR037372 Trinity Auto Sales Consulting Inc
- UCAR037373 Auto Cash of Forsyth LLC
- UCAR037374 Image Auto Sales Inc
- UCAR037375 Weeks Farm Machinery Auction Inc
- UCAR037376 Low Budget Rentals Inc
- UCAR037377 LeCounts Autobody
- UCAR037378 Reliance Autos LLC
- UCAR037379 Calhoun Sales LLC
- UCAR037380 DLVS Enterprises Inc
- UCAR037381 Memorial Auto Brokers
- UCAR037382 Troy Hamby Automotive LLC
- UCAR037383 Auto Connection of Valdosta LLC
- UCAR037384 Classic Dream Wheels Autobrokers
- UCAR037385 National Title Pawn of Ringgold
- UCAR037386 Turnabuck Auto Sales
- UCAR037387 Ride Now Auto Sales
- UCAR037388 Affordable Motors

UCAR037389 Lawyer Auto Sales
UCAR037390 Second Chance Motors
UCAR037391 PMP Enterprises
UCAR037392 North Georgia Auto Sales LLC
UCAR037393 Deal or No Deal Auto Sales
UCAR037394 Anderson Auto Sales
UCAR037395 A & E Automotive Inc
UCAR037396 Good Buys Auto Sales Inc
UCAR037397 A & M Motorsports Inc
UCAR037398 T & C Automotives Inc
UCAR037399 TPI Auto Sales
UCAR037400 U-Save Car Sales
UCAR037401 M & M Auto Brokers
UCAR037402 Marietta Auto Mall Center
UCAR037403 Kenny's Motor LLC
UCAR037404 ATL Motors LLC
UCAR037405 B & M Motors LLC
UCAR037406 Smartmove Auto LLC
UCAR037407 Miles Auto Sales LLC
UCAR037408 Innovative Motors
UCAR037409 Cash Express Title Pawn
UCAR037410 Rolling Motor Auto Sales Inc
UCAR037411 Williams Auto Broker, LLC
UCAR037412 Just Right Auto Sales
UCAR037413 International Motosports Ind Inc
UCAR037414 Auto Craft Inc
UCAR037415 Car Land
UCAR037416 Carsharpies.com
UCAR037417 Car 4 U Auto Sales LLC
UCAR037418 JTK Auto Center Inc
UCAR037419 David's Auto Sales Inc
UCAR037420 USA Truck & Auto Sales & Rental , LLLP
UCAR037421 Morgan's Used Cars
UCAR037422 Shelnut Auto Sales
UCAR037423 Stanlys Auto Center Inc
UCAR037424 Classic Auto Dealers Inc
UCAR037425 Georgia Best Motors Inc
UCAR037426 RPM Motorsports of Atlanta LLC
UCAR037427 B & G Auto Brokers, LLC
UCAR037428 Fantasy Automotives
UCAR037429 Allspeed Autoworks
UCAR037430 J & K Auto Sales LLC
UCAR037431 Odom Auto Sales

UCAR037432 Island Imports
 UCAR037433 Averaprin Auto Brokers
 UCAR037434 Valdosta Utility Sales
 UCAR037435 Dixon Auto Sales LLC
 UCAR037436 Atlanta's Best Auto Brokers Inc
 UCAR037437 L A Motors Inc
 UCAR037438 A & B Motors
 UCAR037439 Matthews Garage Inc
 UCAR037440 AJ's Auto Inc
 UCAR037441 Muntal Auto Brokers
 UCAR037442 Salem Auto Sales LLC
 UCAR037443 Fair Auto Group Inc
 UCAR037444 Go Autos Inc
 UCAR037445 Robert Ray Truck Sales, Inc.
 UCAR037446 Auto Fleet Lease Inc
 UCAR037447 Cornerstone Trade LLC
 UCAR037448 Patriot Automotive Group
 UCAR037449 Car World Inc
 UCAR037450 Buy Here Pay Here, USA
 UCAR037451 B & E Used Cars LLC
 UCAR037452 Cazautos Sales Inc
 UCAR037453 Auto Elite Dealers LLC
 UCAR037454 Southeastern Truck & Equipment LLC
 UCAR037455 Langdale Automotive of Tifton
 UCAR037456 Pioneer Auto Broker
 UCAR037457 D V Hardy Enterprises LLC
 UCAR037458 Georgia Premier Auto Brokers
 UCAR037459 Patriot Motors
 UCAR037460 129 Motor Sales & Repair
 UCAR037461 Bruce's Auto Sales
 UCAR037462 World Automotive Financial Services Inc
 UMTP070017 Total Member Services Inc
 UMTP070018 Car Solutions (CFS Financial Services Inc)

Dewell Sanford moved, Diana Waldrop seconded and the Board voted to take the following action on applications.

<u>Business Name</u>	<u>Action</u>
Blackshear Place Motors	Deny
Premium Pre-Owned Car Sales LLC	Deny
Braveslink Used Autos	Deny
Affordable RV Sales Center Inc	Deny

Complaints:

Diana Waldrop moved, Hoyt Ausburn seconded and the Board voted as Indicated on the following cases.

UMVD080009	Close
UMVD080012	Close
UMVD080014	Forward to Inspections
UMVD080015	Close
UMVD080016	Forward to Inspections
UMVD080017	Forward to Inspections
UMVD080018	Forward to Inspections
UMVD080019	Forward to Investigations
UMVD080020	Forward to Inspections
UMVD080021	Forward to Inspections
UMVD080040	Forward to Inspections
UMVD080022	Forward to Inspections
UMVD080023	Forward to Inspections
UMVD080024	Forward to Inspections
UMVD080026	Forward to Inspections
UMVD080027	Forward to Inspections
UMVD080028	Forward to Inspections
UMVD080029	Forward to Attorney General's Office for Revocation
UMVD080030	Forward to Inspections
UMVD080031	Forward to Inspections
UMVD080032	Close
UMVD080033	Forward to Inspections
UMVD080034	Forward to Inspections
UMVD080035	Forward to Inspections
UMVD080036	Forward to Inspections
UMVD080037	Forward to Inspections
UMVD080038	Forward to Inspections
UMVD080039	Forward to Inspections
UMVD080041	Forward to Inspections
UMVD080042	Forward to Inspections
UMVD080043	Close
UMVD080044	Forward to Investigations
UMVD080045	Close
UMVD080047	Forward to Attorney General's Office for Consent Order
UMVD080048	Forward to Investigations
UMVD080049	Forward to Inspections
UMVD080050	Forward to Inspections

UMVD080051	Forward to Inspections
UMVD080052	Forward to Inspections
UMVD080053	Forward to Inspections
UMVD080054	Forward to Inspections
UMVD080055	Forward to Inspections
UMVD080056	Forward to Inspections
UMVD080057	Forward to Inspections
UMVD080058	Forward to Inspections
UMVD080059	Forward to Inspections
UMVD080060	Close
UMVD080061	Forward to Inspections
UMVD080062	Forward to Inspections
UMVD080063	Forward to Inspections
UMVD080064	Forward to Inspections
UMVD080065	Forward to Attorney General's Office for revocation
UMVD080066	Forward to Inspections
UMVD080067	Forward to Inspections and DNR
UMVD080069	Forward to Inspections
UMVD080070	Close
UMVD080073	Forward to Inspections
UMVD080074	Forward to Investigations and the Revenue Dept
UMVD080075	Forward to Attorney General's Office for revocation
UMVD080076	Forward to Inspections
UMVD080078	Forward to Inspections
UMVD080081	Forward to Inspections
UMVD080082	Forward to Investigations
UMVD080083	Close
UMVD080084	Investigations
UMVD080085	Forward to Inspections
UMVD080086	Forward to Inspections
UMVD070209	Keep case closed
UMVD080090	Forward to Inspections
UMVD080091	Forward to Inspections
<u>Inspections</u>	
UMVD050039	Forward to Attorney General's Office for revocation
UMVD050222	Close
UMVD070568	Close
UMVD070374	Close
UMVD070575	Forward to Attorney General's Office for revocation
UMVD070656	Forward to Attorney General's Office for revocation

UMVD070612	Close
UMVD070657	Forward to Attorney General's Office for revocation
UMVD070661	Forward to Attorney General's Office for revocation
UMVD080004	Forward to Attorney General's Office for revocation
UMVD080033	Forward to Attorney General's Office for revocation
UMVD080018	Close
UMVD080021	Close
UMVD080034	Close
UMVD080040	Close
UMVD080027	Forward to Attorney General's Office for revocation
UMVD080036	Close
UMVD070037	Close
UMVD070526	Forward to Attorney General's Office for revocation
UMVD070546	Close
UMVD070551	Forward to Attorney General's Office for revocation
UMVD080050	Forward to Attorney General's Office for revocation
UMVD080051	Forward to Attorney General's Office for revocation
UMVD070557	Forward to Attorney General's Office for collection
UMVD080016	Close
UMVD070585	Close
UMVD070660	Close and forward to Revenue and DNR
UMVD080005	Forward to Inspections for re-inspection
UMVD080006	Forward to Attorney General's Office for collection
UMVD080007	Close
UMVD080019	Close
UMVD080020	Forward to Attorney General's Office for revocation
UMVD080068	Forward to Attorney General's Office for revocation
UMVD080022	Forward to Attorney General's Office for revocation
UMVD080023	Forward to Attorney General's Office for revocation
UMVD080077	Forward to Attorney General's Office for revocation
UMVD080024	Close and re-inspect in 90 days
UMVD080028	Forward to Attorney General's Office for revocation
UMVD080031	Forward to Attorney General's Office for revocation
UMVD080035	Close
UMVD080038	Forward to Attorney General's Office for collection
UMVD080039	Close
UMVD080041	Close
UMVD080042	Close
UMVD080048	Forward to Attorney General's Office for revocation
UMVD080052	Close
UMVD080053	Forward to Attorney General's Office for collection

UMVD080054	Forward to Attorney General's Office for collection
UMVD080055	Close
UMVD080057	Forward to Attorney General's Office for collection
UMVD080058	Forward to Attorney General's Office for revocation
UMVD080059	Forward to Attorney General's Office for collection
UMVD080078	Forward to Attorney General's Office for revocation
UMVD080079	Forward to Attorney General's Office for collection
UMVD080087	Forward to Attorney General's Office for revocation
UMVD080088	Forward to Revenue and Office of Consumer Affairs
Turnabuck Auto Sales	Accept Voluntary Cease & Desist Order and close
The Parenting Center, Inc.	Accept Voluntary Cease & Desist Order and close
Burkhart, Judd	Accept Voluntary Cease & Desist Order and close
Mo Money Towing Service (Michael Burne)	Accept Voluntary Cease & Desist Order and close
Spencer Rayner	Accept Voluntary Cease & Desist Order and close all related cases
Christian Brothers Auto Brokers	Accept Voluntary Cease & Desist Order and close
Hite, Michael	Accept Voluntary Cease & Desist Order and close
Family Auto Inc	Accept Order Accepting Fine Monies & Settling Inspection and close case
Leverett Auto Sales	Accept Order Accepting Fine Monies & Settling Inspection and close case
Perry Automotive	Accept Order Accepting Fine Monies & Settling Inspection and close case
Childs Auto Inc	Accept Order Accepting Fine Monies & Settling Inspection and close case
Five Points Sales of Stone Mountain LLC	Accept Order Accepting Fine Monies & Settling Inspection and close case
Jordan Auto Sales Inc	Accept Order Accepting Fine Monies & Settling Inspection and close case
United One Auto	Accept Order Accepting Fine Monies & Settling Inspection and close case

Other Business:

Jeff Wilkinson advised board members of the deadline for new legislative issues.

Doug Hooper informed board members of HB 171 that was passed last year.

Steve Lindsey updated board members on the Cogent Systems website. An applicant must provide a photo ID in order to be live scanned at the sites available. The new process is giving faster background information results on our applicants. Doug Hooper made a motion to amend the Board Rule on fingerprint cards to reflect the new process, Donny Riner seconded the motion. Jeff Wilkinson, Hoyt Ausburn, Dewell Sanford, Diana Waldrop, and Chris Chambers carried the motion unanimously.

Donny Riner made a motion to adopt the following Used Motor Vehicle Dealers Board Rule amendment.

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

Diana Waldrop seconded the motion. Jeff Wilkinson, Hoyt Ausburn, Dewell Sanford, Doug Hooper, and Chris Chambers carried the motion unanimously.

Diana Waldrop made a motion to adopt the following Used Motor Vehicle Dealers Board Rule amendment.

681-3-.01 Complete Applications Forms Required.

(1)No application shall be accepted for review until the application is complete in every respect.

(2)A "complete application" shall include:

(a) an application form on which each and every question is answered to the applicant's best knowledge and abilities;

(b) a bond in the amount of \$35,000 for used motor vehicle dealers and \$10,000 for used motor vehicle parts dealers, as required by O. C. G. A. Section 43-47-8(h).

Following the initial licensing period, the Bond shall then run concurrently with the

licensing period. At no time should the licensee be without a bond during any licensing period;

(c) a certificate of insurance as required as by O. C. G. A. Section 43-47-8(k), including policy number, policy limits, expiration date, name and address of insured exactly as they appear on the application, and certificate holder listed as "State Board of Registration of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers, 237 Coliseum Drive, Macon, Georgia 31217", which identifies the appropriate division. Garage Liability Insurance must be indicated for the appropriate policy limits for used motor vehicle dealers and used parts dealers who offer rebuilt vehicles for sale.

(d) fingerprint cards and information as required by O. C. G. A. Section 43-47-8(a);

(e) proof that the applicant has attended the seminar as required by O. C. G. A. Section 43-47-8(d);

(f) proof that the applicant has applied for a sales tax registration number in the exact same name listed on the used motor vehicle dealer or used motor vehicle parts dealer application, as required by O. C. G. A. Section 43-47-8(f);

(g) photographs as required by Rule 681-3-.02, except that without photographs the Division may approve a license pending receipt of the photographs within a time limit set by the Division;

(h) the appropriate fee as contained in the fee schedule;

(i) any other information which may be required by statute or rule.

Hoyt Ausburn seconded the motion. Jeff Wilkinson, Dewell Sanford, Doug Hooper, Chris Chambers, and Donny Riner carried the motion unanimously.

Dewell Sanford made a motion to adopt the following Used Motor Vehicle Dealers Board Rule amendment.

681-3-.03 Supplemental License and Temporary Sites.

(1)A supplemental license shall be required of a Georgia licensed used motor vehicle dealer for each car lot operated by or proposed to be operated by the Georgia licensee for any period to exceed ninety-six (96) consecutive hours, when such lot is not located immediately adjacent to the established place of business. Each and every lot operated or proposed to be operated by the Georgia licensee for any period to exceed ninety-six (96) consecutive hours, which is not located immediately

adjacent to the licensee's established place of business, must have its own supplemental license, and no supplemental license shall extend to more than one lot.

(2) In order to be entitled to the issuance of a supplemental license, the licensee must hold a valid Georgia used car dealer's license and is required to provide the Division with an appropriate application and the following information:

1. the licensee's license number ;
2. photographs of the proposed location for the supplemental license ;
3. proof that a business license can be obtained from the municipality or county wherein lies the proposed location or proof that no such license is required.

(3) A used motor vehicle dealer may engage in the used car business at a temporary site for a period not to exceed ninety-six (96) consecutive hours in a 30-day period of time. Any licensed dealer who proposes to conduct a sale on a temporary site must submit a complete application for a temporary site sale permit with the Board at least 60 days prior to the proposed starting date of the temporary site sale. A complete application will include the appropriate fee as listed on the application, a copy of the written notice(s) required by this rule to be given to each purchaser of a vehicle at the temporary site sales, written documentation demonstrating that the dealer has complied with any licensing requirements applicable in the local jurisdiction in which the temporary site sale will occur, and a copy of a written agreement with the owner of the real property where this sale will occur. A separate application and fee must be submitted for every temporary site sale. The approved permit shall be forwarded to the licensed dealer prior to the proposed starting date of the sale. The dealer shall be required to post the approved permit in a conspicuous place at the temporary site sale. A used motor vehicle dealer may not operate at a temporary site more than three times in any one calendar year. The temporary site must be located within one county of the county of the dealer's established place of business.

(a) For every sale conducted by a Georgia licensee, the licensee shall provide each consumer purchasing a used motor vehicle, at the sale, with the following information in writing:

1. the licensee's Georgia license number ;
2. the address and telephone number of each licensed location;
3. the name of the owner or contact person for the license;
4. the place where complaints can be communicated, if different from the licensed location(s);

(b) Any disciplinary action which may be taken for a violation of this rule shall be in addition to any penalty which may be imposed by the other state or federal agency.

Chris Chambers seconded the motion. Hoyt Ausburn, Jeff Wilkinson, Diana Waldrop, Doug Hooper, and Donny Riner carried the motion unanimously.

Adjournment:

There being no further business, the meeting adjourned at 12:40 PM.

Minutes were approved at the October 31, 2007 meeting.