

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
MINUTES

The New Motor Vehicle Board ("Board") held a General meeting on June 26, 2013, at the Hilton Los Angeles Airport, Plaza B Room, 5711 West Century Boulevard, Los Angeles, California.

2. **ROLL CALL**

Bismarck Obando, President and Public Member, called the meeting of the Board to order at 10:22 a.m.

Present: Ramon Alvarez C. (left at 1:35 p.m.) William G. Brennan, Executive Director
Robert T. (Tom) Flesh Robin P. Parker, Senior Staff Counsel
Peter Hoffman (left at 1:33 p.m.) Matthew W. Kubicek, Deputy Attorney General III
Bismarck Obando
Glenn E. Stevens

Absent: Ryan L. Brooks
David C. Lizárraga
Victoria Rusnak
David W. Wilson

3. **PLEDGE OF ALLEGIANCE**

Mr. Alvarez led the members and staff in the Pledge of Allegiance.

4. **APPROVAL OF THE MINUTES FROM THE MARCH 13, 2013, GENERAL MEETING**

This matter was postponed until after consideration of Agenda Items 22-24.

5. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO JEROLD A. PROD, RETIRING ADMINISTRATIVE LAW JUDGE**

This matter was postponed until after consideration of Agenda Items 22-24.

6. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(e)(1), all members of the Board shall convene in a closed Executive Session.

DISCUSSION AND ADVICE FROM LEGAL COUNSEL CONCERNING PENDING LITIGATION

TERRY DOE, Petitioner vs. DEPARTMENT OF MOTOR VEHICLES, NEW MOTOR VEHICLE BOARD, and DOES 1 to 50, inclusive, Respondents
Sacramento County Superior Court No. 34-2013-80001488

Discussion and advice from the Board's legal counsel concerning pending litigation, by all members of the Board.

This matter was postponed until after consideration of Agenda Items 22-24.

7. **OPEN SESSION**

This matter was postponed until after consideration of Agenda Items 22-24.

8. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(a)(1), all members of the Board shall convene in a closed Executive Session.

DISCUSSION OF A PERSONNEL MATTER - EXECUTIVE COMMITTEE

This matter was postponed until after consideration of Agenda Items 22-24.

9. **OPEN SESSION**

This matter was postponed until after consideration of Agenda Items 22-24.

10. **REPORT ON NON-SUBSTANTIVE CHANGES TO THE PROPOSED REGULATORY TEXT OF SECTIONS 553 AND 553.20 OF TITLE 13 OF THE CALIFORNIA CODE OF REGULATIONS - EXECUTIVE COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

11. **DISCUSSION AND CONSIDERATION OF REVISED BOARD POLICY CONCERNING THE ALLOCATION OF COURT REPORTER FEES IN LIGHT OF SECTION 551.7 OF TITLE 13 OF THE CALIFORNIA CODE OF REGULATIONS - ADMINISTRATION COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

12. **CONSIDERATION OF NOMINEE FOR THE SOLON C. SOTERAS EMPLOYEE RECOGNITION AWARD RECIPIENT AS RECOMMENDED BY THE BOARD DEVELOPMENT COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

13. **ANNUAL DISCUSSION AND CONSIDERATION OF THE METHODS FOR DETERMINING BOARD FEES - FISCAL COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

14. **BOARD FINANCIAL CONDITION REPORT FOR THE 3RD QUARTER OF FISCAL YEAR 2012-2013 - FISCAL COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

15. **STATUS REPORT CONCERNING THE BOARD'S COLLECTION OF THE ARBITRATION CERTIFICATION PROGRAMS' ANNUAL FEE - FISCAL COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

16. **DISCUSSION AND CONSIDERATION OF THE BOARD'S PROPOSED BUDGET FOR FISCAL YEAR 2013-2014 - FISCAL COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

17. **REPORT ON THE 10TH NEW MOTOR VEHICLE BOARD INDUSTRY ROUNDTABLE - GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE**

This matter was postponed until after consideration of Agenda Items 22-24.

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)
 - (2) Senate Bill 686 (Senator Jackson)

- c. Pending Federal Legislation of General Interest.

None

This matter was postponed until after consideration of Agenda Items 22-24.

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.

This matter was postponed until after consideration of Agenda Items 22-24.

20. **SELECTION OF BOARD MEETING DATES FOR THE REMAINDER OF 2013**

This matter was postponed until after consideration of Agenda Items 22-24.

21. **PUBLIC COMMENT. (GOV. CODE § 11125.7)**

This matter was postponed until after consideration of Agenda Items 22-24.

22. **ORAL PRESENTATION BEFORE THE PUBLIC MEMBERS OF THE BOARD**

Mr. Obando indicated that Agenda Items 22(a) and 23(a) were being taken off the agenda because there wasn't a quorum of Public Members to consider the Proposed Decision in *Burbank Kawasaki, Inc. v. Kawasaki Motors Corp., U.S.A.* (Protest Nos. PR-2328-12 and PR-2333-12) absent a stipulation from Protestant to allow Glenn Stevens to participate. Glenn Stevens recused himself from consideration of this matter. Public comments were made by Michael M. Sieving, Esq. of Callahan Thompson Sherman & Caudill, LLP on behalf of Burbank Kawasaki and Maurice Sanchez, Esq. of Baker & Hostetler LLP on behalf of Kawasaki. Michael Norton, Esq., Associate General Counsel for Kawasaki was also present.

- a. BURBANK KAWASAKI, INC. v. KAWASAKI MOTORS CORP., U.S.A., a Corporation
Protest Nos. PR-2328-12 and PR-2333-12

This matter was taken off the agenda.

- b. M&M AUTOMOTIVE GROUP, INC., dba INFINITI OF OAKLAND v. INFINITI WEST, a Division of Nissan North America, Inc.
Protest No. PR-2360-13

Oral comments were presented before the Public Members of the Board. Michael J.

Flanagan, Esq. of the Law Offices of Michael J. Flanagan represented Protestant. Michael Murphy, the dealer principal, was also present. Maurice Sanchez, Esq. of Baker & Hostetler LLP represented Respondent.

Mr. Obando read the following statement into the record:

So as both of you know, the one-year grace period for Mr. Stevens expired on January 15, 2012. In accordance with Government Code section 1782, the Board is required to notify the “appropriate appointing authority” that vacancies exist for the three Board positions, one of which is a public member and two are dealer members. Section 1782 provides that “Notwithstanding any other provision of the law and except as provided under Section 1774 relating to appointments subject to Senate confirmation, the person occupying the vacated...seat on the board...shall continue to serve until notified by the appropriate appointing authority.” These appointments are not subject to confirmation by the Senate. In light of these provisions, the Board has been in contact with Business, Transportation and Housing Agency as well as the Governor’s Appointments Office. Member Stevens is continuing to serve on the Board until either reappointed or notified by the Governor that the respective terms have expired.

Mr. Obando indicated that counsel for the parties in *Infiniti of Oakland* have been apprised of these provisions and do not object to Public Member Glenn Stevens’ participation in this matter. Messrs. Flanagan and Sanchez, on behalf of their clients, indicated as such.

23. **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.

Pursuant to Government Code section 11517(c)(2), the Board could adopt the proposed decision/proposed order, make technical or other minor changes, reject the proposed decision/proposed order and remand the case, or reject the proposed decision/proposed order and decide the case upon the record.

a. **CONSIDERATION OF PROPOSED DECISION**

BURBANK KAWASAKI, INC. v. KAWASAKI MOTORS CORP., U.S.A., a Corporation
Protest Nos. PR-2328-12 and PR-2333-12

Consideration of the Administrative Law Judge’s Proposed Decision, by the Public Members of the Board.

This matter was taken off the agenda.

b. **CONSIDERATION OF PROPOSED ORDER**

M&M AUTOMOTIVE GROUP, INC., dba INFINITI OF OAKLAND v. INFINITI WEST, a Division of Nissan North America, Inc.
Protest No. PR-2360-13

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

The Public Members of the Board deliberated in closed Executive Session. Mr. Stevens moved to adopt the Administrative Law Judge's Proposed Order. Mr. Flesh seconded the motion. The motion carried unanimously.

24. **OPEN SESSION**

The Public Members returned to Open Session. Ms. Parker announced the decision in Agenda Item 23(b).

4. **APPROVAL OF THE MINUTES FROM THE MARCH 13, 2013, GENERAL MEETING**

Mr. Hoffman moved to adopt the March 13, 2013, General Meeting minutes. Mr. Stevens seconded the motion. The motion carried unanimously.

5. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO JEROLD A. PROD, RETIRING ADMINISTRATIVE LAW JUDGE**

The Board staff prepared a proposed Resolution recognizing Jerry Prod, retiring Board Administrative Law Judge, for his contribution to the New Motor Vehicle Board, to the motor vehicle industry, and to the People of the State of California.

Mr. Flesh moved to present Jerold A. Prod, retiring Administrative Law Judge, with a resolution. Mr. Stevens seconded the motion. The motion carried unanimously.

6. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(e)(1), all members of the Board shall convene in a closed Executive Session.

DISCUSSION AND ADVICE FROM LEGAL COUNSEL CONCERNING PENDING LITIGATION

TERRY DOE, Petitioner vs. DEPARTMENT OF MOTOR VEHICLES, NEW MOTOR VEHICLE BOARD, and DOES 1 to 50, inclusive, Respondents
Sacramento County Superior Court No. 34-2013-80001488

Discussion and advice from the Board's legal counsel concerning pending litigation, by all members of the Board.

This matter was postponed until after Agenda Item 27.

7. **OPEN SESSION**

This matter was postponed until after Agenda Item 27.

8. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(a)(1), all members of the Board shall convene in a closed Executive Session.

DISCUSSION OF A PERSONNEL MATTER - EXECUTIVE COMMITTEE

This matter was postponed until after Agenda Item 27.

9. **OPEN SESSION**

This matter was postponed until after Agenda Item 27.

10. **REPORT ON NON-SUBSTANTIVE CHANGES TO THE PROPOSED REGULATORY TEXT OF SECTIONS 553 AND 553.20 OF TITLE 13 OF THE CALIFORNIA CODE OF REGULATIONS - EXECUTIVE COMMITTEE**

The members were provided with a memorandum from Bill Brennan and Robin Parker concerning non-substantive changes to the proposed regulatory text of Sections 553 and 553.20 of Title 13 of the California Code of Regulations. Ms. Parker indicated that while reviewing the documents necessary to proceed with the proposed rulemaking increasing the annual Board fee, Bill noticed in the tiered manufacturer/distributor fee that the "and" should be an "or": the fee to be paid by each manufacturer or distributor shall not be less than \$300.00 if 1-250 vehicles were distributed or \$450.00 if 251-806 vehicles were distributed. These non-substantive changes were approved by the Executive Committee. There was no Board action as this matter was for information only.

11. **DISCUSSION AND CONSIDERATION OF REVISED BOARD POLICY CONCERNING THE ALLOCATION OF COURT REPORTER FEES IN LIGHT OF SECTION 551.7 OF TITLE 13 OF THE CALIFORNIA CODE OF REGULATIONS - ADMINISTRATION COMMITTEE**

The members were provided with a memorandum from Bill Brennan and Robin Parker pertaining to revisions to the Board adopted policy concerning the allocation of court reporter fees in light of Section 551.7 of Title 13 of the California Code of Regulations. Ms. Parker reported that the current policy has been in place since March 2012. The merits hearing in *Burbank Kawasaki* and the 15-day merits hearing in *Carson Toyota et al.* were subject to this policy. Now that the policy has been in place for more than a year, Annette

Duke, the owner of DCR Litigation, provided the staff with several suggestions to improve the policy.

Mr. Alvarez moved to adopt the revised policy. Mr. Stevens seconded the motion. The motion carried unanimously.

The revised policy is as follows:

Pursuant to the authority in Section 551.7 of Title 13 of the California Code of Regulations, for all merits hearings and dispositive motions, reporting costs including transcript fees, appearance and transcript delivery fees, per diem costs, Realtime set-up fees, expedite rates, and cancellation fees will be allocated as follows:

- For the first hearing day (merits or dispositive motion), the Board will be responsible for arranging reporting services, paying for the reporter's appearance fee, the delivery fee and any other costs excluding Realtime set-up fees, and the Board's cost of the hearing transcript. Counsel will remain responsible for purchasing their own transcript, if desired.
- For each subsequent day, the Board will arrange reporting services and will order the parties, on an equal basis, to pay the contracted court reporter service for the reporter's appearance fee, the delivery fee and any other costs including Realtime set-up fees, and the Board's cost of the hearing transcript. Counsel will remain responsible for purchasing their own transcript(s), if desired.
- In any other instance, where any party or parties deem reporting services necessary (including requests for reporter's appearance and for transcripts), the requesting party (or parties on any basis they agree upon) will be responsible for arranging reporter services and will be responsible for payment to the reporting service of the reporter's appearance fee, the delivery fee, and any other costs. Counsel can utilize the Board's contracted reporting service. The requesting party or parties will also be responsible for providing the Board with a certified copy of the transcript. Counsel will remain responsible for purchasing their own transcript(s), if desired.

12. **CONSIDERATION OF NOMINEE FOR THE SOLON C. SOTERAS EMPLOYEE RECOGNITION AWARD RECIPIENT AS RECOMMENDED BY THE BOARD DEVELOPMENT COMMITTEE**

At the July 18, 2000, General Meeting, the members adopted an Employee Recognition Award Program to recognize staff for their accomplishments. The program was renamed the Solon C. Soteris Employee Recognition Award. The staff submitted employee nominations to the Board Development Committee, Ryan Brooks and David Lizárraga, who

ultimately recommended Suzanne Luke as the Employee Recognition Award recipient. Mr. Brennan indicated that Suzanne worked as his Executive Assistant for the past eight years and does an outstanding job. Recently, she took on the duties previously performed by Linda Lighter, prior to Linda's retirement. The vote was delayed due to the brief loss of the quorum.

13. **ANNUAL DISCUSSION AND CONSIDERATION OF THE METHODS FOR DETERMINING BOARD FEES - FISCAL COMMITTEE**

The members were provided with a memorandum from Bill Brennan concerning the semi-annual discussion and consideration of the methods of determining Board fees. Mr. Brennan indicated that the fees collected are reasonable and consistent with the needs of the Board. As indicated in the memo, the fees are not a tax.

12. **CONSIDERATION OF NOMINEE FOR THE SOLON C. SOTERAS EMPLOYEE RECOGNITION AWARD RECIPIENT AS RECOMMENDED BY THE BOARD DEVELOPMENT COMMITTEE**

After the quorum was restored, Mr. Hoffman moved to adopt the Committee's recommendation. Mr. Flesh seconded the motion. The motion carried unanimously.

14. **BOARD FINANCIAL CONDITION REPORT FOR THE 3RD QUARTER OF FISCAL YEAR 2012-2013 - FISCAL COMMITTEE**

The members were provided with a memorandum from Bill Brennan, Dawn Kindel, and Suzanne Luke concerning the Board financial condition report for the 3rd quarter of fiscal year 2012-2013. Mr. Brennan indicated that the Board expended 67% of its appropriated budget through the third quarter. The Board expended only 46% of its budget for operating expenses. Mr. Brennan commented that the Board's pro rata expense and the DMV administrative charges were increasing significantly in the 2013-2014 budget; these charges are out of the Board's control.

15. **STATUS REPORT CONCERNING THE BOARD'S COLLECTION OF THE ARBITRATION CERTIFICATION PROGRAMS' ANNUAL FEE - FISCAL COMMITTEE**

The members were provided with a memorandum from Bill Brennan concerning the Board's collection of the Arbitration Certification Programs' annual fee. As indicated in the memo, \$1,123,835 was collected from 44 manufacturers and distributors. The fee collection was undertaken without incident and the Board received \$5,000 for providing this service.

16. **DISCUSSION AND CONSIDERATION OF THE BOARD'S PROPOSED BUDGET FOR FISCAL YEAR 2013-2014 - FISCAL COMMITTEE**

The members were provided with a memorandum from Bill Brennan, Dawn Kindel, and Suzanne Luke concerning the Board's proposed budget for fiscal year 2013-2014. Mr.

Brennan reported that the Board's proposed budget for the upcoming fiscal year is \$1,722,334. Mr. Stevens moved to adopt the proposed budget. Mr. Alvarez seconded the motion. The motion carried unanimously.

17. **REPORT ON THE 10TH NEW MOTOR VEHICLE BOARD INDUSTRY ROUNDTABLE - GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE**

The members were provided with a memorandum from Bill Brennan concerning the Board's 10th Industry Roundtable. Surveys were provided to the attendees in order to solicit feedback on the topics presented. Mr. Brennan indicated that positive feedback was received both on the surveys and also by Board staff members in attendance. Several comments were made by attendees that they would have liked to hear a more robust discussion about the Board's case statistics and trends. As a result of these comments, detailed information on this topic was sent to all attendees following the meeting. In total, there were 60 attendees not including Board staff, Members and Judges. Mr. Stevens requested that the staff try to get C.L.E. credits for future Roundtables.

18. **DISCUSSION CONCERNING PENDING LEGISLATION - POLICY AND PROCEDURE COMMITTEE**

- b. Legislation of Special Interest.
 - (1) Assembly Bill 988 (Assembly Member Jones)
 - (2) Senate Bill 155 (Senator Padilla)

- b. Legislation of General Interest.
 - (3) Assembly Bill 225 (Assembly Member Nestande)
 - (4) Senate Bill 686 (Senator Jackson)

- d. Pending Federal Legislation of General Interest.
 - None

The members were provided with a memorandum from Bill Brennan and Dana Winterrowd concerning pending legislation. Ms. Parker reported that the staff met with Jonathan Morrison of the California New Car Dealers Association to discuss Senate Bill 155. She also indicated that if Senate Bill 155 is signed into law, the staff will focus on hosting an Attorney Roundtable and ALJ Roundtable, and update the Board's website, samples, and publications. Mr. Brennan indicated that his efforts to get the RV industry involved in this legislation by incorporating the changes into their statutes have been unsuccessful.

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.

Mr. Brennan provided the members with a report on Administrative Matters that identified all pending projects, the Board staff and committee assigned, estimated completion dates, and status. Mr. Brennan indicated that effective July 1, 2013, the Business, Transportation and Housing Agency ("BT&H") will now be the California State Transportation Agency ("CalSTA"). Brian Kelly, acting Secretary of BT&H was just appointed Secretary of CalSTA. Mr. Brennan reported that the proposed regulations increasing the annual Board fees are still being reviewed by Bill Davidson at BT&H. Lastly, the staff recently reviewed the 1996 Performance Audit conducted by BT&H. Mr. Brennan indicated that the Board is still in compliance with the Audit and there were no changes.

Ms. Parker reported that there were no new protests filed since the members received their report. Only 11 protests have been filed this year with no motorcycle protests being filed. She reported that only 11 notices of termination had been filed. Lastly, Ms. Parker indicated that even though a small number of protests have been filed this year, the legal staff is still very busy with the pending cases and court matters.

20. **SELECTION OF BOARD MEETING DATES FOR THE REMAINDER OF 2013**

The members were provided with a memorandum from Bill Brennan concerning Board meeting dates for 2013. The members went off the record for this discussion. Ms. Parker announced that the following meetings were scheduled for the remainder of 2013:

- July 22 or 23, 2013, Special Meeting, Los Angeles (subsequently changed to July 25);
- November 12, 2013, General Meeting, Sacramento

21. **PUBLIC COMMENT. (GOV. CODE § 11125.7)**

This matter was postponed until after Agenda Item 9, which was taken out of order.

25. **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

(This matter was taken off calendar as the parties are working on a resolution that will result in the dismissal of the protest.)

26. **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 AND WRITTEN 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.

(The members did not go into closed Executive Session as this matter was taken off the Agenda.)

27. **OPEN SESSION**

The members remained in Open Session as this matter was taken off the agenda.

6. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(e)(1), all members of the Board shall convene in a closed Executive Session.

DISCUSSION AND ADVICE FROM LEGAL COUNSEL CONCERNING PENDING LITIGATION

TERRY DOE, Petitioner vs. DEPARTMENT OF MOTOR VEHICLES, NEW MOTOR VEHICLE BOARD, and DOES 1 to 50, inclusive, Respondents

Sacramento County Superior Court No. 34-2013-80001488

Discussion and advice from the Board's legal counsel concerning pending litigation, by all members of the Board.

The Public Members and Dealer Members of the Board convened in closed Executive Session. The members participated in a discussion of this matter with Mathew W.

Kubicek, Deputy Attorney General III.

7. **OPEN SESSION**

The members returned to open session and Mr. Obando announced that no Board action was taken.

8. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(a)(1), all members of the Board shall convene in a closed Executive Session.

DISCUSSION OF A PERSONNEL MATTER - EXECUTIVE COMMITTEE

The Public members of the Board convened in closed Executive Session to discuss a personnel matter.

9. **OPEN SESSION**

The members returned to open session and Mr. Obando announced that no Board action was taken.

21. **PUBLIC COMMENT. (GOV. CODE § 11125.7)**

No additional public comment was presented.

28. **ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at approximately 1:38 p.m.

Submitted by

WILLIAM G. BRENNAN
Executive Director

APPROVED: _____
Bismarck Obando
President
New Motor Vehicle Board