

AGENDA

April 24, 2017



AGENDA

**TENNESSEE MOTOR VEHICLE COMMISSION
NOTICE of COMMISSION MEETING
DAVY CROCKETT TOWER, Room 1-A
500 James Robertson Parkway
Nashville, Tennessee 37243**

Monday, April 24, 2017

Legal Review Committee - 8:30 A.M.

Legal Report: The legal report, presented to the Commission at each meeting, consists of summaries prepared by legal counsel of complaints which have been filed with TMVC. The summaries are prepared in an anonymous fashion, and allegations within each complaint are summarized as well as the content of responses given to complaints filed. The Commission discusses the matters to determine whether there is probable cause that a violation of the laws and/or the Commission's rules has taken place, and the Commission authorizes appropriate action. The matters to be presented include:

- 2016067461
- 2016067721
- 2016068091
- 2016068251
- 2016068252
- 2016068371
- 2016068451
- 2016068452
- 2016068453
- 2016068454
- 2016068571
- 2016068861
- 2016069361
- 2016069551
- 2016069981
- 2016070091
- 2016070151
- 2016070191
- 2016070481
- 2016070931
- 2016070951
- 2016071001
- 2016071111
- 2016072001
- 2016072051
- 2016072091
- 2016072221
- 2016072281
- 2016072282
- 2016072491
- 2016072511
- 2016072551
- 2016072591
- 2016072691
- 2016072841
- 2016073031
- 2016073211
- 2016073271
- 2016073411
- 2016073481
- 2016073501
- 2016074011
- 2016074081
- 2016074341
- 2016074381
- 2016074511
- 2016074741
- 2016075031
- 2016075081
- 2016075271
- 2016075541
- 2016076011
- 2016076121
- 2016076141
- 2016076161
- 2016076191
- 2016076221
- 2016076281
- 2016076471
- 2017000021
- 2017000041
- 2017000061
- 2017000331

- 2017000361
- 2017000381
- 2017000421
- 2017000441
- 2017000561
- 2017000631
- 2017000711
- 2017000731
- 2017000761
- 2017001421
- 2017001441
- 2017002271
- 2017002531
- 2017002651
- 2017002711
- 2017002731
- 2017002811
- 2017003161
- 2017003301
- 2017003321
- 2017003341
- 2017003371
- 2017003461
- 2017003501
- 2017003581
- 2017003651
- 2017003691
- 2017003771
- 2017003791
- 2017004301
- 2017004321
- 2017004381
- 2017004411
- 2017004431
- 2017004451
- 2017004471
- 2017004511
- 2017004631
- 2017004791
- 2017004861
- 2017004971
- 2017005021
- 2017005151
- 2017005221
- 2017005331
- 2017005411
- 2017005431
- 2017005451
- 2017005471
- 2017005591
- 2017005651
- 2017005701
- 2017005721
- 2017005741
- 2017005761
- 2017005781
- 2017005841
- 2017005921
- 2017005941
- 2017005961
- 2017005991
- 2017006121
- 2017006181
- 2017006251
- 2017006281
- 2017006841
- 2017006861
- 2017006881
- 2017006901
- 2017006921
- 2017007071
- 2017007151
- 2017007171
- 2017007541
- 2017007591
- 2017007901
- 2017007921
- 2017007941
- 2017007961
- 2017008001
- 2017008041
- 2017008091
- 2017008321
- 2017008481
- 2017008581
- 2017008921
- 2017008951
- 2017008971
- 2017008991
- 2017009011
- 2017009341
- 2017009901
- 2016072791
- 2016070581
- 2016068391
- 2017007191
- 2017007211
- 2017007271
- 2017007291
- 2017007311
- 2017007361
- 2017007391
- 2017007411
- 2017007431
- 2017007461
- 2017007481
- 2017007501
- 2017007521
- 2017007611
- 2017007651
- 2017007691
- 2017007711
- 2017007751
- 2017007791
- 2017012051
- 2017010121
- 2017009751
- 2017012201
- 2017011331
- 2017009791
- 2017001261
- 2017010291
- 2017009611
- 2015020302
- 2016015611
- 2016019571
- 2016015471
- 2016021451
- 2016015611
- 2016025091
- 2016027591
- 2016027591
- 20150215061
- 2016004471
- 2016007101
- 2016048331
- 20150226982
- 20150226983

- 2015011501
- 2013020111
- 2016045311
- 2016068741
- 2016064151
- 2016059381
- 2016052111

Please note that the cases listed include only those in preparation at the time of publication of the Agenda and that after publication and prior to presentation, cases may be supplemented, deleted or added.

New Business

Old Business

Adjourn

Please note that the order of items on the agenda is subject to change and that after publication and prior to, or during the meeting, items may be supplemented, deleted or added.

Commission meetings will be conducted by permitting participation of the Commission members by electronic or other means of communication if necessary. Any member participation by electronic means shall be audible to the public at the location specified above. The Department of Commerce and Insurance is committed to principles of equal access. If you need assistance with attending this meeting due to a disability please contact the Department's ADA Coordinator at (615) 741-0481.



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Monday April 24, 2017

Call To Order: 9:00 A.M. – Chairman, Eddie Roberts

- Roll Call – Paula J. Shaw, Executive Director
- Meeting Notice
- Adopt Agenda for Commission Meeting
- Approve minutes from January 23, 2017 Quarterly Commission Meeting
- Approve minutes from January 23, 2017 Rules Committee Meeting
- Approve minutes from March 29, 2017 Audit Committee Meeting

Salesperson/Dealer Appeals – Informal Appearances:

The following appeals consist of individuals and businesses desiring licensure with the Commission after being denied pursuant to T.C.A. § 55-17-114(a)(1)(C). These persons appear before the Commission to explain the facts and circumstances of their conviction leading to the discretionary denial of their application.

- Emmanuel Acosta, Southern Automotive Group, Inc., Pulaski, TN
- David Beaird, Frog Jump Auto Sales, LLC, Halls, TN
- Addison Wilson, Auto Masters Smyrna, Smyrna, TN
- Harold Stafford, Town and Country Ford, Madison, TN
- Luke Deatley, Hyundai of Cookeville, Cookeville, TN
- Tim Hatcher, Rick McGill's Airport Toyota, Alcoa, TN
- Tommie Marshall, AutoNation Honda 385, Memphis, TN
- Tommy McCarter, Rusty Wallace Cadillac, GMC, Kia, Morristown, TN
- Eric Sprang, Music City Motor Cars, Brentwood, TN
- BRW Auto Sales, Bobby R. Woodard, Gallatin, TN

Director's Report: - Paula J. Shaw, Executive Director

- Dealers Opened, or Relocated (Last Quarter)
- Active Licensees as of April 2017
- Motor Vehicle Show Permits
- Complaint Report- January - Present
- Annual Sales Reports-(Due Feb 15)
- Revenue Fees for NMVTIS
- Disciplinary Action Report
- CORE VR-VO
- Performance Metrics
- Available Transactions & Number of Users
- Annual Sales Reports Lists to County Clerk's Office

LEGAL REPORT- Matthew E. Reddish, Asst. General Counsel/Sara Page Asst. General Counsel

- Legal Case Report

LEGISLATIVE UPDATES

- HB19 – Motorcycle Bill – Still progressing through Committee
(Creates one time off-site sales event permit structure)

COMMITTEE REPORTS

- **RULES COMMITTEE**

- 66/33% Rule – Presentation of Revised Language
 - (Proposed Language for Approval)

- **AUDIT COMMITTEE**

- Audit Committee Report – Actuals and Net Position
 - (Recommendation of comparative study of utilizing Commission employed dedicated personnel for Investigative, Field Enforcement and Legal functions versus the current departmentally shared resources model for cost effectiveness.)

NEW BUSINESS

OLD BUSINESS

Recidivism Rates for Licensure Appeals

- **Percentage of licensees still working at the Dealership of Initial Application** **58.0%**
- **Percentage of licensees still active but Relocated** **14.8%**
- **Percentage of Expired Licenses** **11.3%**
- **Percentage of Suspended Licenses** **2.27%**
- **Percentage of Terminated Licenses** **12.5%**
- **Percentage Still Under Review** **1.13%**

ADJOURN

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