STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 09-0939 DMV CASE NO.: 09-0539 FINAL ORDER #: HSMV-09- /07 § -FOF-DMV TO POST

ZONGSHEN, INC., AND SCOOTER CITY USA, LLC,

Petitioners,

VS.

ACTION ORLANDO MOTORSPORTS.,

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of a Recommended Order by, Lawrence P. Stevenson, 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 hereby

ORDERED that Petitioner's, Zongshen, Inc., and Scooter City USA, LLC, request to establish a new dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 2650 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789 is **DENIED**.

DONE AND ORDERED this day of July, 2009, 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 day of July, 2009.

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.

CAF/vlg

Copies furnished:

James Sursely Action Orlando Motorsports 306 West Main Street Apopka, Florida 32712

Patricia Fornes Zongshen, Inc. 3511 Northwest 113th Court Miami, Florida 33178 Randy Lozanas Scooter City USA, LLC 2650 West Fairbanks Avenue Winter Park, Florida 32789

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

Jeff B. Clark
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