

BEFORE THE ARKANSAS MOTOR VEHICLE COMMISSION

IN THE MATTER OF

KEVIN LUNEAU AND HOOTERS SCOOTERS, INC.

HEARING # 08-020

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Arkansas Motor Vehicle Commission (hereinafter the “Commission”) held a hearing on September 17, 2008, to determine whether Kevin Luneau and Hooters Scooters, Inc. (hereinafter “Kevin Luneau”) should be issued a new motor vehicle dealer’s license in accordance with the provisions of the Arkansas Motor Vehicle Commission Act, Ark. Code Ann. § 23-112-101 et seq., and Commission Rule 2 regarding hearings and appeals.

The Respondent, Kevin Luneau and Hooters Scooters, Inc., was represented by Kevin Luneau.

After hearing testimony from Kevin Luneau and Vicki Wright, License Supervisor, and reviewing documents received in evidence, the Commission makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

F1. Mr. Luneau notified the Commission’s license supervisor, Vicki Wright, on August 20, 2008, of his desire to become a licensed new motor vehicle dealer.

F2. Mr. Luneau first sent the Commission photograph’s of his proposed facility.

Upon review of these photographs, Mrs. Wright notified Mr. Luneau about some concerns the Commission had regarding his facilities, and requested Mr. Luneau provide further explanation on his plans for a dealership.

F3. In the attached explanation marked Exhibit 1, Mr. Luneau details his reasons for establishing a dealership in his residence.

CONCLUSION OF LAW

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

C1. Kevin Luneau's request for a new motor vehicle dealer's was found to be inadequate and does not meet the requirements of Ark. Code Ann. §23-112-302 due to improper facilities and business plan not in the public interest.

ORDER

The Commission finds that the request for a new motor vehicle dealer's license is hereby denied.

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 _____
F. S. Stroope, Chairman

Date: _____