

Rules  
Committee  
Minutes  
April 20, 2015



TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE  
DIVISION OF REGULATORY BOARDS  
MOTOR VEHICLE COMMISSION  
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TENNESSEE  
MOTOR VEHICLE COMMISSION  
MINUTES

RULES COMMITTEE

**DATE:** April 20, 2015

**PLACE:** Davy Crockett Tower – Conference Room 1-A  
500 James Robertson Parkway  
Nashville, Tennessee

**PRESENT:** Rule Committee Members:  
Stan McNabb, Chair  
Farrar Schaeffer Vaughan  
Reed Trickett  
John Murrey

**ABSENT:**

**CALL TO ORDER:** Rules Committee Chairman Stan McNabb called the meeting to order at 12:15 p.m.

**PROPOSED RULE CHANGES**

General Counsel, Kim Cooper presented proposed language for a change in **Rule 0960-1-.21(3)** which currently states,

“The facility shall have a primary telephone number listed in the local directory under the name of the dealership. **Mobile and/or cellular telephones are not acceptable as the primary business telephone.** The primary phone number of the dealership shall be posted either on the door to the dealership, in a window of the dealership or on the dealership’s sign.”

**As proposed**, the rule presented by Ms. Cooper stated the following,

“The facility shall have a primary telephone number listed in the local directory under the name of the dealership. The primary phone number of the dealership shall be posted either on the door to the dealership, in a window of the dealership or on the dealership’s sign.”

**By a unanimous voice vote, the Committee approved the language of the rule and directed the proposed rule change be submitted before the full Commission at the next duly scheduled Commission meeting on July 13, 2015.**

General Counsel, Kim Cooper presented proposed language for a new rule **0960-1-.06** which states,

“(2) Where a manufacturer, distributor, manufacturer or distributor branch or manufacturer or distributor representative has issued the notice of termination or non-renewal as provided above, or has taken such action without issuing notice, the affected dealer shall have the right to file a protest with the Tennessee Motor Vehicle Commission within the 60 day period following receipt of the notice of termination or non-renewal. Upon filing of such protest the Tennessee Motor Vehicle Commission shall convene a contested case hearing for the purpose of determining whether the action of the manufacturer or distributor is (a) unfair; (b) without due regard to the equities, or (c) without just provocation as provided in T.C.A. 55-17-114(c)(3)

(3) Renumber existing subsection (2) as subsection (3)

Attorneys Bob Weaver and James Cameron spoke in support of the proposed rule change.

**By a unanimous voice vote, the Committee approved the language of the rule and directed the proposed rule change be submitted before the full Commission at the next duly scheduled Commission meeting on July 13, 2015.**

The Committee directed General Counsel, Kim Cooper, to draft a new rule requiring written disclosure to a purchaser regarding the status of a vehicle and whether it is salvaged/rebuilt. The Committee suggested the proposed rule would be heard by the Rules Committee on a date to be determined, possibly telephonically.

**Meeting Adjourned**

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**Eddie Roberts, Chairman**