

**AGENDA  
BOARD MEETING  
TEXAS DEPARTMENT OF MOTOR VEHICLES  
200 EAST RIVERSIDE, BUILDING 150, ROOM 1.B1  
AUSTIN, TEXAS 78704  
THURSDAY, DECEMBER 8, 2011  
9:00 A.M.**

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Texas Department of Motor Vehicles. Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Board. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

**1. CALL TO ORDER**

- A. Roll Call and Establishment of Quorum
- B. Public Comment
- C. Special Recognition of Outgoing Board Member Cliff Butler

**2. CONSENT AGENDA - Bill Harbeson (see attached itemized list A)**

- A. Consideration of Enforcement Agreed Orders under Occupations Code, Chapter 2301
- B. Consideration of Enforcement Notice of Violation Citation Agreed Orders under Occupations Code, Chapter 2301
- C. Consideration of Enforcement Dismissal Orders under Occupations Code, Chapter 2301
- D. Consideration of Settlement and Dismissal Orders under Occupations Code, §2301.204 (Warranty Performance Complaints)
- E. Consideration of Franchise Case Dismissal Orders under Occupations Code, Chapter 2301

**3. RESOLUTIONS for INDIVIDUAL CONSIDERATION - RULES AND CONTESTED CASES**

- A. **Docket No. 09-0034 LIC - Star Houston, Inc. d/b/a Star Motor Cars v. Mercedes-Benz USA LLC; Star Motor Cars' Interim Appeal of SOAH ALJ's rulings on Motions to Abate and to Consolidate**  
**Docket No. 11-0003 LIC - Star Houston, Inc. d/b/a Star Motor Cars, Protestant, v. Mercedes-Benz USA, LLC, Respondent**
- B. **Adoption of Rules under Title 43, Texas Administrative Code Chapter 208, Employment Practices - Dawn Heikkila Subchapter C. Employee Training and Education**  
§208.42, Definitions  
§208.43, General Standards  
§208.44, Particular Programs
- C. **Consideration of Enforcement Motions for Disposition Based on Default under Occupations Code Chapter 2301 - Bill Harbeson**

(see attached itemized list B)

**4. BRIEFINGS and ACTION ITEMS**

**A. Consideration of Formal Opinion Request from TADA concerning factory website marketing program incentive payments - Molly Cost**

**B. Election of Vice Chair - Victor Vandergriff**

**C. Approval for Specialty Plate Designs - Randy Elliston**

1. Calvary Hill
2. Keller High School
3. University of Louisiana
4. Michigan State University
5. University of South Carolina

**D. Advisory Committee Updates**

- Oversize/Overweight Advisory Committee Report - Johnny Walker and Aline Aucoin
- Appointment of Motor Vehicle Special Advisory Committee on Licensing Process - Blake Ingram

**E. Legislative Implementation Progress Report - Jeremiah Kuntz**

**F. Consideration and Possible Approval of the Internal Audit Charter - Bill Lawler**

**5. BRIEFINGS, DISCUSSION and POSSIBLE ACTION**

**ADMINISTRATIVE UPDATES**

**A. Chair Reports - Victor Vandergriff**

Report on TxDMV-related activities involving the Chairman or identified by him as noteworthy, which may include activities involving:

- executive search services RFP
- business process analysis
- organizational assessment update and Board workshop
- stakeholders
- advisory committees
- industry
- media
- Governor's office
- legislative
- intergovernmental relations
- strategic planning
- budget
- audit

**B. Interim Executive Director Reports (Including other designated staff)**

Report on TxDMV-related activities identified as noteworthy, which may include reports on:

- FY 2011 annual financial report - Linda Flores

- monthly financial statement - Linda Flores
- TxDMV Automated System Project Update - Dawn Heikkila and Gary Gordier

**6. EXECUTIVE SESSION**

**A. Section 551.071** - Consultation with and advice from legal counsel regarding:

- a. pending or contemplated litigation, a settlement offer; or
- b. any item on this agenda.

**B. Section 551.074** - Personnel matters.

Discussion relating to the appointment, employment, evaluation, reassignment, and duties of the Internal Auditor, possible Interim Executive Director, and Executive Director.

**7. ACTION ITEMS FROM EXECUTIVE SESSION**

**8. ADJOURNMENT**

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Texas Government Code Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

Agenda items may be presented by the named presenters or other TxDMV staff.

Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than 2 days in advance, so that appropriate arrangements can be made. Contact Gail Anderson by telephone at (512) 467-3853.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

**CERTIFYING OFFICIAL: Brett Bray, General Counsel, (512) 467-3853**

**Board of the Texas Department of Motor Vehicles  
Attached List A  
December 8, 2011  
Agenda Items 2. A. - E.  
Consent Orders**

**2. CONSENT AGENDA**

**A. Consideration of Enforcement Agreed Orders under Occupations Code,  
Chapter 2301**

- 1. 10-1561 ENF - Miriam Varela, DBA Miriam's Auto Sales**  
Sold or offered to sell motor vehicles on consecutive Saturday and Sunday: Transp Code 728.002  
\$200.00
- 2. 10-1577 ENF - Autos EC Inc., DBA Autos El Chavo**  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$500.00
- 3. 10-1612 ENF - Fenton Motors of Dallas Inc., DBA Absolute Hyundai of Mesquite**  
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)  
Acted as, or offered to act as, or claimed to be a broker of used motor vehicles: Occ Code 2301.006  
Defrauded purchaser: Occ Code 2301.651(a)(6) – 2 counts  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$1,000.00
- 4. 10-1632 ENF - Elva M. Cruz, DBA Cars by Cruz**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$500.00 and attend a Dealer Training Seminar.
- 5. 10-1701 ENF - Fazeli Imports LTD, DBA Fazeli Mitsubishi**  
Featured a price not available to all buyers: 43 TAC 215.250(a) and (e)  
\$2,000.00
- 6. 10-1765 ENF - Rio Grande Valley Motors Inc., DBA Rio Grande Valley Motors Inc.**  
Failed to pay sales tax on a motor vehicle sale by tendering a check without sufficient funds: Tax Code 152.0411(b) and Occ Code 2301.651(a)(4)  
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements: Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Failure to timely pay lien on a motor vehicle traded in: Finance Code 348.408(c), Occ Code 2301.651(a)(4)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)

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Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43 TAC 215.141(a)(3)

Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)  
License is revoked and oppose any new application

- 7. 11-0497 ENF - Ervey Balderas, DBA Brothers Auto Sales**  
Misuse of temporary dealer tag(s): Transp Code 503.038(a)(12):43 TAC 215.141(a)(10)  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Failure to take assignment of title: Transp Code 503.038(a)(3)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234 \$1,000.00
- 8. 11-0543 ENF - Harvest Properties Inc., DBA Don Elliott Ford**  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
Attend a Dealer Training Seminar.
- 9. 11-0656 ENF - El Paisano Motors Inc., DBA E & E Motors – El Paisano**  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$250.00 and attend a Dealer Training Seminar.
- 10. 11-0741 ENF - Classic Chevrolet Sugar Land LLC, DBA Classic Chevrolet**  
Featured a price not available to all buyers: 43 TAC 215.250(a) and (e)  
\$2,000.00
- 11. 11-0832 ENF - Best Drive Auto, Inc., DBA Best Drive Auto**  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$1,500.00
- 12. 11-0908 ENF - Ruth P. Lopez, DBA Auto One**  
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234 \$250.00 and attend a Dealer Training Seminar.
- 13. 11-1029 ENF - Teus, LLC, DBA Teus**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to answer the telephone, have it answered by a bona fide employee or to have an answering machine or service in operation during posted business hours: Transp Code 503.032, 503.038(a)(14) and 43 TAC 215.140(1)(B)

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\$250.00 and attend a Dealer Training Seminar.

**14. 11-1104 ENF - VN Tractors, Inc., DBA VN Tractors, Inc.**

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)  
Sold or offered to sell motor vehicles without the appropriate license for that type of motor vehicle: Transp Code 503.038(a)(14)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$750.00 and attend a Dealer Training Seminar.

**15. 11-1132 ENF - Automex Motor Group LLC, DBA Automex Motors**

Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Failure to produce records within (15) days: 43 TAC 215.144(d) and 215.141(a)(3)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$750.00 and attend a Dealer Training Seminar.

**16. 11-1156 ENF - Jose M. Ramirez, DBA Golden Acres Auto Sales**

Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)  
\$250.00 and attend a Dealer Training Seminar.

**17. 11-1160 ENF - Tommy D. Collins, DBA Collins Auto Sales**

Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$500.00 and attend a Dealer Training Seminar.

**18. 11-1237 ENF - LC Davis Jr., DBA Davis Auto**

Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Filed a false title and tax document: Transp Code 503.038(a)(2)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$2,000.00 and attend a Dealer Training Seminar.

**19. 11-1258 ENF - Continental Motors Inc., DBA Continental Motors Inc.**

Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to keep a dealer's plate log: TAC 215.138(d)  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
\$500.00 and attend a Dealer Training Seminar.

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- 20. 11-1262 ENF - Gerardo Arroyo, DBA M & G Auto Sales**  
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)  
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136  
\$250.00 and attend a Dealer Training Seminar.
- 21. 11-1321 ENF - Clayton Moose, DBA Burgin Auto Sales**  
Falsified or forged tax or title document: Transp Code 503.038(a)(1)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$1,500.00 and attend a Dealer Training Seminar.
- 22. 11-1334 ENF - Salvador Ontiveros, DBA Ontiveros Auto Sales**  
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)  
\$375.00
- 23. 11-1339 ENF - Charlene M. Connolly, DBA Cash Cars**  
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)  
Cease and Desist
- 24. 11-1346 ENF - Aztec Chevrolet LLC, DBA Aztec Chevrolet LLC**  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$500.00
- 25. 11-1352 ENF - Lachandra Kamoju, DBA R. K. Auto's**  
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)  
\$500.00
- 26. 11-1378 ENF - Red McCombs Motors LTD, DBA Red McCombs Toyota**  
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152  
\$500.00
- 27. 11-1386 ENF - Sewell Ford Inc., DBA Sewell's Bargain Center, Sewell Ford Lincoln Mercury**  
Delivered title directly to retail buyer: Transp Code 501.0234, 503.038(a)(14), Tax Code 152.0411 and 43 TAC 215.141(a)(23)  
\$250.00
- 28. 11-1398 ENF - Manuel R. Molinar, DBA Auto Shack**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14

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Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)

\$250.00 and attend a Dealer Training Seminar.

- 29. 11-1402 ENF - Vespa Fredericksburg, L.P., DBA Scootique**  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$250.00 and attend a Dealer Training Seminar.
- 30. 11-1421 ENF - Gillman Imports of San Antonio Inc., DBA Gillman Mitsubishi**  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$250.00 and attend a Dealer Training Seminar.
- 31. 11-1434 ENF - McCombs HFC LTD, DBA Red McCombs Ford, and McCombs HFC LTD, DBA Red McCombs Hyuandai Northwest**  
Sold a motor vehicle without certificate of title or title receipt: Transp Code 501.152  
\$500.00
- 32. 11-1459 ENF - Jose M. Martinez, DBA Globe Auto Sales**  
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)  
Cease and Desist
- 33. 11-1472 ENF - Carmania Auto Sales, LLC., DBA Carmania Auto Sales**  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$500.00
- 34. 11-1521 ENF - Austin Dodge LTD, DBA South Point Dodge**  
Featured a price not available to all buyers: 43 TAC 215.250(a) and (e)  
\$2,000.00
- 35. 11-1522 ENF - VCR Enterprises LLC, DBA The Auto Ranch**  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
Cease and Desist
- 36. 12-0027 ENF - NU-2-U Auto Sales LLC, DBA NU-2-U Auto Sales LLC**  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$500.00 and attend a Dealer Training Seminar.
- 37. 12-0053 ENF - Bonham C-P-D-J-E Inc., DBA Bonham Chrysler**  
Featured a price not available to all buyers: 43 TAC 215.250(a) and (e)  
\$2,000.00
- 38. 12-0058 ENF - Mustang Country Chevrolet Inc., DBA Mustang Country Chevrolet Buick Olds Inc.**



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Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136  
\$250.00 and attend a Dealer Training Seminar.

- 39. 12-0074 ENF - Livin' On A Prayer Inc., DBA Coys Quality Cars**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Attend a Dealer Training Seminar.
- 40. 12-0076 ENF - Texas Car-Mart, Inc., DBA Car Mart**  
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and 503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code 503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$1,000.00 and attend a Dealer Training Seminar.
- 41. 12-0079 ENF - Fortune Partners LLC, DBA Texas Certified Motors, Texas Certified Motors Under \$9999**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43 TAC 215.141(a)(3)  
\$250.00 and attend a Dealer Training Seminar.
- 42. 12-0081 ENF - Northstar Auto Group Custom Cars, Trucks, & SUVs LLC., DBA Northstar Auto Group Custom Cars, Trucks, & SUVs LLC.**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to allow purchaser to select county for registration: Transp Code 501.0234(d),(e)  
\$1,500.00
- 43. 12-0092 ENF - Claude W. Reid, DBA Reid Motor Company**  
Misuse of temporary dealer tag or failed to comply with recordkeeping requirements: Transp Code 503.062, 503.0626 and 503.068 and 43 TAC 215.151, 215.152, 215.153 and 215.154  
Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
\$250.00 and attend a Dealer Training Seminar.
- 44. 12-0096 ENF - Kamaljeet Kaur Bhamra, DBA Amal Auto Sales & Services**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to meet premises requirement(s): Transp Code 503.032 and 503.038(a)(14); 43 TAC 215.140(1)(B)  
\$250.00
- 45. 12-0098 ENF - Mark Hampton and Paul Walters, DBA Express Auto**

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Falsified or forged tax or title document: Transp Code 503.038(a)(1)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
Failure to allow purchaser to select county for registration: Transp Code  
501.0234(d),(e)  
\$500.00 and attend a Dealer Training Seminar.

- 46. 12-0101 ENF - Mojeed Adepegba, DBA Auto/Magic Car Sales**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to make dealership records available for inspection: 43 TAC 215.144(a) and 43  
TAC 215.141(a)(3)  
\$500.00
  - 47. 12-0102 ENF - Legacy Motors LLC, DBA Legacy Motors**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$250.00 and attend a Dealer Training Seminar.
  - 48. 12-0109 ENF - Dallas Hyundai, Inc., DBA South Dallas Hyundai**  
Misuse of buyer temporary E-tag: Transp Code 503.063, 503.0631 and  
503.038(a)(14), 43 TAC 215.151, 215.152, 215.153 and 215.155, Transp Code  
503.038(a)(12) and 43 TAC 215.141(a)(10)(11) and Occ Code 2301.651(a)(8)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
\$250.00
  - 49. 12-0136 ENF - United Fidelity Enterprises Corporation, DBA Fidelity Ventures**  
Failure to comply with a Final Order: Occ Code 2301.651(a)(3)  
Cease and Desist
  - 50. 12-0158 ENF - Benny Boyd LTD, DBA Benny Boyd's**  
Advertised the amount of down payment in connection with a credit transaction without  
including the terms of repayment: 43 TAC 215.263  
\$2,000.00
- B. Consideration of Enforcement Notice of Violation Citation Agreed Orders under  
Occupations Code, Chapter 2301**
- 1. 11-1497 ENF - Sara Patricia Valerio, DBA Victoria Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$150.00
  - 2. 12-0007 ENF - AMJCT INC., DBA De La Torre Motors**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00
  - 3. 12-0014 ENF - Adrian I. Lopez / Oziel Martinez, DBA Hidalgo County Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00

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- 4. 12-0016 ENF - Jerry Sanchez, DBA Jerry's Best Buy Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$150.00
- 5. 12-0017 ENF - Rene De La Garza, DBA Rene Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00
- 6. 12-0019 ENF - Ramiro Garza Jr., DBA R G's Auto Mart**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00
- 7. 12-0020 ENF - Gonzalez Cars for Less Inc., DBA Gonzalez Cars for Less Inc.**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$150.00
- 8. 12-0022 ENF - John Lockhart, DBA No Credit Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00
- 9. 12-0024 ENF - RCR Corporation, DBA EL Rincon Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to observe right of way: 43 TAC 215.140(11)(c)  
\$200.00
- 10. 12-0029 ENF - Onesimo Ortiz, DBA East Edinburg Auto Sales**  
Sold or offered to sell a motor vehicle at an unlicensed location: Occ Code 2301.362(a), Transp Code 503.021 and 503.027, 43 TAC 215.136  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$350.00
- 11. 12-0040 ENF - Gabriel Jimenez, DBA Gabe's Auto Sales**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00
- 12. 12-0115 ENF - Abel Melendez, DBA Melendez Auto Sales**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00
- 13. 12-0116 ENF - Bid & Win Motor Corp, DBA Bid & Win Motor Corp**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00

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- 14. 12-0117 ENF - Barnett Transportation LP, DBA Barnett Auto Sales**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00
- 15. 12-0118 ENF - Palm Valley Auto Sales, Inc., DBA Palm Valley Auto Sales Inc**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00
- 16. 12-0122 ENF - Wheeler Motor Company, DBA Wheeler Motor Company**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00
- 17. 12-0123 ENF - Bob Brock Ford Inc., DBA Bob Brock Ford-Lincoln-Mercury-Nissan**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00
- 18. 12-0124 ENF - Brad Madry, DBA Madry Motorplex**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00
- 19. 12-0125 ENF - Hermina M. Galvan, DBA Galvan Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00
- 20. 12-0129 ENF - Luis Antonio Salinas, DBA Alamo Auto Parts & Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to take assignment of title: Transp Code 503.038(a)(3)  
\$250.00
- 21. 12-0130 ENF - Onesimo Lopez, DBA Lopez Auto Mart**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00
- 22. 12-0132 ENF - Witt Motors Inc., DBA Witt Motors Inc.**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$50.00
- 23. 12-0139 ENF - V & M Motors Inc., DBA V & M Moors Inc.**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
\$150.00
- 24. 12-0143 ENF - Juan Alejandro Dozal, DBA Dozal Auto Group**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
\$100.00

**Board of the Texas Department of Motor Vehicles  
Attached List A  
December 8, 2011  
Agenda Items 2. A. - E.  
Consent Orders**

- 25. 12-0157 ENF - Maryam Abbasian, DBA A & P Auto Sales**  
Failure to display buyer's guide: 16 C.F.R. 455.2, Occ Code 2301.651(a)(4)  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to take assignment of title: Transp Code 503.038(a)(3)  
\$250.00
- 26. 12-0171 ENF - Jose Salinas, DBA Salinas Autoplex**  
Failure to remove Texas plates: Transp Code 502.451, 43 TAC 17.14  
Failure to take assignment of title: Transp Code 503.038(a)(3)  
\$150.00
- C. Consideration of Enforcement Dismissal Orders under Occupations Code,  
Chapter 2301**
- 1. 10-1389 ENF - Francisco Garza, DBA La Frontera Truck Sales**
- 2. 10-1573 ENF - Manuel R. Carvalho, DBA MJM Imports & Exports**
- 3. 11-0096 ENF - Marty Borrego, DBA M & M Motors**
- 4. 11-0681 ENF - Darrell Mobley, DBA Wagon Wheel Sales**
- 5. 11-0889 ENF - Drivers Max, LLC, DBA Drivers Max LLC**
- 6. 12-0055 ENF - Charlie Gullede, DBA Interstate Motors**
- D. Consideration of Settlement and Dismissal Orders under Occupations Code,  
§2301.204 (Warranty Performance Complaints)**
- 1. 11-0178 CAF - Durwood M. Hendrix v. Volvo Group North America, Inc.**  
Order of Dismissal  
Complainant withdrew the action
- 2. 11-0201 CAF - Dara Sullo v. Nissan North America, Inc**  
Settlement Order  
Complaint has been resolved
- 3. 11-0207 CAF - Leesa and Boyd Hindman v. Kia Motors America, Inc.**  
Settlement Order  
Vehicle has been repaired
- 4. 12-0016 CAF - James Manlove v. Ford Motor Company**  
Order of Dismissal  
Complainant no longer owns the vehicle

**Board of the Texas Department of Motor Vehicles  
Attached List A  
December 8, 2011  
Agenda Items 2. A. - E.  
Consent Orders**

- E. Consideration of Franchise Case Dismissal Orders under Occupations Code, Chapter 2301**
- 1. 10-0047 LIC - Northwood Lincoln Mercury, Inc. d/b/a Northwood Lincoln Mercury, Inc., Protestant v. Ford Motor Company, Respondent**
- 2. 11-0005 LIC - WellsCycle, Inc. d/b/a Action Powersports, Complainant v. Yamaha Motor Corporation, USA, Respondent**
- 3. 11-0020 LIC - Gaston Investment Group, Inc. d/b/a Vespa Dallas, Applicant v. Ridin, LLC d/b/a Stadium Yamaha, Protestant**
- 4. 11-0025 LIC - NFVT Motors Limited Partnership d/b/a Frisco Nissan, Applicant and Nissan North America Inc., Intervenor v. Orr Motors of Corinth, Inc. d/b/a Orr Nissan, Protestant**
- 5. 11-0027 LIC - Covert Buick North, Inc. d/b/a Covert Chrysler Dodge Jeep, Applicant v. Nyle Maxwell of Austin, LLC d/b/a Maxwell Dodge, Protestant**
- 6. 11-0030 LIC - Mission Chrysler Jeep, Inc. d/b/a Mission Chrysler Jeep, Protestant v. Chrysler Group, LLC, Respondent**
- 7. 10-0004 LIC - Carduco, Inc. d/b/a Cardenas Metroplex, Protestant v. Mercedes - Benz USA, LLC, Respondent**
- 8. 11-0024 LIC - Carduco, Inc. d/b/a Cardenas Metroplex, Protestant v. Mercedes - Benz, USA, LLC, Respondent**

**Board of the Texas Department of Motor Vehicles**  
**Attached List B**  
**December 8, 2011**  
**Agenda Item 3. C.**  
**Motions for Disposition Based on Default**

- 3. C. Consideration of Enforcement Motions for Disposition Based on Default under Occupations Code Chapter 2301 - Bill Harbeson**
  - 1. 11-0134 ENF - Karam Hawari, DBA K & M Motors**

Failure to provide satisfactory and reasonable evidence of regularly and actively engaged in business as a motor vehicle dealer: Transp Code 503.038(a)(9), 43 TAC 215.141(a)(14)  
Failure to have written consignment agreement: 43 TAC 215.144(g)  
Misrepresentation in an application or other document filed with the agency: Transp Code 503.038(a)(6) and 43 TAC 215.141(a)(19)  
Proposed Sanction: \$2,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.
  - 2. 11-0154 ENF - Perception Motorsports Inc., DBA Perception Motorsports Inc.**

Failure to maintain complete records by licensed dealer or auction: 43 TAC 215.144(a)  
Failure to timely transfer title and pay sales tax: Transp Code 501.0234  
Proposed Sanction: \$1,000.00 civil penalty and oppose any new or renewal applications until this penalty is paid.