

ROBERT L. WILLIAMS  
IDEAL MOTORS, INC.  
1249 10TH AVENUE  
COLUMBUS, GA 31902,

Petitioner,

v.

STATE OF ALABAMA  
DEPARTMENT OF REVENUE.

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STATE OF ALABAMA  
DEPARTMENT OF REVENUE  
ADMINISTRATIVE LAW DIVISION

DOCKET NO. MV. 04-911

### FINAL ORDER

The Revenue Department revoked the designated agent status of Robert L. Williams, d/b/a Ideal Motors, Inc., ("Petitioner"). The Petitioner appealed to the Administrative Law Division pursuant to Code of Ala. 1975, §40-2A-8(a). A hearing was conducted on December 14, 2004. The Petitioner attended the hearing. Assistant Counsel John Breckenridge represented the Department.

The Petitioner operates a motor vehicle dealership in Columbus, Georgia. He has been a designated agent of the Department since 1998.

On October 15, 2003, the Department mailed the Petitioner a letter requesting copies of his regulatory license, county license, and a copy of his designated agent bond. The letter stated that if the Petitioner failed to respond within 30 days, his designated agent status would be canceled. The Petitioner failed to respond.

On December 16, 2003, the Department mailed the Petitioner and all other designated agents a memorandum explaining the changes in Alabama's title laws that would become effective January 1, 2004. One of the changes was that the designated agent bond was raised from \$5,000 to \$10,000. See, Code of Ala. 1975, §32-8-34, as amended by Act 2003-345.

On February 23, 2004, the Department revoked the Petitioner's designated agent status because the Petitioner had failed to either respond to its October 15, 2003 letter or to provide the additional \$5,000 bond as required by Act 2003-345.

On July 1, 2004, the Department received notice that the Petitioner's bond company, Old Republic Surety, had canceled the Petitioner's bond, effective July 28, 2004, due to nonpayment of premium. The Petitioner has not provided a new bond to the Department.

On September 14, 2004, the Petitioner wrote the Department requesting that his designated agent status be reinstated. The Department denied the Petitioner's request. The Petitioner subsequently appealed.

The Department is authorized to revoke a motor vehicle dealer's status as a designated agent of the Department if the dealer fails to faithfully perform his duties as a designated agent. Code of Ala. 1975, §32-8-4(b)(4). In this case, the Petitioner failed to respond to the Department's request that he provide the Department with copies of his current business licenses. He also failed to obtain the additional \$5,000 bond rider, as required by Alabama law effective January 1, 2004. He is also currently without any bond whatsoever, in violation of Code of Ala. 1975, §32-8-34. Under the circumstances, the Department's revocation of the Petitioner's designated agent status is affirmed.

This Final Order may be appealed to circuit court within 30 days pursuant to Code of Ala. 1975, §40-2A-9(g).

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Entered December 21, 2004.

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BILL THOMPSON  
Chief Administrative Law Judge