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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD

A G E N D A

SPECIAL MEETING

The New Motor Vehicle Board ("Board") held a Special meeting on September 19, 2014, at the Embassy Suites San Diego Bay-Downtown, Monterey Ballroom, 601 Pacific Highway, San Diego, California.

2. **ROLL CALL**

Glenn Stevens, President, called the meeting of the Board to order at 8:03 a.m.

Present: Ramon Alvarez C. William G. Brennan, Executive Director
Rahim Hassanally Robin P. Parker, Senior Staff Counsel
Bismarck Obando Dawn Kindel, Chief of Staff
Victoria Rusnak
Glenn E. Stevens

Absent: Ryan L. Brooks
Anthony A. Batarse Jr.
Kathryn Ellen Doi
David C. Lizárraga

3. **PLEDGE OF ALLEGIANCE**

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

4. **CONSIDERATION OF REVISED TEXT TO PROPOSED RULEMAKING
INCREASING THE ANNUAL BOARD FEE (13 CCR §§ 553 AND 553.20) - POLICY
AND PROCEDURE COMMITTEE**

The members were provided with a memorandum from Bill Brennan and Robin Parker regarding revised text to proposed rulemaking increasing the Annual Board Fee. Mr. Brennan indicated that the DMV and CalSTA have approved the proposed rulemaking but based on additional discussions with the Department of Finance, further amendments to the proposed fee structure were required prior to the Board going forward with the fee.

increase. It was suggested that a per unit fee of \$0.50 for manufacturers and distributors with a \$350 minimum and a \$350 fee for dealerships was more in line with projected vehicle sales. Mr. Brennan indicated that vehicle sales increased more than the Board's projections of 1.75 million for 2013; they were 1.99 million. Mr. Brennan is mindful that the fee increase may need to be adjusted in the future depending on vehicle sales. In order for the Board to go forward with the existing rulemaking packet, the final rulemaking packet needs to be submitted to the Office of Administrative Law by mid-October.

Mr. Alvarez C. moved to adopt the revised text to proposed rulemaking increasing the Annual Board Fee. Mr. Obando seconded the motion. The motion carried unanimously.

Mr. Stevens read the following statement into the record:

Given the Board's decision to go forward with the proposed regulations, I hereby delegate to the Executive Director the ministerial duty of proceeding through the rulemaking process in compliance with the Administrative Procedure Act. Notice of the proposed rulemaking will be published in the California Regulatory Notice Register and will be sent to the Public Mailing List. During the public comment period, I want to invite and encourage written and oral comments. Additionally, a public hearing at the Board's offices may be held to accept oral and written comments.

By the Board instructing staff to go forward with the proposed regulations, this does not necessarily indicate final Board action. If any written or oral comments are received, the full Board will consider the comments and reconsider the text of the proposed regulations. Furthermore, if the staff decides that substantive modifications to the proposed text are necessary, the Board will consider those modifications at a noticed meeting. However, non-substantive changes involving format, grammar, or spelling suggested by the Office of Administrative Law or the staff will not be considered by the Board because they are non-regulatory in nature. They will be considered by the Executive Committee and ultimately reported to the Board at a future meeting. If there are no written or oral comments received, then the rulemaking process will proceed without further Board involvement.

Mr. Stevens inquired about Audi's application to test autonomous vehicles and whether the DMV could address the Board at a future meeting to discuss how the testing is going. Mr. Brennan indicated that DMV was presenting on this matter at the NAMVBC workshop later that morning and that all members were invited to attend.

Ms. Rusnak requested as an educational item, that the members tour a dealership facility and also read the CNCDA manual that was recently updated. (Copies are being provided by the CNCDA.) Ms. Rusnak offered her dealerships for this purpose. Mr. Brennan indicated that during the January 22, 2015, meeting in San Francisco that perhaps Mr. Batarse or Mr. Hassanally could provide a tour of one of their dealerships. Mr. Hassanally indicated that he would be happy to. Ms. Rusnak also requested that the staff provide the

members with the legislative history on Dealer Board Member participation on matters. Specifically, Ms. Rusnak was interested in the level at which the legislature wanted to limit the participation versus voting on matters. It was suggested that Peter Welch, President of the NADA, be asked to address the Board in January.

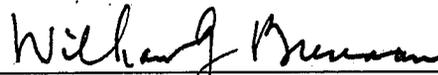
5. PUBLIC COMMENT (GOV. CODE § 11125.7)

No additional public comment was presented.

6. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at approximately 8:18 a.m.

Submitted by



WILLIAM G. BRENNAN
Executive Director

APPROVED:



Glenn E. Stevens
President
New Motor Vehicle Board