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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF VEHICLE MANUFACTURERS,  
DEALERS, AND SALESPERSONS  
VIA VIDEOCONFERENCE**

TIME: 10:32 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

January 12, 2021

1                                   State Board of Vehicle Manufacturers,  
2                                   Dealers, and Salespersons  
3                                   January 12, 2021  
4  
5

6 BOARD MEMBERS:  
7

8 Dan G. Murphy III, Chairman  
9 Kirk A. Davis, Secretary  
10 Theodore Stauffer, Executive Secretary, Bureau of  
11 Professional and Occupational Affairs, on behalf of  
12 K. Kalonji Johnson, Commissioner, Bureau of  
13 Professional and Occupational Affairs  
14 Randall Derr, Professional Member  
15 Kyla R. Djannie, Deputy Attorney General, Consumer  
16 Protection Representative, Office of Attorney  
17 General - Absent  
18 Steve T. Fretz, Professional Member  
19 Neal L. Hufford Jr., Professional Member - Absent  
20 Angel Layton, Department of Transportation  
21 Representative  
22 George F. Mermon, Professional Member  
23 William M. Mohler, Professional Member - Absent  
24 Dale J. Yingst, Professional Member  
25  
26

27 BUREAU PERSONNEL:  
28

29 C. William Fritz II, Esquire, Board Counsel  
30 Carolyn A. DeLaurentis, Deputy Chief Counsel,  
31 Prosecution Division  
32 Colby B. Widdowson, Esquire, Board Prosecution Liaison  
33 J. Karl Geschwindt, Esquire, Board Prosecutor  
34 James Ritchie Espino Ostman, Esquire, Board Prosecutor  
35 Todd P. Kriner, Esquire, Board Prosecutor  
36 Janice Cline, Board Administrator  
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1 \*\*\*

2 State Board of Vehicle Manufacturers,  
3 Dealers, and Salespersons

4 January 12, 2021

5 \*\*\*

6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
7 9:00 a.m. the Board entered into Executive Session  
8 with C. William Fritz II, Esquire, Board Counsel, for  
9 the purpose of conducting quasi-judicial deliberations  
10 and to receive advice of counsel. The Board returned  
11 to open session at 10:30 a.m.]

12 \*\*\*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Vehicle Manufacturers, Dealers, and  
15 Salespersons was held on Tuesday, January 12, 2021.  
16 Dan G. Murphy III, Chairman, called the meeting to  
17 order at 10:32 a.m.

18 \*\*\*

19 Roll Call

20 [Chairman Murphy requested a roll call of Board  
21 members.]

22 \*\*\*

23 [Theodore Stauffer, Executive Secretary, Bureau of  
24 Professional and Occupational Affairs, noted the  
25 meeting was being recorded, and those who remained on

1 the line were giving their consent to being recorded.]

2

\*\*\*

3 Approval of minutes of the December 8, 2020 meeting

4 CHAIRMAN MURPHY:

5                   Could I get an approval of the minutes  
6                   from December 8?

7 MR. DERR:

8                   So moved.

9 CHAIRMAN MURPHY:

10                   So moved. How about a second?

11 MR. YINGST:

12                   Second.

13 CHAIRMAN MURPHY:

14                   Roll call.

15

16                   George Mermon, aye; Randall Derr, aye;

17                   Dale Yingst, aye; Kirk Davis, abstain;

18                   Angel Layton, aye; Dan Murphy, aye; Ted

19                   Stauffer, aye.

20 [The motion carried. Kirk Davis abstained from voting  
21 on the motion.]

22

\*\*\*

23 Report of Prosecutorial Division

24 [J. Karl Geschwindt, Esquire, Board Prosecutor,

25 presented the Consent Agreements for Case No. 17-60-

1 02753 and Case No. 17-60-02752.]

2 \*\*\*

3 [James Ritchie Espino Ostman, Esquire, Board  
4 Prosecutor, presented the Consent Agreement for Case  
5 No. 18-60-011823.]

6 \*\*\*

7 MR. FRITZ:

8 The Board would entertain a motion to  
9 approve the Consent Agreement at Case  
10 No. 18-60-011823.

11 MR. MERMON:

12 So moved.

13 MR. DAVIS:

14 Second.

15 CHAIRMAN MURPHY:

16 Roll call.

17  
18 George Mermon, aye; Kirk Davis, aye;  
19 Randall Derr, aye; Dale Yingst, aye;  
20 Steve Fretz, aye; Angel Layton, aye; Dan  
21 Murphy, aye; Ted Stauffer, aye.

22 [The motion carried unanimously. The name of the  
23 Respondent is Colt M. Ayers.]

24 \*\*\*

25 MR. FRITZ:

1                   The Board would entertain a motion to  
2                   approve the Consent Agreement at Case  
3                   No. 17-60-02753.

4 MR. DAVIS:

5                   So moved.

6 MR. FRETZ:

7                   Second.

8 CHAIRMAN MURPHY:

9                   So moved and seconded. Roll call.

10

11                   George Mermon, aye; Kirk Davis, aye;  
12                   Randall Derr, aye; Dale Yingst, aye;  
13                   Steve Fretz, aye; Angel Layton, aye; Dan  
14                   Murphy, aye; Ted Stauffer, aye.

15 [The motion carried unanimously. The Respondent's  
16 name is Adam J. Weaver.]

17

\*\*\*

18 MR. FRITZ:

19                   The Board would entertain a motion to  
20                   approve the Consent Agreement at Case  
21                   No. 17-60-02752.

22 MR. FRETZ:

23                   So moved.

24 MR. DERR:

25                   Second.

1 CHAIRMAN MURPHY:

2 So moved and seconded. Roll call.

3

4 George Mermon, aye; Kirk Davis, aye;

5 Randall Derr, aye; Dale Yingst, aye;

6 Steve Fretz, aye; Angel Layton, aye; Dan

7 Murphy, aye; Ted Stauffer, aye.

8 [The motion carried unanimously. The name of the

9 Respondent is Rick Weaver Buick GMC.]

10

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11 Report of Board Counsel

12 MR. FRITZ:

13 The Board would entertain a motion to  
14 approve the Adjudication and Order for  
15 Daniel Reese at Case No. 18-60-012065.

16 MR. DAVIS:

17 So moved.

18 MR. DERR:

19 Second.

20 CHAIRMAN MURPHY:

21 So moved and seconded. Roll call.

22

23 George Mermon, aye; Kirk Davis, aye;

24 Randall Derr, aye; Dale Yingst, aye;

25 Steve Fretz, aye; Angel Layton, aye; Dan

1                   Murphy, aye; Ted Stauffer, aye.

2 [The motion carried unanimously.]

3   \*\*\*

4 [C. William Fritz II, Esquire, Board Counsel, noted  
5 the proposed adjudication and order on the agenda was  
6 addressed at the last meeting.]

7   \*\*\*

8 MR. FRITZ:

9                                   For the Application of Damen Gamble, the  
10                                   Board would entertain a motion to  
11                                   approve that application subject to  
12                                   probation current to criminal probation.

13 CHAIRMAN MURPHY:

14                                   So moved.

15 MR. MERMON:

16                                   Second.

17 CHAIRMAN MURPHY:

18                                   Roll call.

19                                   George Mermon, aye; Kirk Davis, aye;  
20                                   Randall Derr, aye; Dale Yingst, aye;  
21                                   Steve Fretz, aye; Angel Layton, aye; Dan  
22                                   Murphy, aye; Ted Stauffer, aye.

23 [The motion carried unanimously.]

24   \*\*\*

25 MR. FRITZ:

1 For the Application of Kyle Eck, the  
2 Board would entertain a motion to  
3 approve that application.

4 MR. DAVIS:

5 So moved.

6 MR. DERR:

7 Second.

8 CHAIRMAN MURPHY:

9 So moved and seconded. Roll call.

10

11 George Mermon, aye; Kirk Davis, aye;  
12 Randall Derr, aye; Dale Yingst, aye;  
13 Steve Fretz, aye; Angel Layton, aye; Dan  
14 Murphy, aye; Ted Stauffer, aye.

15 [The motion carried unanimously.]

16

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17 Report of Board Chairman

18 [Dan G. Murphy III, Chairman, addressed the evolution  
19 of the car industry and the advent of battery-powered  
20 cars. He also mentioned self-driving cars and radius.  
21 He stated battery-powered cars have less moving parts  
22 in the world of mechanics and transmission is all  
23 going to change. He noted multiple companies in China  
24 working on battery and self-driving cars.

25 Chairman Murphy mentioned the importance of

1 legislators being ready with laws to protect them and  
2 the consumer, especially in the world of a driverless  
3 car.

4 Chairman Murphy reported the sales of battery-  
5 powered cars are doubling and tripling each year. He  
6 commented that some states already mandated laws for  
7 battery-powered, cars but driverless cars are going to  
8 be a challenge.

9 Chairman Murphy announced Mr. Hufford's  
10 resignation from the Board due to family health  
11 issues. He wished Mr. Hufford and his family the best  
12 and was hopeful Mr. Hufford will return to the Board  
13 in the future.]

14 \*\*\*  
15 Report of Board Administrator - No Report

16 \*\*\*  
17 Report of Commissioner - No Report  
18 [Theodore Stauffer, Executive Secretary, Bureau of  
19 Professional and Occupational Affairs, on behalf of  
20 Commissioner Johnson, wished everyone a Happy New  
21 Year.]

22 \*\*\*  
23 Appointment - Carolyn A. DeLaurentis, Esquire, Deputy  
24 Chief Counsel, Prosecution Division Presentation  
25 [Carolyn A. DeLaurentis, Esquire, Deputy Chief

1 Counsel, Prosecution Division, provided highlights of  
2 the prosecution division's work during the past year.  
3 She commended staff for all of their hard work to make  
4 telework successful. She noted all decisions were  
5 made thoughtfully and with the safety of all in mind.

6 Ms. DeLaurentis stated the Board prosecutors made  
7 every effort to monitor the restrictions, waivers,  
8 policies, and new procedures specific to the practice  
9 in each profession regarding challenges imposed on  
10 licensees by the COVID-19 pandemic.

11 Ms. DeLaurentis noted the Pennsylvania Licensing  
12 System (PALS) to be a lifeline. She stated the Bureau  
13 of Enforcement and Investigation (BEI) worked closely  
14 with prosecution to continue investigations and figure  
15 out the best methods during statewide shutdowns and  
16 stay-at-home orders. She also noted the Professional  
17 Compliance Office continued opening cases and  
18 processing files, and legal assistants have been  
19 working a hybrid schedule to ensure mailings and  
20 filings are completed.

21 Ms. DeLaurentis commented that the Board, Board  
22 staff, and counsel all have adapted to virtual Board  
23 meetings and prosecution will continue to work with  
24 everyone to ensure efficient and effective  
25 presentation and resolution of cases. She mentioned

1 2020 was a year filled with challenges, but the  
2 prosecution division led by the incredible senior  
3 staff rose to the challenge and will continue to do  
4 so.

5 Ms. DeLaurentis informed the Board that 872 cases  
6 were opened in 2020 and 1,829 in 2019 with 1,173 files  
7 closed in 2020 for the State Board of Vehicle  
8 Manufacturers, Dealers, and Salespersons. She noted  
9 976 open cases as of January 1, 2021. She thanked  
10 Timothy Smith for his assistance providing information  
11 for 2020.

12 Ms. DeLaurentis addressed enforcement actions  
13 with 138 total cases that resulted in Board discipline  
14 in 2020. She reported 173 warning letters, 47 fines,  
15 25 citation fines, 65 suspensions with 2 automatic  
16 suspensions, 5 reprimands, 8 voluntary surrenders, and  
17 32 probations in 2020.

18 Ms. DeLaurentis discussed 2020 overall  
19 prosecution as a whole. She noted 44 immediate  
20 temporary suspensions. She mentioned 28 of the 1,223  
21 opened COVID-19 cases are for the State Board of  
22 Vehicle Manufacturers, Dealers, and Salespersons. She  
23 reported the total number of open cases for the Bureau  
24 of Professional and Occupational Affairs (BPOA) is  
25 12,250 and total number of files opened in 2020 is

1 13,394, which is down from 2019 at 16,295. She noted  
2 13,274 files were closed in 2020 and 14,630 in 2019.]

3 \*\*\*

4 Miscellaneous

5 [C. William Fritz II, Esquire, Board Counsel, noted  
6 2021 Board meeting dates. He advised Board members to  
7 provide appropriate notice to Ms. Cline if unable to  
8 attend any of the meetings.

9 Chairman Murphy noted adjusting the June 22  
10 meeting date and moving it to June 30.

11 Mr. Fritz addressed the need for Board members,  
12 noting four professional seats and three public seats  
13 right now with the resignation of Mr. Hufford.

14 Mr. Stauffer commented that the office is aware  
15 of the need for Board members.

16 Mr. Fritz advised everyone to be aware of when  
17 their term on the Board expires. He suggested  
18 contacting whoever provided assistance for the first  
19 term to assist with the second term.]

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21 Adjournment

22 CHAIRMAN MURPHY:

23 Happy and healthy New Year. We will see  
24 everybody February 23. With that, we  
25 can adjourn.

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[The State Board of Vehicle Manufacturers, Dealers,  
and Salespersons Meeting adjourned at 11:08 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary  
minutes of the State Board of Vehicle Manufacturers,  
Dealers and Salespersons meeting, was reduced to  
writing by me or under my supervision, and that the  
minutes accurately summarize the substance of the  
State Board of Vehicle Manufacturers, Dealers and  
Salespersons meeting.



Kelly Gallick,

Minute Clerk

Sargent's Court Reporting

Service, Inc.

STATE BOARD OF VEHICLE MANUFACTURERS,  
DEALERS, AND SALESPERSONS  
REFERENCE INDEX

January 12, 2021

	TIME	AGENDA
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9		
10	9:00	Executive Session
11	10:30	Return to Open Session
12		
13	10:32	Official Call to Order
14		
15	10:32	Approval of Minutes
16		
17	10:34	Report of Prosecutorial Division
18		
19	10:42	Report of Board Counsel
20		
21	10:43	Report of Board Chairman
22		
23	10:44	Appointment - Carolyn A. DeLaurentis,
24		Esquire, Deputy Chief Counsel,
25		Prosecution Division Presentation
26		
27	10:48	Miscellaneous
28		
29	11:08	Adjournment
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