

NATIONAL ASSOCIATION OF MOTOR VEHICLE
BOARDS & COMMISSIONS

**Winter Workshop February 12-13, 2006
Orlando, Florida**

MINUTES

February 12, 2006

CALL TO ORDER AND WELCOME ATTENDEES

Bruce Gould, President of NAMVBC and Executive Director of the Virginia Motor Vehicle Board, opened the meeting and welcomed the attendees to the 2006 Winter Workshop.

ROLL CALL

The President asked for a Roll Call of members and recognition of other attendees. The Secretary called the roll, and it was determined that a quorum was present. A list of those present, and their membership status, is attached to these minutes.

PRESENTATION

Dr. George Hoffer, Economics Professor, Virginia Commonwealth University

Dr. Hoffer presented an overview of the American Automobile Industry, specifically the present status and future prospects for the domestic-based manufacturers. He has done extensive research into the economics of the decline of the legacy auto manufactures versus their foreign based counterparts. Some of the topics covered in his presentation included: Where is the American Auto Industry now?; How did the "Big 2" get in their present situation?; and, Where do the domestics go from here? He also discussed his data research into whether private sector and/or government crash testing of vehicles was a valid predictor of passenger safety.

TREASURER'S REPORT

Bill Brennan, NAMVBC Treasurer, presented the Financial Report as of February 1, 2006. Motion made by Bill Jackson, seconded by Dave Garnett to approve the report as submitted. Motion carried.

2006 FALL WORKSHOP

Kent Jorgensen and Kip Ingersoll, Director and Assistant Director of the Utah Motor Vehicle Enforcement Division gave of presentation of Park City, Utah, the proposed site for the September 2006 NAMVBC Fall Workshop. The group unanimously approved Park City Utah as the site, and proposed that the meetings be held around the weekend of September 15-17.

ROUNDTABLE DISCUSSION REGARDING LICENSING AND REGULATION ISSUES

Kent Jorgensen, Director of the Utah Motor Vehicle Enforcement Division, reported that the enforcement division had lost an FTE as a result of an unintended consequence of legislation. The Utah legislature lengthened from 30 days to 45 days temporary tag permits, and changed penalty fees associated with them. He also brought up the ongoing problems with Chinese motorcycles and unlicensed dealers. Finally, there has been a rash of thefts of high dollar vehicles from dealers by thieves posing as wealthy customers with fake identification.

Bill Brennan, Executive Director of the California New Motor Vehicle Board, reported that the CA DMV is having issues with its legacy computer systems and with retiring personnel. The DMV has been without a Director for 5 months. Bill's office has been experiencing a spike in dealer protests of terminations, new points, and relocations.

Brett Richardson, of the National RV Dealers Association, reported that several states have recently formed RV dealer organizations; part of the impetus for these has been the concern about out-of-state dealers selling at rallies within their state's borders. He also spoke about the ongoing discussions in several states about whether towables should be regulated similarly to motorized RVs.

Charles Pearce, of Credit Acceptance Corporation, discussed the increasing use of devices by note-lots which disable a vehicle remotely if payment is not made on time. Other issues he brought were dealer and finance company's efforts to comply with information security laws and other federally mandated reporting.

David Brunke, from the Texas Motor Vehicle Division, reported that there is no longer a Board for deciding issues. The Executive Director, Brett Bray, now has the final authority in deciding all cases. Also, Texas is in the testing stage of a major computer upgrade, with the goal that most everything will be paperless.

Lessie House, Executive Director of the Louisiana Motor Vehicle Commission, spoke about the aftermath of Hurricane Katrina, and how it affected the LMVC. They were able to move back to their offices in Metairie on December 28th. During the interim between the hurricane and December, Ginger Gunter was in charge of getting the offices repaired, while Lessie operated the LMVC from temporary offices in Lafayette.

Dan Devoe, from Washington State Dealer Licensing, spoke about document retention issues, specifically image vs originals. He also asked for discussion regarding use of state-owned vehicles vs reimbursement of mileage for personal vehicles.

Bruce Gould, Executive Director of the Virginia Dealer Board, reported that VA now requires education training for new independent dealer applicants; in addition, some violating dealers may be required to take it. There is proposed legislation which would change the definition of a salesperson to include F&I personnel, and would raise dealer bonds.

February 13, 2006

CALL TO ORDER AND WELCOME ATTENDEES

Bruce Gould, President of NAMVBC and Executive Director of the Virginia Motor Vehicle Board, opened the meeting and welcomed members and guests to the 2006 Annual Breakfast Meeting. He recognized and thanked Mannheim Auto Auctions for sponsoring the breakfast.

GUEST SPEAKER

***Mr. Eric Chase**, Partner in the Law Firm of Bressler, Amery, and Ross. Mr. Chase is a nationally recognized authority in the area of automotive franchise law. He has represented hundreds of automobile dealers throughout the United States. Several of his cases have set national precedents. He is also authored numerous articles which have appeared in leading automotive publications.*

Mr. Chase spoke to the group about the following issues:

- The frustration with the lack of uniformity among States regarding automotive franchise laws. He urged those present to work towards “model” laws which could help make things more consistent for both dealers and manufacturers.
- Trends toward Alternative Dispute Resolution (ADR)
- Troubles at GM and Ford
- Termination rights of dealers
- Consumerism and the growth of class action lawsuits
- His list of “2006’s Top Legal Trends for Automobile Dealers”

ANNOUNCEMENT

The 2006 Fall Workshop will be held in mid-September in Park City, Utah.

ADJOURNMENT

The meeting was adjourned at approximately 10:00 am.

Respectfully Submitted,

Roy Dockum, Secretary

ATTENDEES - NAMVBC CONFERENCE - ORLANDO, FL - FEBRUARY 12-13, 2006

NAME	ORGANIZATION	FULL MEMBER	ASSOC. MEMBER	E-Mail Address
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McKelvey, Steve	Nelson, Mullins, et al.			