

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 07-0739
FINAL ORDER #: HSMV-07-655-S-DMV

FILED
2007 JUL 12 P 2:11
DIVISION OF
ADMINISTRATIVE
HEARINGS

LS MOTORSPORTS, LLC, AND
ST. PETE JEEP, INC., d/b/a
ST. PETE POWERSPORTS,

Petitioners,

vs.

WEST COAST MOTORCYCLES,

Respondent.

AMENDED FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of Recommended Order by Daniel Manry, an Administrative Law Judge of the Division of Administrative Hearings, a copy of which is attached and incorporated by reference in this order. The Department hereby adopts the Recommended Order as its Final Order in this matter.

Accordingly, it is

ORDERED and ADJUDGED that Petitioner, St. Pete Jeep, Inc. d/b/a St. Pete Powersports, be granted a license as a dealer for the sale of Zhejiang Lingyun (ZHEL), Chongqing Lifan (CHOL), and Jiangsu Linhai (LINH) at 555 34th Street South, St. Petersburg (Pinellas County), Florida 33711 upon compliance with all applicable requirements of Section 320.27, Florida Statutes, and all applicable Department rules.

It is further ordered that petitioner may not sell motorcycles manufactured by Chongqing Zongshen (ZONG) pursuant to the fact that petitioner failed to satisfy their burden of proof by

showing that respondent is "not providing adequate representation" pursuant to section 320.642

(2) (a2), Florida Statutes.

DONE AND ORDERED this 11th day of July 2007, in Tallahassee, Leon
County, Florida.



CARL A. FORD, Director
Division of Motor Vehicles
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building
Tallahassee, Florida 32399

Filed with the Clerk of the
Division of Motor Vehicles
this 11th day of July, 2007.

NOTICE OF APPEAL RIGHTS

Judicial review of this order may be had pursuant to section 120.68, Florida Statutes, in the District Court of Appeal for the First District, State of Florida, or in any other district court of appeal of this State in an appellate district where a party resides. In order to initiate such review, one copy of the notice of appeal must be filed with the Department and the other copy of the notice of appeal, together with the filing fee, must be filed with the court within thirty days of the filing date of this order as set out above, pursuant to Rules of Appellate Procedure.

Copies furnished:

Michael J. Alderman, Esquire
Department of Highway Safety and
Motor Vehicles
Neil Kirkman Building, Room A-432
2900 Apalachee Parkway
Tallahassee, Florida 32399-0635

Marion H. Hooper
West Coast Motorcycles
6814 46th Avenue North
St. Petersburg, Florida 33709-4706

William Douglas
555 34th Street South
St. Petersburg, Florida 33711

Mathu Solo
LS Motorsports, LLC
2550 East Desert Inn, No. 40
Las Vegas, Nevada 89121

Daniel Manry
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399

Nalini Vinayak
Dealer License Administrator

Florida Administrative Law Reports
Post Office Box 385
Gainesville, Florida 32602