

MINUTES OF A MEETING  
OF THE  
OKLAHOMA NEW MOTOR VEHICLE COMMISSION

*In conformity with the Oklahoma Open Meeting Act, advance notice of this regular meeting was transmitted to the Oklahoma Secretary of State on October 4<sup>th</sup>, 2024. Public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Northwest Office Center, 4334 NW Expressway, Oklahoma City, on October 15, 2024 prior to 10am, and, announcement of the Board meeting and agenda were posted on the ONMVC website [www.omvc.ok.gov](http://www.omvc.ok.gov) on October 15<sup>th</sup>, 2024 prior to 10am.*

The Oklahoma New Motor Vehicle Commission met in a Regular Meeting at 10:00 am, on October 16, 2024. Chair Curtis Hayes called the meeting to order. A roll call was held; members present were Eric Stuteville, Jared Glover, Cassie McGlothlin, Jim Norton, Jeff Johnson, Jackie McClintock, and Curtis Hayes. Commissioner Seth Wadley was absent.

The Chair announced that there were enough members present to constitute a quorum. Also present were Brad Bailey, Executive Director, Marilyn Maxwell, Deputy Executive Director, Sandra Balzer and Tonya Pogue of the Oklahoma Auto Dealers Association.

Each Commission Member had received copies of the **Minutes** of the September 10<sup>th</sup>, 2024 Commission Meeting. Eric Stuteville made a motion, seconded by Jeromey Clayton, to accept the Minutes as submitted. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – abstain	Jeff Johnson – aye	Jackie McClintock – aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed.

**Review and Action on Claims and Financial Statements for September 2024**

The **Claims** and **Financial Statements** for the month of September 2024 were presented by the Deputy Executive Director. A motion to approve both the payment claims and financial reports as submitted by the Deputy Executive Director was made by Jim Norton, seconded by Cassie McGlothlin. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Jeff Johnson – aye	Jackie McClintock – aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed unanimously.

**Review and Action on New Spot Delivery Agreement Criteria and Sample Form – O.S. 47 Section 563 (F) – Effective November 1, 2024**

The Director presented sample amended criteria and a sample Spot Delivery Agreement form. The new form addressed the Commission’s name change which became effective in November 2023 and the inclusion of leases. The form and criteria also included changes and additional information

recommended by the Commission at the September 2024 Commission meeting. A motion to approve the updated Spot Delivery form and criteria as submitted by the Director and to make any necessary proposed language changes in statute with regard to powersport vehicles and leasing was made by Curtis Hayes, seconded by Jim Norton. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Jeff Johnson – aye	Jackie McClintock –aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed unanimously.

### **Discussion and Possible Action for an agency policy regarding a proposed Advertising Fine Scale**

The Executive Director presented a proposed Advertising Fine Scale based upon discussion from past meetings and on input from Advertising Committee members regarding penalty tiers, meaningful impact and flexibility. After extensive discussion, a motion was made by Jared Glover to adopt an Advertising Fine Scale as a policy as follows: Strike One - an agreed settlement from \$1,000 to \$5,000 that can be applied on a one-time or per occurrence basis. Strike Two - an agreed settlement from \$5,000 to \$10,000 that can be applied on a one-time or per occurrence basis. Strike Three - an automatic hearing before the Commission. The Strike system would be enforced with a three-year reset period. If there are no further violations for three years by a given dealer then the Penalty Scale will be reset to zero. The Fine Scale will become effective November 1<sup>st</sup>, 2024. The Motion was seconded by Jeff Johnson. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – nay	Jeff Johnson – aye	Jackie McClintock –aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed.

A friendly amendment Motion was made by Curtis Hayes, seconded by Jeromey Clayton, to the previous Motion to change the term “can” in the Advertising Fine Scale description to the term “may”. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – nay	Jeff Johnson – aye	Jackie McClintock –aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed.

### **Discussion and action for opening the official rulemaking record for permanent rules regarding implementation of the new temporary license plate requirements**

The Director requested that the Board open the official rulemaking record for permanent rules regarding implementation of the new temporary license plate requirements. The Director explained that opening the record for permanent rules is the required next step for moving from emergency

rules to permanent rules. A motion to open the official rulemaking record for permanent rules regarding implementation of the new temporary license plate requirements was made by Eric Stuteville, seconded by Cassie McGlothlin. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Jeff Johnson – aye	Jackie McClintock – aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed unanimously.

### **Initial License Applications:**

The Deputy Executive Director presented an update of applications completed since the last meeting along with applications still pending. The following License Applications were then presented for consideration and action:

#### **MANUFACTURERS:**

- a. Arctic Cat Inc. – Thief River Falls, MN  
New Manufacturer for Arctic Cat and Tracker Off Road Powersports.  
Director recommended approval.
- b. Arctic Cat Sales Inc. – Thief River Falls, MN  
New Distributor for Arctic Cat and Tracker Off Road Powersports.  
Director recommended approval.

#### **DEALERS:**

- c. Amped Electric Vehicles LLC – Oklahoma City, OK  
New Dealer for Greyson LSVs  
Director recommended approval pending receipt of dealer agreement.
- d. Barry Sanders CDJR – Chickasha, OK  
Change of Majority Ownership  
Director recommended approval pending receipt of dealer agreement.
- e. Bob Hurley RV OKC – Oklahoma City, OK  
Addition of DRV Suites RV Towables.  
Director recommended approval.
- f. Grubbs Nissan of Tulsa – Tulsa, OK  
Purchase of Existing Dealership – Nissan of Tulsa.  
Director recommended approval pending receipt of Dealer Agreement
- g. Hive Powersports – Talequah, OK  
New Dealer Point for Vitacci Powersports.  
Director recommended approval.

- h. Mack’s Motorsports, LLC – Guymon, OK  
Addition of CF Moto Powersports.  
Director recommended approval.
- i. Matt’s ATV and Offroad – Tulsa, OK  
Addition of Segway and Denago Powersports.  
Director recommended approval.
- j. Maxey’s Motorsports – Oklahoma City, OK  
Addition of Segway Powersports.  
Director recommended approval pending receipt of Dealer Agreement.
- k. McClain’s RV Superstore – Oklahoma City, OK  
Addition of Midas & Allegro Bay Class C Motor Homes and  
Byway Class A Motor Homes.  
Director recommended approval.
- l. Optimum RV Oklahoma City – Moore, OK  
Purchase of Existing Dealership – Oklahoma RV Center  
Director recommended approval pending receipt of Dealer Agreements.

A motion was made by Eric Stuteville, seconded by Cassie McGlothlin to approve application “d”, subject to the Director's recommendation and receipt of a corrected balance sheet. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Jeff Johnson – aye	Jackie McClintock –aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed unanimously.

A motion was made by Cassie McGlothlin seconded by Jared Glover to approve applications “a-c” and “e-1”, subject to the Director's recommendations. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Jeff Johnson – aye	Jackie McClintock –aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed unanimously.

Commissioner Jim Norton asked to be recognized and to state for the record that he had voted “nay” on the earlier Motion for an agency policy regarding a proposed Advertising Fine Scale for reasons having to do with the November 1<sup>st</sup>, 2024 effective date and not the Scale itself. The Chair directed that Commissioner Norton’s statement be added to the meeting’s official minutes.

## Director's Report

The Executive Director informed the Commissioners that there were three new complaints since the last meeting with all three closed or resolved to the satisfaction of the consumers. There was one carryover complaint that was resolved since the last meeting and one telephone complaint that had been received since the last meeting.

The Executive Director provided an update on Commission-related temporary license plate activities since the September meeting, including the types of complaints and situations that the Commission has been made aware of with regard to dealer pre-registration information submission and interaction with potential future temporary license plate vendors.

The Executive Director provided an update on the agency expansion plan and the efforts toward obtaining a new lease for the larger net usable square footage the agency is soon to develop. The Director shared that the next steps to move forward with the furniture, networking and technology to support the remaining two unfilled staff positions.

The Director shared a short list of legislative priorities that the Commission will be pursuing in terms of proposed new language to address inefficient or outdated parts of the ONMVC statutes.

The Director shared a recap of the topics and discussions from the NAMVBC Conference attended by both he and the Deputy Executive Director.

Lastly, the Director announced the departure of Commissioner Eric Stuteville from the Board, effective immediately, to begin serving on Transportation Commission for the Department of Transportation for Oklahoma's Southeast Region. The Director recognized Commissioner Stuteville for 14 years of dedicated service to the ONMVC, having shared valuable experience, advice and friendship along the way with the staff and Board members. The Director spoke for all in that Commissioner Stuteville will be missed very much.

The Chair revisited a **New Business** item from the September meeting regarding a law review for manufacturer and dealer ownership. The Director requested that staff and legal counsel meet with the Chair to discuss the issue sometime prior to the November meeting. The Chair also requested information regarding a past dealer advertising fine. The Director shared that his particular fine was being reevaluated for possible future Board action.

Seeing no further New Business, the meeting was adjourned.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_