

Motor Vehicle Advisory Board
November 20, 2019
Meeting Minutes

Members Present

- Secretary Lawson
- Rachael Ehlich
- Fritz Kreuzinger
- Rachael Hazaray
- Mike Hierholzer
- Danny Hockett
- Tom Kelley
- Steve Hartwig
- Ken Eckstein
- Mike Hamilton

Members Not Present

- Mark Fuson
- Dave Mann
- Sen. Jim Arnold

Non-Members Present

- Mark Shublak
- Dalton Thieneman
- Ron Breymier, RVIC-IMHA
- Jason Wetzel, GM
- Sharon Brennan

Swearing in - Mike Hamilton

Adoption of September 12, 2019 Meeting Minutes

- Tom Kelley moves to adopt.
- Seconded
- All in favor, none opposed

Office Update

- New UCC software went live.
- Working on hosting the International Association of Commercial Administrators in May of 2020.
- Working on new legislation, mostly for technical corrections.
- Preparing for the 2020 election
 - Emphasis on election security.
 - Working with FireEye – world renowned cybersecurity company
 - Working with IU's Center for Applied Cyber Research and Ball State's VSTOP, and Baker Tilly
 - Creating tabletop exercises to present to the election administrators to test "worst case scenarios" on election day.

Division and System Update

- Erin Filban Tislow moved to the Attorney General's office in October. Scott Conner has taken over all the enforcement work.
- Dave Mann is nearing the end of his term.
- 2020 Dealer Training
 - Monthly trainings will continue.
 - Department of Financial Institutions' Consumer Credit Division will be in presenting at the monthly trainings.

- Moving to online-only license applications beginning January 1, 2020.
 - Will not impact renewals or other types of applications, only new license applications.
- Returned mail
 - Common reason is no mail receptacle
 - If mail gets returned due to this, we'll let you pick it up but will warn that a mailbox is required.
 - It is required by statute to send mail to your business address, PO boxes are not an option.
- Renewal notices
 - Previously sent 45 days in advance, now are being sent out 90 days in advance.

Enforcement Update

- Continuing work on criminal investigations.

ADSD Discussion Items

- 2020 Legislative Plan
 - Substantive changes
 - Reached an agreement with BMV to transition transport operator plates from BMV to ADSD, won't take effect until July 1, 2021.
 - Potentially limiting/removing use by dealers.
 - Will impact manufactured home transporters and RV transporters
 - Transfer Dealers
 - Trying to clean up the use of this license because some dealers who have it do not qualify
 - Removing access to temporary plates from this license type
 - 1 year transition period for those who truly should have a "used" dealer license
 - Legislative update gives the Division flexibility to grant exceptions to a business if they meet the license type definition but not the location requirements.
 - Non-delivery of title fines
 - Division currently has no flexibility with the fines, they are determined by a tiered system in statute: \$100 for the first, \$250 for the second and \$500 for each additional.
 - Change will be removing the tiered system and to change enforcement of these violations to allow for the same flexibility as other types of fines.
 - Clean-up changes
 - "Dealer" is now going to be redefined an umbrella term
 - "New Motor Vehicle Dealer" will have an official definition and add "Used Motor Vehicle Dealer" and its official definition.
 - Emergency provisions regarding Plates On Demand access
 - Giving the Division the authority to extend dealer plate and license expiration dates in the event that the Division is unavailable for an extended period of time.
 - Outside of legislation, working on a backup for Plates On Demand.
 - Working on cleaning up statutes related to manufactured home dealers
 - Clarifying the rule that an administrative hearing must be set within 15 days of the date of request.
 - Change will state that a hearing date must be chosen and ordered within 15 days, but that chosen date does not have to fall within the 15 days.
 - Clarifying the definition of a "courtesy delivery"
 - State Police requested that the Division clarify the display requirement for a dealer plates
 - Additional clarification regarding issuing 1 interim plate per sale.
 - Removing the requirement of a license application and renewal must be signed by dealer owner or manager
 - Clarifying the definition of a rebuilt vehicle – it does not have to have a rebuilt/salvage title to be considered rebuilt and require the rebuilt disclosure form.
- 2020 meeting dates
 - June 11th
 - Sept. 10th
 - Nov. 12th

Member Open Discussion

- Promotional plates
 - Concern is if they are all identical, if a complaint is brought to the dealer on the use of that plate, the dealer would not know which plate/car was involved in the issue.
- Dealer record retention requirement
 - Hope to lower or remove paper retention completely
 - Some forms are still required to be kept on paper (odometer disclosure form for example)
 - Federal odometer disclosure exemption is changing from 10 model years to 20 model years.
- How can we encourage dealers to take inventory of their dealer plates more often than once a year at renewal?
 - Considering sending out a reminder halfway between renewal dates to do a “head count” on your dealer plates.
 - 90 days should be early enough, could potentially update the current renewal reminder to include reminder about taking inventory of your plates.
 - Maybe include an email to the actual owner in addition to the primary user and administrators.
 - There is a field in the system for the owner’s direct email, but it is not a required field.
- Bill introduced regarding salvage and junk titles
- Members of scrap industry introduced changes to a few sections of code.

Closure

- Tom Kelley moves to close.
- Seconded
- All in favor, none opposed.