



**October 24, 2024
9:00 AM to Noon
Hybrid Meeting**

Oregon Dealer Advisory Committee *DRAFT Meeting Minutes*

Chair: Mike Wagner

Members Present:			<i>DMV Representatives Present:</i>
Mike	Wagner	Tow Company Representative	<i>Linda Beuckens- Program Services Manager</i>
Dale	Geiger	General Public Representative	<i>Judith Ingram Moore - Business Regulation and Oregon Dealer Services Manager</i>
Lori	Gill	Auction Representative	<i>Larry Purdy – Chief of Investigations</i>
Gary	Sargent	Power Sports Representative	<i>Danny Lopez - Oregon Dealer Services Unit Manager</i>
Kelly	Martin	At Large Representative	<i>John Corbin – Dealer Investigator</i>
Eric	Winston	New Dealer Representative	<i>Chuck Hoffman – Business Licensing Unit Program Specialist</i>
Peter	Van Houten	Dismantler Representative	
Susan	Thayer	Office Management Representative	
Scott	Short	Independent Dealer Representative	

Members Absent:					
Isabel	Cordova	General Public Representative	Matthew	Casebeer	New Dealer Representative
Jeff	Helget	Dismantler Representative			
Bryan	Steward	Independent Dealer Representative			
Lisa	Larkin	RV Representative			

Industry Association Representatives and Other Guests Present

<i>Greg</i>	<i>Remensperger</i>	<i>OADA</i>
<i>Torey</i>	<i>McCullough</i>	<i>Oregon Tow Board</i>
<i>Darrell</i>	<i>Fuller</i>	<i>OVDA, ORVDA, OPSA, AAO, NATA</i>
<i>Terry</i>	<i>Medina</i>	<i>VITU</i>

Call to Order /Roll Call

Mike Wagner

Mike Wagner called the meeting to order. Roll was called with 8 of 14 members present for a quorum. Two new ODAC members were introduced, Eric Winston and Matthew Casebeer, and Matthew was not able to attend.

Peter Van Houten motioned to approve the minutes and Gary Sargeant seconded the motion. Meeting minutes approved unanimously.

Update of ODAC Guidelines**Judith Ingram Moore**

At the July 2024 ODAC meeting, Mike Wagner requested clarification in the Code of Conduct section of the Guidelines as to what “proper political involvement” meant. Judith stated it pertained to ODAC members’ conduct outside of ODAC meetings, when expressing political views or opinions not on behalf of ODAC. Judith suggested ODAC clarify the statement or rephrase it.

Mike suggested “Make no promises or statements on behalf of ODAC in unofficial settings”.

Gary Sargeant motioned for ODAC to approve the suggestion, and Eric Winston seconded. It passed with no opposition.

Business Regulation & Oregon Dealer Services Section**Larry Purdy/ Danny Lopez**

Larry Purdy provided summary of a case which started in 2021 when DMV Investigations imposed a civil penalty and suspension on MAC RV Sales for multiple violations including not paying consignors on time and not submitting paperwork to DMV. In a follow-up compliance check, Investigations found that the dealer had not improved their business practices, so another civil penalty was imposed along with the permanent revocation of their dealer certificate.

The McMinnville Police Department investigated MAC RV Sales which resulted in a criminal trial where Dealer Investigator John Corbin testified. The owner was found guilty of 29 felony charges and ordered to pay \$700,000 in restitution to consignors, in addition to a 20-year prison sentence. John and Investigations Program Specialist Dina Delarosa were commended by the Yamhill County District Attorney’s Office and McMinnville PD for their work on the case.

Larry provided a summary of a case involving Pristine Auto Remarketing. An investigator went to conduct an inspection in late 2023 and was refused access to the records. DMV Dealer Investigations proposed a \$12,000 civil penalty and 3-year suspension. The civil penalty and suspension were upheld by an administrative law judge following a contested case hearing.

During the time between the hearing and the judge’s order, DMV received additional complaints against Pristine Auto Remarketing and a second civil penalty case was initiated

with a proposed permanent revocation of the dealer certificate. The proposed civil penalty and revocation were also upheld after a second contested case hearing.

Larry summarized a case against Kamper Korner, which was issued a 3-year suspension of their dealer certificate due to late payoffs to consignors and late title transaction submissions, among other things. One of the owners was also an owner of Wagers Trailer Sales, and they were co-mingling funds between the two dealerships.

Wagers Trailer Sales was put into receivership by Lane County Circuit Court, which limited the actions DMV could take against the dealership. Wagers Trailer Sales agreed to surrender the dealer certificate, and to a 3-year suspension of the principals' rights to apply for a new dealer certificate. Larry hoped to recoup DMV fees from both dealerships, if anything was left after all the consumer complaints are taken care of. [The original owners of Wagers, Bill and Susie, are not associated with the current ownership.]

Larry added that Central Oregon Motors is experiencing similar problems of not paying off consignors, and not creating written consignment agreements. This dealership surrendered their dealer certificate and are cooperating with Dealer Investigations. DMV is working to secure ownership interest in the vehicle sold by the dealer.

Lastly, Larry mentioned that an unlicensed dealer set up a dealership in Milwaukie on 82nd Avenue by subleasing property from a certified Oregon dealer. Investigations received a complaint from a customer who purchased a pickup truck from the unlicensed dealer that turned out to be stolen.

Mike asked if other jurisdictions process consignments the way Oregon does. Larry said he believes some do not allow dealers to sell vehicles on consignment at all.

Darrell said he would like ODAC to discuss the possibility of increasing the amount required for dealer surety bonds.

Danny Lopez provided an Oregon Dealer Services (ODS) update. ODS is working with the Commerce and Compliance Division (CCD) to develop a new process for customers in need of tow certificates, which would enable towers to register their tow vehicles through CCD.

Danny stated ODS continues to fine tune external dealer training for title clerks on how to process and submit DMV paperwork.

Danny recently filled positions at the Beaverton and Springfield Dealer Services Centers. He anticipates both offices will be open to dealers by mid-January 2025.

ODS updated the Missing Requirement letters (MRL) and they now include relevant references to the DMV Title & Registration handbook for missing transaction requirements.

Danny added that ODS continues to work on a system enhancement to allow dealers to log into their DMV2U account to pay missing fees for vehicle transactions. He also noted that he doesn't have a way in the system to automatically track and show dealers how they might be miscalculating fees. ODS must manually track dealer fee errors, which commonly occur following a fee change.

Gary Sargent said they submitted multiple transactions with a single check. DMV cashed the check but sent everything back because one of the documents in a transaction was missing a date. He suggested DMV could have just called and asked for the date. He said DMV asked for another check when the transactions were re-submitted. Danny said he would research the issue.

Chuck reviewed the Business Licensing statistics, which showed an increase from the previous year in applications processed for the quarter. The biggest change was a drop in transporters from 107 in 2023, to 73 in 2024.

OREGO – Point of Sale

Scott Boardman

Scott Boardman reviewed OReGO's point-of-sale enrollment program. Purchasers of vehicles rated at 20 MPG or better can enroll in the program at the time of purchase. Drivers of vehicles with 40 MPG and better, or EV's, can have supplemental registration fees waived by enrolling in the program.

OReGO's consultant conducted an online survey with dealers to gauge their understanding of the program and what kind of tools and training they need to inform customers of the options available to them. The consultant also conducted in-depth interviews with dealers. Scott said they received positive feedback from those dealers who participated in the survey. They are working closely with the consultant to create materials for a pilot program, such as marketing materials, pamphlets for customers, trainings for the dealers. They are also working with VITU to streamline the EVR program, so it is easier for dealers to indicate when customers have enrolled in the program.

Scott will provide another update at the next ODAC meeting.

State Board of Towing

Torey McCullough

Torey McCullough provided updates on the State Board of Towing which was created by the 2021 Oregon Legislature.

The Board will soon begin use of a case management system, which will allow the board to fully investigate tow company violations.

The Board officially adopted administrative rules to establish how they operate, and are now reviewing complaints. The Board is reviewing current tow laws and determining what they mean. They have determined that about 90% of tows reported to them have been conducted

incorrectly. Private property tows will be a priority for the board. A tower must have authorization from the property owner before they tow a vehicle from private property.

Torey also mentioned that a person must have a tow certificate to tow for compensation. Apparently, many towers do not possess a tow certificate, and it is a class A misdemeanor to tow without one.

She hopes to educate towers on the laws and bring them into compliance.

Dale Geiger said there was a form towers use to justify illegal tows. Torey said the law was very clear, and that they still need a signed authorization from the property owner to perform private property tows.

Torey also said towers cannot monitor parking lots for the purposes of towing vehicles.

Finally, she said the State Board of Towing still needs a Sheriff or Police Chief as a member and appealed to ODAC for any leads.

Announcements/Roundtable

ODAC

Mike announced that it was Dale Geiger's last meeting. Dale said he started working with dealers in 1996 and was finally retiring. Once he is gone, there will be no investigators in DOJ's Consumer Protection Unit.

Gary said the DMV website is not user friendly for the average consumer. He gave the example of how much it costs to register a trailer that is over the 1800-pound limit. Linda Beuckens agreed that identifying appropriate fees remains a challenge for customers and DMV needs to find ways to make it easier.

Danny was able to navigate to the appropriate section of the website to show Gary where to find the fees and added that Oregon Dealer Services created a fee reference guide that he can make available to dealers.

Greg Remensperger said Oregon was ahead of other states in trying to figure out revenue streams, as cars become more fuel efficient and more electric vehicles are on the road, resulting in reduced revenue from gasoline taxes. He said the easiest would be to tax people on the number of miles driven. They could garner the statistics from the vehicle's metrics.

Danny also said the blue slip forms have been changed to white paper to save costs.

Meeting adjourned 11:40am