

BEFORE THE ARKANSAS MOTOR VEHICLE COMMISSION

IN THE MATTER OF:

Hearing # 19-045

ALTA MOTORS

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Arkansas Motor Vehicle Commission (hereinafter "Commission") held a hearing on December 18, 2019, to determine whether Alta Motors, a licensed manufacturer, violated the Arkansas Motor Vehicle Commission Act, pursuant to Ark. Code Ann. § 23-112-101 et seq., and Commission Rule 2 regarding hearings and appeals. The charge before the Commission concerned whether Alta Motors violated Commission statutes when they failed to renew the business's manufacturer's license.

No Alta Motors representative appeared for this hearing, although properly served with the Order and Notice of Hearing. The Commission was represented by Assistant Attorney General Juliane Chavis.

Having reviewed the exhibits admitted into evidence, the Commission makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

The following facts are found to be true:

- F1. Alta Motors, located at 185 Valley Drive, Brisbane, CA, is a new motor vehicle manufacturer currently licensed to sell Electric Motorsports.
- F2. Alta Motors' license expired on June 30, 2019.
- F3. On September 17, 2019, License Supervisor Robert Galloway notified Alta Motors that its manufacturer license expired.

- F4. Alta Motors currently has no dealers.
- F5. As of December 18, 2019, Alta Motors has not renewed its license.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Commission makes the following Conclusions of Law:

- L1. Motor vehicle manufacturers, distributors, and their representatives are required to conform their conduct to the Motor Vehicle Commission Act, Ark. Code Ann. § 23-112-101, et seq., and the rules and regulations promulgated by the Commission pursuant to Ark. Code Ann. § 23-112-204.
- L2. According to Ark. Code Ann. § 23-112-301, it is unlawful for a person to engage in business as a new motor vehicle manufacturer or distributor without a obtaining a license.
- L3. All applications for licenses shall be accompanied by the appropriate fees in accordance with the schedule set out in Ark. Code Ann. § 23-112-303.
- L4. According to Ark. Code Ann. § 23-112-307(1), manufacturers, distributors, and representatives licenses expire on June 30 following the date of issue.
- L5. Failure to comply with any provision of the Commission Act or any Rule promulgated by the Commission may lead to revocation or suspension of the license as per Ark. Code Ann. § 23-112-308(a)(4), 23-112-308(a)(5), and 23-112-308(a)(19), or may result in a monetary penalty in lieu of revocation or suspension as stated in Ark. Code Ann. § 23-112-309.

L6. Alta Motors violated Commission statutes and rules when they failed to renew the manufacturer's license.

ORDER

The Commission finds the violations of Commission statutes and rules by Venom Motorsports warrant a revocation of Alta Motors' license for failure to comply with provisions of the Commission Act and Rules promulgated by the Commission as per Ark. Code Ann. § 23-112-308(a)(4).

This is a final Order of the Commission and as such is subject to judicial review pursuant to Ark. Code Ann. § 25-15-212.

ARKANSAS MOTOR VEHICLE COMMISSION

By: Joy Blankenship
Joy Blankenship, Chair

Date: January 3, 2020