

**MOTOR VEHICLE DEALER BOARD  
MINUTES  
December 19, 2017**

The regular meeting of the Dealer Board was held at the Department of Revenue offices, Lakewood, Colorado. The following persons were present:

**BOARD MEMBERS:** Ramona Graves Bode  
Lucky Heggs  
Michael Jorgensen  
Chris Langley  
John Linton  
Stan Martin  
Steven Perkins  
Jason White

**MEMBERS ABSENT:**

**EXECUTIVE SECRETARY:** Bruce Zulauf

**LEGAL ASSISTANT:**

**DEPT OF REVENUE,  
AID, ENFORCEMENT  
DIVISION STAFF:** Chris Rouze  
Chris Hartman  
Gloria Breedon  
John Opeka  
Frank Agos  
Josh Dexter  
Cheryl Morrison  
Erica Garcia  
Eric Teklu  
Rob Urbach  
Jim Osborn  
Mike Harlost  
Brenda Fredricey  
Helen Hayden  
Catherine Black  
Brandi Cane  
Arleen Criddell Tapanen

**ATTORNEY GENERAL'S OFFICE:** Brad Jones

**VISITORS:** Cole Gilmore, Sill-Terhar  
Art Erwin, Christopher's Dodge World  
Todd O'Connell, CIADA  
Matthew Groves, CADA  
Husam Alburg

President, Stan Martin, opened the meeting of December 19, 2017 at 9:02 a.m. Mr. Martin turned the floor over to Executive Secretary, Bruce Zulauf.

## **AGENDA REVIEW AND ANNOUNCEMENTS**

Mr. Zulauf informed the Board there were no changes to the agenda as posted. Mr. Zulauf introduced new board member, John Linton, who has filled the public member vacancy. The Governor has appointed Carrie Ann Baumgart of Markley Motors, Inc. as the replacement for the new motor vehicle dealer vacancy.

Mr. Zulauf informed the Board of the regularly scheduled meeting and alternate meeting dates for 2018. Mr. Zulauf introduced the following new Division staff:

Brandi Cane – Licensing  
Catherine Black – Licensing  
Helen Hayden – Investigations  
Rob Urbach – Investigations  
Jim Osborn – Investigations

## **MINUTES**

The minutes of the November 21, 2017 meeting were approved unanimously.

## **BACKGROUND INVESTIGATIONS TEAM**

Ms. Breeden presented the following to the Board:

### **Dealer Applications:**

- **Erik's Auto Broker #43384** – Motion to grant the change of class to used motor vehicle dealer – approved unanimously.
- **Icar Automotive #44030** – Motion to table for 30 days – approved 6-1 (Perkins opposed).

### **Salesperson Applications:**

- **Gilmore, Cole Matthew #184595** – Motion to grant the license – approved unanimously.
- **Goree, Justin Kyle #622901** – Motion to grant the license – approved unanimously.
- **Peck, William Alan #621940** – Motion to deny the license based on unfitness of criminal character and having been convicted of a misdemeanor under title 18 or any felony – approved unanimously.

## EXECUTIVE SECRETARY'S REPORT

Mr. Zulauf presented the following to the Board:

- **Proposed Stipulation and Final Agency Order – Carhop #41405** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – AutoNation Hyundai 104 #7280** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – AutoNation Honda 104 #7281** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – AutoNation Alfa Romeo and Fiat North Denver #42879** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – 303 Car Company, LLC #42416** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Michael Auto Sales #42648** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – The Hertz Corporation #41491** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.
- **Proposed Stipulation and Final Agency Order – Tams #1 Auto Recycling & Repair, Inc. #36317** – Motion to accept the Proposed Stipulation and Final Agency Order – approved unanimously.

## INVESTIGATIONS REPORT

Ms. Rouze presented the following to the Board:

**Statistical Reporting** – Ms. Rouze informed the Board that we started with 260 cases, 173 new cases were opened and 177 cases were closed for the month, giving the Division a balance of 256 open cases. There were 406 background inquiries performed.

### **Affidavits of Probable Cause:**

- **Erico Motorsports, DL #7895** – Motion that the Board finds probable cause based upon the Affidavit of Probable Cause presented to the Board today respective to Erico Motorsports, Dealer #7895; and that the case be assigned to the Office of Administrative Courts for a hearing on the merits and that the Executive Secretary be permitted to engage in settlement negotiations pursuant to C.R.S. 12-6-104 – approved unanimously.

**BOARD DISCUSSION – *Proposed 2018 Rulemaking Agenda***

Mr. Zulauf passed out a draft of the 2018 Motor Vehicle Regulatory Agenda that was prepared by the Division per DOR policy. There are twenty (20) proposed rules to be reviewed on the draft agenda, divided into four (4) groups. A final version will be posted to the website in the near future. The first stakeholder meetings may begin in February with group #1.

The Associations will address the Board at the January or February board meeting about re-opening a rule which was promulgated eighteen months ago by the Board.

**New Business** – None

**Public Comment** – None

The meeting of the Motor Vehicle Dealer Board was adjourned at 10:20 a.m.

*(Note: The Minutes of the Motor Vehicle Dealer Board summarize the contents of the meeting. They are not verbatim transcripts and are based principally upon the digital recording of the meeting and upon the later collaboration of staff attendees to ensure that the summary faithfully captures the matters before the Board and the actions the Board took. The digital recording of the meeting is a permanent record of the Board, retained in the electronic filing system of the Auto Industry Division, and is available as a resource for review, as needed.)*

Bruce Zulauf  
Executive Secretary