

STATE OF CALIFORNIA



MEMO

To : POLICY AND PROCEDURE COMMITTEE **Date:** February 23, 2015
BISMARCK OBANDO, CHAIR
KATHRYN ELLEN DOI, MEMBER

From : WILLIAM G. BRENNAN
ROBIN P. PARKER

Subject: CONSIDERATION OF THE 2015 EDITION OF THE *NEW MOTOR VEHICLE BOARD ADMINISTRATIVE LAW JUDGES' BENCHBOOK*

The enclosed *New Motor Vehicle Board Administrative Law Judges' Benchbook* ("Benchbook") was reviewed and revised most recently at the July 15, 2014, General Meeting. It is being revised again to reflect legislative changes that were effective January 1, 2015. The title page, table of contents, and all page references were updated. The pertinent changes, as indicated below, are in italic/underline and strikeout font.

- The section "New as of 2015" has been updated to reflect Assembly Bill 988, which amends the definition of all-terrain vehicle (Veh. Code § 111) to include recreational off-highway vehicles (ROHVs) as defined in Section 500 and utility terrain vehicles (UTVs) as defined in Section 531. It was also updated to reflect that the decision in *Powerhouse Motorsports Group, Inc., et al. v. Yamaha Motor Corporation, U.S.A.* (2013) 221 Cal.App.4th 867 [164 Cal.Rptr.3d 811] was final.
- Footnote 28 was added to Part VI – Ethical Matters on page 75 to reflect a revision to the Code of Judicial Ethics. Canon 2C was amended January 21, 2015, to eliminate an exception to an ethics rule that prohibits judges from holding membership in any organization that practices invidious discrimination on the basis of race, sex, gender, religion, national origin, ethnicity, or sexual orientation. The prior rule permitted an exception for nonprofit youth organizations. Judges will have until January 21, 2016 to comply with the new rule.

There were no other substantive changes.

This topic is being agendized for discussion and consideration at the March 25, 2015, General Meeting. If you have any questions or require additional information, please contact me at (916) 324-6197 or Robin at (916) 323-1536.

Enclosures

cc: Glenn Stevens