

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
JOHN O. PASTORE COMPLEX  
1511 PONTIAC AVENUE  
CRANSTON, RI 02920

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IN THE MATTER OF:

Highway Auto Parts, Inc.,  
Norman E. Carpenter, Jr.  
And Shelley A. Carpenter

Respondents.

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DBR No.: 16AS002

**FINAL CONSENT ORDER OF CONDITIONAL LICENSING**

It is hereby agreed by and between the Department of Business Regulation (“Department”) and Highway Auto Parts, Inc. (“HAP”), Norman E. Carpenter, Jr. (“Mr. Carpenter”) and Shelley A. Carpenter (“Mrs. Carpenter”) (collectively “Respondents”) as follows:

A. This matter arose pursuant to an Order to Show Cause Why License Should Not Be Denied/Revoked and Cease and Desist Order Should Not Issue, Notice of Hearing and Appointment of Hearing Officer issued by the Department on February 26, 2016, to the Respondents.

B. A pre-hearing conference was held on March 16, 2016, and an Amended Order to Show Cause was issued on March 24, 2016. An Interim Consent Order was entered into by the parties on May 25, 2016, providing for conditional licensing (a “Limited Conditional ‘Clean Up Only’ License”) of Respondent HAP as an automobile wrecking and salvage yard pursuant to R.I. Gen. Laws § 42-14.2-1 *et seq.*

C. Following entry of the Interim Consent Order, Respondents provided monthly reports to the Department, the Department conducted periodic inspections of the Lots (as defined in the Interim Consent Order) and periodic status conferences were held with the Hearing Officer.

D. The Limited Conditional "Clean Up Only" License issued to Respondent HAP expired and required renewal on June 30, 2018. Respondents filed a renewal application with the Department and the Department renewed the Limited Conditional "Clean Up Only" License subject to the same conditions set forth in the Interim Consent Order.

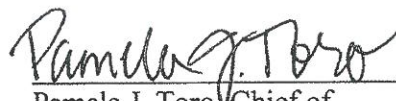
E. Based on the foregoing, the Department and the Respondents have agreed that Respondent HAP should continue to be conditionally licensed as an automobile wrecking and salvage yard subject to the following conditions:

1. The Limited Conditional "Clean-Up Only" License shall only authorize removal of motor vehicles, motor vehicle parts, tires, metals and related materials ("Auto Wrecking and Salvage Materials") from the Lots and activities reasonably necessary to facilitate said removal. At no time shall Respondents accept or otherwise cause or permit to be located on the Lots any Auto Wrecking and Salvage Materials that are not presently located on the Lots.
2. Respondents will maintain liability insurance in such amounts and coverage as currently maintained, and will provide confirmation of such coverage to the Department.
3. Respondents will continue to use their best efforts to complete the removal of all Auto Wrecking and Salvage Materials from the Front Lots with the objective of retracting the location of Auto Wrecking and Salvage Materials to Lot 4.
4. Respondents shall continue to submit monthly reports to the Department advising of the amount of materials removed during the preceding month and to have quarterly status calls with the Department with respect to the completion of the remaining removal work.

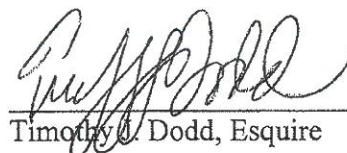
5. The Department and its authorized employees and agents shall be entitled to conduct inspections of the Lots at all reasonable times. Respondents will cooperate with the Department in the performance of such inspections.
6. Respondents shall maintain strict compliance with applicable environmental and other laws and regulations.
7. The terms of the Interim Consent Order are hereby incorporated into this Final Consent Order where relevant.

If Respondents fails to comply with this Final Consent Order or the conditions of the Limited Conditional "Clean Up Only" License, the Department may seek to revoke the license and/or impose administrative penalties.

For the Department:

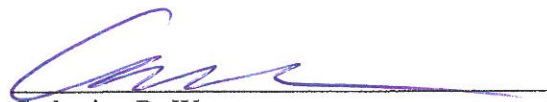
  
 Pamela J. Toro, Chief of  
 Legal Services  
 Date: July 30, 2018

For Respondents:

  
 Timothy C. Dodd, Esquire  
 Date: July 27, 2018


Recommended by:

Dated: July 31, 2018

  
 Catherine R. Warren  
 Hearing Officer

Assented to:

Dated: July 23 - 18

  
 Norman E. Carpenter, Jr.  
 President of Highway Auto Parts, Inc.

**ORDER**

I have read the Final Consent Order as agreed to by and between the parties and I hereby APPROVE/REJECT the Final Consent Order.

Dated: \_\_\_\_\_

8/3/18

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Elizabeth Tanner  
Director

**NOTICE OF APPELLATE RIGHTS**

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON APPROPRIATE TERMS.

**CERTIFICATION**

I hereby certify that on this July day of 3 2018 a copy of this Final Consent Order of Conditional Licensing was sent by first class mail, postage prepaid to:

Timothy J. Dodd, Esquire  
215 Broadway  
Providence, RI 02903

AND BY E-MAIL TO:  
doddlawoffices@aol.com

and by electronic mail to Donna L. Costantino, Associate Director, Commercial Licensing, Catherine R. Warren, Esquire, John Mancone, Pamela J. Toro, Esquire and Jenna R. Giguere, Esquire.

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*for all*