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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD

A G E N D A

GENERAL MEETING

New Motor Vehicle Board
Hearing Room #1
1507 21st Street, Suite 330
Sacramento, California 95811

March 13, 2013

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. **2:30 p.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Pledge of Allegiance.**
4. **Approval of the Minutes from the January 22, 2013, General Meeting, and February 22, 2013, Special Meeting.**
5. **Presentation of Resolution to George Valverde, former Director, Department of Motor Vehicles.**

6. **Oral Arguments before the Public Members of the Board Pursuant to Government Code section 11517(c)(2)(E)(ii).**

SHAYCO, INC., dba ONTARIO VOLKSWAGEN v. VOLKSWAGEN OF AMERICA, INC.

Protest No. PR-2265-10

7. **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.

Consideration of Oral Arguments and Board Decision.

SHAYCO, INC., dba ONTARIO VOLKSWAGEN v. VOLKSWAGEN OF AMERICA, INC.

Protest No. PR-2265-10

In light of the oral arguments and written arguments, consideration of whether or not the Board should overrule or sustain the above-referenced protest, by the Public Members of the Board.

8. **Open Session.**
9. **Status report on the Department of Motor Vehicles' investigation of Roadtrek Motorhomes, Inc. for violating Vehicle Code section 3070(b) in Protest Nos. PR-2199-10 and PR-2201-10, by the Public Members of the Board.**
10. **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 Board President.**
11. **Annual review of the Board's mission and vision statements - Executive Committee.**
12. **Annual update on training programs attended by staff - Administration Committee.**
13. **Board member education concerning changes to the Administrative Procedure Act, Bagley-Keene Open Meeting Act, Political Reform Act, and Public Records Act - Board Development Committee.**

14. **Board financial condition report for the 2rd quarter of fiscal year 2012-2013 - Fiscal Committee.**
15. **Discussion and consideration of dealer/manufacturer Board fee adjustments - Fiscal Committee.**
16. **Consideration of proposed regulations increasing the Annual Board Fee (13 CCR §§ 553 and 553.20) - Policy and Procedure Committee.**
17. **Consideration of the 2013 edition of the *New Motor Vehicle Board Administrative Law Judges' Benchbook* - Policy and Procedure Committee.**
18. **Discussion concerning pending Legislation - Policy and Procedure Committee.**
 - a. Legislation of Special Interest.
 - (1) Assembly Bill 988 (Assembly Member Jones)
 - (2) Senate Bill 155 (Senator Padilla)
 - b. Legislation of General Interest.
 - (1) Assembly Bill 225 (Assembly Member Nestande)
 - c. Pending Federal Legislation of General Interest.

None
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. **Selection of Board meeting dates for 2013.**
21. **Public Comment. (Gov. Code § 11125.7).**
22. **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.