

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION  
INTER-OFFICE MEMO**

**October 27, 2011**

**TO: Rosemary Booth Gallogly**

**DEPT: Department of Administration**

**FROM: Walter Craddock, Esq. Chairman**

**DEPT: Division of Motor Vehicles**

**SUBJECT: HEARING BOARD RESULTS**

**Please be advised of the following matters which were heard before the Board on Thursday, October 27, 2011. Board members: Walter Craddock, Esq., Dennis Gerstmeyer, James Botvin, Thomas Celona and Sgt. David Doucet of the Rhode Island State Police. Also be advised the following people were present during the hearing ,Marcy Coleman, Esq., Division of Legal Services and Joseph Monteiro, Chief of Enforcement.**

**MEETING OF OCTOBER 27, 2011 AT 9:00 AM AT THE**

**DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE ROOM, 600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF: SEPTEMBER 29, 2011 BOARD HEARING**

**Minutes have been reviewed and accepted by the board.**

**2. BRISTOL COUNTY AUTO SALES LLC, (Ronald Letourneau, Partner)**

**REQUEST TO SELL USED MOTORCYCLES AND OFF ROAD VEHICLES**

**CURRENT USED CAR LICENSE: #167 CASE# KR11-302**

**Decision: The board has approved this application and awarded one dealer motorcycle plate.**

**3. FIAT OF PROVIDENCE (Michae IGrieco Jr. VP)**

**REQUEST TO EXCHANGE NEW DEALER PLATE 266A THRU L FOR PLATE**

**78A THRU L. CASE# KR11-303.**

**Decision: The Board has approved this request to exchange dealers**

**plates 266 A-L for dealer plates 78A-L.**

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**4. NICOLE TRAINOR/(Jeffery S. Michaelson, Esq). V. JDJ AUTO SALES**

**(Paul E. Picerne, owner.) COMPLAINT/SHOW CAUSE HEARING  
CASE # KR11-263**

**This case was postponed at the request of the dealership owner Paul E. Picerne.**

**5. DENISE STEVENS V. IANNOTTI BROS. SELECT CARS (Ronald Iannotti, Pres.) / Steven C. Mackie, Esq.) COMPLAINT / SHOW CAUSE HEARING**

**CASE# KR11-232 1ST RESCHEDULE HEARING**

**Decision: The Board has ordered the dealership to pay the complainant \$535.00 for the extended warranty which was not**

supplied and \$285.39 for repairs made by the complainant for a total due of \$820.39.

The Board has determined that the dealership is in violation of RIGL § 31-5-11(10), having indulged in unconscionable practices relating to business as a motor vehicle dealer and has been fined \$250.00 which must be paid to the RI Dealers License and Regulations Office within 10 days of receiving the formal decision.

**6. RHODE ISLAND DEALERS' LICENSE & REGULATIONS OFFICE V  
ZINK'S AUTO SALES ( Frank Zincone Pres./ Seth Perlmutter, Esq.)  
SURETY BOND ACTION Case# KR11-313 1ST RESCHEDULE  
HEARING**

**Decision: The Board has approved the request by RI Dealers License and Regulations Board to file a claim for \$32,300.00 against the 2008 surety bond, number 14864073 issued to RCW, Inc. d/b/a Zink's Auto Sales issued by Western Surety, 101 South Phillips Avenue, Sioux, South Dakota 57104.**

**7. BRUCE OLINGER V IANNOTTI BROS SELECT CARS ( Ronald Iannotti, Pres./ Stephen Mackie, Esq)  
COMPLAINT / SHOW CAUSE HEARING CASE # KR11-260  
1ST RESCHEDULE HEARING**

**Bruce Olinger settled with the dealership prior to the hearing.**

**Decision: The Board has determined that Iannotti Bros Select Cars is in violation of the following Rhode Island Rules and Regulations and is required to pay the amounts listed below which total \$1500.00 to the Rhode Island Dealers License and Regulations Office within 10 days of receiving the formal decision.**

**Fine: \$1000.00 (2 violations x \$500.00 per violation) Violation of RIGL§ 31-3-40(b) The issuance of more than one temporary plate for a vehicle must be approved the administrator of the Department of Motor Vehicles.**

**Fine: \$ 500.00: Violation of RIGL§ 31-5-11(10): Having indulged in unconscionable practices relating to business as a motor vehicle dealer.**

**The Board has permanently revoked Iannotti Bros. Select Cars dealer license, number 65 which must be returned to the Dealers License and Regulations Board with the 6 dealer plates, 115A-F.**

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**8. FOR DISCUSSION / DECISION**

## **PLATE ALLOCATION and WHOLESale DEFINITION**

**CASE# KR11-314**

**Decision: The Board has given permission to the RI Dealers License and Regulations Board to only renew the dealer plates for each dealer based on Rhode Island Rules and Regulations VII (H), which says for each 100 sales per year a dealer will be entitled to 3 dealer plates, this includes the three plates originally issued when the license was first issued. The number of sales will be a three year**

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**Walter Craddock, Jr., Esq. Chairman**

**Cc: John DiTomasso, Assistant Administrator, DMV**

**Michael Vispo, Manager DMV**

**Marcy Coleman, Esq., Division of Legal Services, DOA**

**File**