

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

May 10, 2016

TO: Robert Hull, Director

DEPT: Department of Revenue

FROM: James Botvin, Chairman

DEPT: Motor Vehicle Dealers' License & Hearing Board

**SUBJECT: MOTOR VEHICLE DEALERS' LICENSE & HEARING
BOARD**

RESULTS-MAY 04, 2016

Please be advised of the following matters which were heard before the Board on Wednesday, May 04, 2016. Board members present: James Botvin, William Jeffrey, Marc Levasseur, Joseph Solomon, Esq., and Lt. David Doucet of the Rhode Island State Police, who will abstain from voting and the deliberation process until further notice while on special assignment with the Department of Motor Vehicles Enforcement Division. Also present was Bradford Booth, Esq., Deputy Chief of Legal Services, Division of Motor Vehicles and Michael Taylor, Esq.

MEETING OF MAY 4, 2016 AT 12:30 PM 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 THE MEETING
OF: APRIL
20, 2016 BOARD HEARING.**

The Board reviewed and approved the minutes of April 20, 2016.

**2. DEALERS' LICENSE & REGULATIONS OFFICE VS GIOVANNI'S
AUTO SALES
& SERVICE, INC. (Robert Gillman, Pres. / John Harwood, Esq.)
CASE # KR-160-078
SHOW CAUSE HEARING**

Lt. David Doucet recused himself from this matter.

**Decision: The Board ordered Dealer to pay a fine of \$1000.00 for the
misuse of a registration plate by an employee of Dealer on a motor
vehicle owned by Dealer in violation of RIGL § 31-5-11 (10).**

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HEARING BOARD RESULTS MAY 4, 2016

**3. JOHN MARTIN AND DEALERS' LICENSE & REGULATIONS OFFICE
VS**

**GIOVANNI'S AUTO SALES & SERVICE, INC (Robert Gillman, Pres. /
John Harwood, Esq.)**

CASE # AM-160-068

COMPLAINT / SHOW CAUSE HEARING

Lt. David Doucet recused himself from this matter.

Decision: The Board ordered Dealer to buy back the vehicle for the full purchase price of \$2700.00. The Board also ordered Dealer to pay a fine of \$1000.00 for misrepresenting the model year of the motor vehicle and selling an unsafe motor vehicle in violation of RIGL § 31-5-11 (10).

**4. AARON MURPHY AND DEALERS' LICENSE & REGULATIONS
OFFICE VS**

VILLAGE MOTOR SALES (John Capelli, VP)

CASE # AM-160-145

COMPLAINT / SHOW CAUSE HEARING

POSTPONED BY ATTORNEY FOR DEALER.

**5. DAVID STRIDEL AND DEALERS' LICENSE & REGULATIONS
OFFICE VS**

VILLAGE MOTOR SALES (John Capelli, VP)

CASE # KR-160-066

COMPLAINT / SHOW CAUSE HEARING

POSTPONED BY ATTORNEY FOR DEALER.

6. SCOTTIE'S AUTO SALES, INC (Barry Crins, Pres)

CASE # AM-160-193

**REQUESTING THREE DEALER PLATES TO BE RESTORED TO THIS
DEALERSHIP.**

**Decision: The Board, by a 3-1 vote (Yes: Botvin, Jeffrey, Solomon;
No: Levasseur) ordered that three dealer plates be returned to Dealer
upon the completion of all outstanding requirements with the Dealers'
License and Regulations Office.**

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HEARING BOARD RESULTS MAY 4, 2016

**7. ROBERT BRODEAUR AND DEALERS' LICENSE & REGULATIONS
OFFICE VS**

**ATLANTIC AUTOCENTER, LLC (Charles Russo, Member / Joseph
Brennan, Esq.)**

CASE # AM-150-418

**COMPLAINT / SHOW CAUSE HEARING- CONTINUANCE ON
SETTLEMENT**

**Decision: Pursuant to the terms of the agreement between Dealer
and Consumer, Dealer shall purchase a new frame for Consumer's
motor vehicle and pay Consumer \$500.00 for the installation of the
new frame. The Board will dismiss this matter pending receipt of the
signed agreement between the parties by the Dealers' License and
Regulations Office.**

8. ROB MESSORE

CASE # 160-174

§ 31-5-5 DEALERS' LICENSE REQUIRED- "Dealer" defined.

BROKER DEFINITION

FOR DISCUSSION AND DECISION

FOR DISCUSSION ONLY.

9. GENERAL DISCUSSION ON RULES AND REGULATIONS

The Board tabled discussion of this item.

James Botvin, Chairman

Cc: Bradford Booth, Esq., Deputy Chief of Legal Services, Division of Motor Vehicles.