

**Georgia State Board of Registration of
Used Motor Vehicle Parts Dealers
Board Meeting
August 2, 2012**

Sidney McLeod moved, Michael Rosser seconded, and the Board voted to approve the minutes of the April 5, 2012 meeting.

Sidney McLeod moved, Michael Rosser seconded, and the Board voted to ratify the following licenses issued since the April 5, 2012 meeting:

UP003194	Globex Auto Group LLC	Used Motor Vehicle Parts
UP003195	Mt. Airy Pawn Shop	Used Motor Vehicle Parts
UP003196	RP Motors Inc	Used Motor Vehicle Parts
UP003197	Kam's Auto Sales	Used Motor Vehicle Parts
UP003198	Wood Salvage Auto Parts LLC	Used Motor Vehicle Parts
UP003199	Ranger Truck Sales	Used Motor Vehicle Parts
UP003200	Auto Parts R US	Used Motor Vehicle Parts
UP003201	DV Auto Sales LLC	Used Motor Vehicle Parts
UP003202	Floods Auto Parts Inc	Used Motor Vehicle Parts
UP003203	Venture Vine LLC	Used Motor Vehicle Parts
UP003204	Dean Brown Used Cars	Used Motor Vehicle Parts
UP003205	JC & TB Enterprises Inc	Used Motor Vehicle Parts
UP003206	Mexico Auto Sales LLC	Used Motor Vehicle Parts
UP003207	Taylor Truck & Equipment Inc	Used Motor Vehicle Parts
UP003208	C. L. Transport, LLC	Used Motor Vehicle Parts
UP003209	Hulsey Auto Parts LLC	Used Motor Vehicle Parts
UP003210	IShop Auto	Used Motor Vehicle Parts
UP003211	Hizcom Auto	Used Motor Vehicle Parts
UP003212	MKQ Auto Sales	Used Motor Vehicle Parts

Other Business:

Proposed Rule Amendment:

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Doug Hooper presented the Board with a proposed amendment to Rule 681-16-.01 Schedule of Fines. The proposed amendment provides for a definition of an open title and makes various edits to clarify language in other sections.

After discussion of the proposed amendment, Michael Rosser moved, Bobby Holton seconded, and the Board voted unanimously to post the following rule amendment:

681-16-.01 Schedule of Fines

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.
- (e) 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;

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2. Assignment of or in possession of an open a certificate of title not properly assigned with the full legal name of the transferee, residence address, date of transfer, odometer reading and the printed name and signature of the transferee as prescribed by O.C.G.A. 40-3-33 Title 40: \$250 per violation;
3. Failure to display a properly completed buyer's 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 registered ~~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 registration and license plate tag for that vehicle within thirty (30) calendar days from the date of purchase: \$500 per violation;
6. Aiding and abetting ~~an unlicensed~~ any person in selling vehicles by allowing the ~~unlicensed~~ person to acquire or 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 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 and/or odometer statement from the individual or company from ~~which~~ whom the licensee acquired the vehicle: \$250 per violation. (Such information ~~must~~ shall be maintained in the records of the licensee.)

The next meeting of the Board will be held Thursday, October 4, 2012 at 10:00 a.m. at 237 Coliseum Drive, Macon, GA.

There being no further business, the meeting was adjourned at 10:55 a.m.