

1507 - 21st Street, Suite 330
Sacramento, California 95811
Telephone: (916) 445-1888
Contact Person: Nicole Angulo
www.nmvb.ca.gov

STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD

A G E N D A

GENERAL MEETING

Holiday Inn Hotel
San Francisco - Fisherman's Wharf
Sonoma Room
1300 Columbus Avenue
San Francisco, CA 94133
(415) 771-9000

February 4, 2011

Please note that Board action may be taken regarding any of the issues listed below. As such, if any person has an interest in any of these issues, he or she may want to attend.

The Board provides an opportunity for members of the public to comment on each agenda item before or during the discussion or consideration of the item as circumstances permit. (Gov. Code § 11125.7). However, comments by the parties or by their counsel that are made regarding any proposed decision, order, or ruling must be limited to matters contained within the administrative record of the proceedings. No other information or argument will be considered by the Board. Members of the public may not comment on such matters.

1. **2:00 p.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Pledge of Allegiance.**
4. **Introduction and welcome of newly appointed Public Board Member, Bismarck Obando.**
5. **Approval of the Minutes from the December 3, 2010, General Meeting.**
6. **2011 election of Board President and Vice President - Executive Committee.**

7. **Appointment of Committee members to the Administration Committee, Board Development Committee, Fiscal Committee, Government and Industry Affairs Committee, and Policy and Procedure Committee, by the incoming Board President.**

8. **Oral Presentation before the Public Members of the Board.**

a. BONANDER PONTIAC, INC. v. DAIMLER TRUCKS NORTH AMERICA LLC
Protest No. PR-2239-10

b. SANTA MONICA GROUP, INC. v. GENERAL MOTORS, LLC
Protest Nos. PR-2276-10 and PR-2277-10

9. **Closed Executive Session deliberations.**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board convenes in closed Executive Session to deliberate the decisions reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

a. **Consideration of Proposed Order.**

BONANDER PONTIAC, INC. v. DAIMLER TRUCKS NORTH AMERICA LLC
Protest No. PR-2239-10

Consideration of the Administrative Law Judge's Proposed Order Granting Respondent's Motion to Dismiss, by the Public members of the Board.

b. **Consideration of Proposed Order.**

SANTA MONICA GROUP, INC. v. GENERAL MOTORS, LLC
Protest Nos. PR-2276-10 and PR-2277-10

Consideration of the Administrative Law Judge's Proposed Order Granting Respondent's Motion to Dismiss Protests, by the Public members of the Board.

10. **Open Session.**

11. **Discussion and consideration of when the *Guide to the New Motor Vehicle Board* will be revised - Administration Committee.**

12. **Consideration of out-of-state travel plans for fiscal year 2011-2012 - Fiscal Committee.**

13. **Discussion and consideration of dealer/manufacture Board fee adjustments - Fiscal Committee.**

14. **Consideration of 2011 revisions to the *Informational Guide for Manufacturers and Distributors*, which outlines their obligations to provide notices, schedules, and formulas mandated by the California Vehicle Code and Civil Code to the New Motor Vehicle Board and/or impacted dealers - Policy and Procedure Committee.**
15. **Annual report concerning Board adopted policies - Policy and Procedure Committee.**
16. **Annual report on the assignment of cases to Board Administrative Law Judges - Policy and Procedure Committee.**
17. **Discussion and consideration of public comments received on the Board's proposed rulemaking for Section 551.12 (Notice of Assignment of Administrative Law Judges; Peremptory Challenges) of Title 13 of the California Code of Regulations - Policy and Procedure Committee.**
18. **Consideration of proposed regulations - Policy and Procedure Committee.**
 - a. Annual Board Fee (13 CCR § 553);
 - b. Determination of Annual Board Fee (13 § 553.20);
 - c. Notice of Assignment of Administrative Law Judges; Peremptory Challenges (13 CCR § 551.12).
19. **Executive Director's Report.**
 - A. Administrative Matters.
 - B. Case Management.
 - C. Judicial Review.
 - D. Notices Filed Pursuant to Vehicle Code sections 3060/3070 and 3062/3072.
 - E. Other.
20. **Public Comment. (Gov. Code § 11125.7).**
21. **Adjournment.**

To request special accommodations for persons with disabilities at this or any future Board meeting or to request any accommodation for persons with disabilities necessary to receive agendas or materials prepared for Board meetings, please contact Nicole Angulo at (916) 445-1888 or nangulo@nmvb.ca.gov.