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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
MINUTES

The New Motor Vehicle Board ("Board") held a General meeting on March 13, 2018, in Hearing Room #1, at the Board's offices.

2. ROLL CALL

Ramon Alvarez C., President and Dealer Member, called the meeting of the Board to order at 10:30 a.m.

Present: Ramon Alvarez C.
Anthony A. Batarse Jr.
Kathryn Ellen Doi
Rahim Hassanally
David C. Lizárraga
Glenn E. Stevens

Timothy M. Corcoran, Executive Director
Robin P. Parker, Senior Staff Counsel
Danielle R. Vare, Staff Counsel

Absent: Bismarck Obando
Victoria Rusnak

3. PLEDGE OF ALLEGIANCE

Due to inadvertence, the Pledge of Allegiance was skipped.

4. INTRODUCTION AND WELCOME TO TIMOTHY M. CORCORAN, INCOMING EXECUTIVE DIRECTOR

Mr. Alvarez introduced the members and audience to Tim Corcoran, the Board's new Executive Director. Mr. Corcoran thanked the Board, Board President, Vice President, and staff for welcoming him so kindly to the Board. He remarked that he was truly appreciative of the opportunity to serve both the Board, the industry, the staff, as well as the people of the State of California in this new role. Ms. Doi remarked that she was part of the hiring committee and the Board was fortunate to have a number of highly qualified candidates, and very fortunate to find Tim to be the Board's new Executive Director. Ms. Doi thanked Mr. Alvarez for very capably and fairly administering the hiring process.

5. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO MRS. JEANNE BRENNAN FOR BILL BRENNAN'S SERVICE AS THE BOARD'S EXECUTIVE DIRECTOR FROM 2005 TO 2017**

Mr. Stevens moved to present a Resolution to Mrs. Jeanne Brennan in recognition of Bill Brennan's contribution to the New Motor Vehicle Board. Mr. Hassanally seconded the motion. The motion carried unanimously.

6. **DISCUSSION AND CONSIDERATION OF RENAMING HEARING ROOM #1 "THE WILLIAM G. BRENNAN HEARING ROOM" IN HONOR OF BILL BRENNAN, THE BOARD'S PREVIOUS EXECUTIVE DIRECTOR - EXECUTIVE COMMITTEE**

The members were provided with a memorandum from Tim Corcoran concerning renaming Hearing Room #1 "The William G. Brennan Hearing Room" in honor of Bill Brennan, the Board's previous Executive Director. Mr. Corcoran indicated that Hearing Room #1 would be renamed the William G. Brennan Hearing Room as a lasting tribute and remembrance of an individual who gave 12 years to this Board and a lifetime to public service. Mr. Lizárraga moved to approve renaming Hearing Room #1 "The William G. Brennan Hearing Room." Ms. Doi seconded the motion. The motion carried unanimously.

7. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO RYAN L. BROOKS, FORMER PUBLIC MEMBER**

Mr. Batarse moved to present a Resolution to Ryan L. Brooks, former Public Member, in recognition of his contribution to the New Motor Vehicle Board. Mr. Stevens seconded the motion. The motion carried unanimously.

8. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO VICTOR D. RYERSON, RETIRED BOARD ADMINISTRATIVE LAW JUDGE**

Ms. Doi moved to present a Resolution to Victor D. Ryerson, retired Administrative Law Judge, for of his contribution to the New Motor Vehicle Board. Mr. Stevens seconded the motion. The motion carried unanimously.

9. **APPROVAL OF THE MINUTES FROM THE JANUARY 24, 2018, GENERAL MEETING**

Ms. Doi moved to adopt the January 24, 2018, General Meeting minutes. Mr. Stevens seconded the motion. The motion carried unanimously.

10. **APPOINTMENT OF A BOARD DEVELOPMENT COMMITTEE MEMBER IN LIGHT OF THE EXPIRATION OF RYAN BROOKS' TERM, BY THE BOARD PRESIDENT**

Board President Ramon Alvarez appointed Glenn Stevens as a member of the Board Development Committee.

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

Given this matter involves a dispute between a franchisee and a franchisor, Mr. Alvarez C.

turned the meeting over to Kathryn Doi, Public Member and Vice President.

Ms. Doi reminded the Dealer Members that they may not participate in, hear, comment, advise other members upon, or decide agenda Items 11 and 12. On October 5, 2017 and November 28, 2017, counsel for Respondent declined to stipulate to Dealer Board Member participation.

Ms. Doi read the following statement: "Comments by the parties or by their counsel that are made regarding any proposed decision, ruling, or order must be limited to matters contained within the administrative record of the proceeding. No other information or argument will be considered by the Board." Furthermore, she indicated that this is an adjudicative matter as described in Government Code section 11125.7(e), therefore members of the public may not comment on such matters.

ASIAN PACIFIC INDUSTRIES, INC., dba JAGUAR LAND ROVER STEVENS CREEK v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2530-17, PR-2531-17, PR-2532-17, PR-2533-17

ARBM, INC., DBA LAND ROVER LIVERMORE v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2543-17 and PR-2544-17

ARBM, INC., DBA JAGUAR LIVERMORE v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2545-17 and PR-2546-17

BRITISH MOTOR CAR DISTRIBUTORS, LTD., DBA JAGUAR SAN FRANCISCO v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2547-17 and PR-2548-17

BRITISH MOTOR CAR DISTRIBUTORS, LTD., DBA LAND ROVER SAN FRANCISCO v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2549-17 and PR-2550-17

Oral comments were presented before the Public Members of the Board. Gavin M. Hughes, Esq. and Robert A. Mayville, Esq. of the Law Offices of Gavin M. Hughes represented Protestants. Colm A. Moran, Esq. of Hogan Lovells US LLP represented Respondent.

12. 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, make technical or other minor changes, reject the proposed decision and remand the case, or reject the proposed decision and decide the case upon the record.

CONSIDERATION OF PROPOSED ORDER

ASIAN PACIFIC INDUSTRIES, INC., dba JAGUAR LAND ROVER STEVENS CREEK v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2530-17, PR-2531-17, PR-2532-17, PR-2533-17

ARBM, INC., DBA LAND ROVER LIVERMORE v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2543-17 and PR-2544-17

ARBM, INC., DBA JAGUAR LIVERMORE v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2545-17 and PR-2546-17

BRITISH MOTOR CAR DISTRIBUTORS, LTD., DBA JAGUAR SAN FRANCISCO v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2547-17 and PR-2548-17

BRITISH MOTOR CAR DISTRIBUTORS, LTD., DBA LAND ROVER SAN FRANCISCO v. JAGUAR LAND ROVER NORTH AMERICA, LLC
Protest Nos. PR-2549-17 and PR-2550-17

Consideration of the Administrative Law Judge's "Proposed Order Granting Motion of Respondent Jaguar Land Rover North America, LLC to Dismiss for Lack of Jurisdiction", by the Public Members of the Board.

The Public Members of the Board deliberated in closed Executive Session. Mr. Lizárraga moved to adopt the Administrative Law Judge's "Proposed Order Granting Motion of Respondent Jaguar Land Rover North America, LLC to Dismiss for Lack of Jurisdiction" and strike Paragraph 34, lines 20-28 starting with the sentence "If Protestants' argument is correct that the ..." Mr. Stevens seconded the motion. The motion carried unanimously.

13. OPEN SESSION

The Public Members returned to Open Session. Ms. Doi announced the decision in *Asian Pacific Industries, Inc. et al.* v. *Jaguar Land Rover North America, LLC.*

14. ANNUAL REVIEW OF THE BOARD'S MISSION AND VISION STATEMENTS - EXECUTIVE COMMITTEE

The members were provided with the Board's current Mission and Vision Statements. Mr. Corcoran recommended that the Board continue with the current statements. He did mention that while the statements remain accurate, the Board's Executive Committee may want to consider updating these in the near future in conjunction with the development of

the Board's workforce and succession planning effort. No Board action was taken as this matter was for informational purposes only.

15. ANNUAL UPDATE ON TRAINING PROGRAMS ATTENDED BY STAFF - ADMINISTRATION COMMITTEE

The members were provided with a memorandum from Tim Corcoran and Dawn Kindel concerning training programs attended by the staff since the last report. Miss Kindel reported that in addition to the classes listed in the memo, one of the Board's Office Assistant's is taking a legal secretary class. No Board action was taken as this matter was for informational purposes only.

16. ANNUAL UPDATE ON CONSUMER MEDIATION SERVICES PROGRAM - ADMINISTRATION COMMITTEE

The members were provided with a memorandum from Tim Corcoran and Dawn Kindel concerning the annual update on the Board Consumer Mediation Program. As indicated in the memo, the program received a total of 453 cases; an average of 37.75 cases per month, and 2,095 mediation calls last fiscal year; an average of 95.23 calls per month. Miss Kindel reported that the Board's long-time Mediator, Jackie Grassinger, retired. No Board action was taken as this matter was for informational purposes only.

17. 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 Tim Corcoran 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 indicated that since the parties are paying for all costs plus the Board's transcript after the first day, they should be given the option to use or not use the contracted court reporter service. The staff is suggesting amending the policy to allow additional flexibility with securing a court reporter to provide the services requested.

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

The revised policy is 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 <u>or counsel, at the Board's discretion,</u> will arrange reporting services and <u>the Board</u> will order the

parties, on an equal basis, to pay the ~~contracted~~ court reporter service for the reporter's appearance fees, 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 fees, the delivery fee, and any other costs. Counsel can utilize the Board's contracted reporting service but are not required to do so. 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.

18. 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

The members were provided with a memorandum from Tim Corcoran, Robin Parker, and Danielle Vare along with summaries of the Administrative Procedure Act, Bagley-Keene Open Meeting Act, Political Reform Act, and Public Records Act. A number of resource materials were also provided.

Ms. Parker mentioned that there were no substantive changes to the Administrative Procedure Act or the Bagley-Keene Open Meeting Act. Ms. Vare indicated that with regards to the Political Reform Act, there were no statutory changes or case decisions that impact the Board's compliance with the Act. With regards to the Public Records Act, Section 6254.3 was amended to state that personal email addresses are not subject to disclosure unless the email was used to conduct public business. No Board action was taken as this matter was for informational purposes only.

19. BOARD FINANCIAL CONDITION REPORT FOR THE 2ND QUARTER OF FISCAL YEAR 2017-2018 - FISCAL COMMITTEE

The members were provided with a memorandum from Tim Corcoran, Dawn Kindel and Suzanne Luke concerning the Board's financial condition for the 2nd quarter of fiscal year 2017-2018. Ms. Luke indicated that the Board expended 45% of its appropriated budget through the second quarter of fiscal year 2017-2018. Additionally, she indicated that the Board's budget appropriation is $1.58 million, revenues were $1.47 million, and the current reserve balance is $2.774 million. Miss Kindel informed the members that dealer fees are projected to be approximately $100,000 less than last year but it will not impact the Board. No Board action was taken as this matter was for informational purposes only.

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

a. Pending Legislation of Special Interest: Assembly Bill 2107 (Assembly Member Reyes)

b. Pending Legislation of General Interest: Assembly Bill 2224 (Assembly Member Mullin)

c. Pending Federal Legislation of General Interest: None.

The members were provided with a memorandum from Tim Corcoran and Danielle Vare concerning pending legislation. Ms. Vare reported that Assembly Bill 2107 was introduced by the California New Car Dealers Association. The bill intends to remove the sunset provision from Section 3085 Association protests. Ms. Vare mentioned that she is also monitoring Assembly Bill 2224, which seeks to add narrow track vehicles to the Vehicle Code. Lastly, Mr. Vare mentioned that she is monitoring a federal bill in regard to used dealers selling used cars that are under an open recall. No Board action was taken as this matter was for informational purposes only.

21. **CONSIDERATION OF THE 2018 EDITION OF THE *NEW MOTOR VEHICLE BOARD ADMINISTRATIVE LAW JUDGES' BENCHBOOK* - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memorandum and revised *Administrative Law Judges' Benchbook* from Tim Corcoran and Robin Parker. Ms. Parker reported that the *Benchbook* was thoroughly reviewed. The title page, table of contents and all page references were updated along with the section entitled "New as of 2018", and there were no substantive changes.

Ms. Doi moved to adopt the revised *Administrative Law Judges' Benchbook*. Mr. Stevens seconded the motion. The motion carried unanimously.

22. **CONSIDERATION OF PROPOSED REGULATION AMENDING 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**

The members were provided with a memorandum from Tim Corcoran and Robin Parker concerning revisions to proposed regulatory amendments to Section 551.12 of Title 13 of the California Code of Regulations pertaining to peremptory challenges. Ms. Parker commented that, as the members know, the Board has a limited number of Administrative Law Judges (ALJ). ALJ Skrocki presides over law and motion and ALJ Wong conducts settlement conferences leaving the remaining ALJs for merits hearings. Additionally, since the memo was written, Ms. Parker reported that 10 preemptory challenges have been filed in law and motion matters. When this regulation was originally drafted, Ms. Parker indicated that it was never the staff's intention to encompass anything other than merits hearings. Michael Gowe, Deputy Attorney General, reviewed the staff's proposed amendments. Mr. Gowe reviewed other State agencies that are also quasi-judicial

agencies like the Board to make sure that what is being proposed is consistent not only with what other agencies are doing but also to make sure it isn't contrary to the law.

Ms. Parker indicated that the staff is seeking to limit a preemptory challenge only to a merits hearing and to eliminate any requirement that there be a Declaration of Prejudice on the part of the party seeking to file a preemptory challenge. That is consistent with the Office of Administrative Hearings, the State Personnel Board and the Workers' Compensation Appeals Board.

Ms. Doi wanted to know the Board's role after comments are received to the proposed rulemaking. Ms. Parker indicated that if comments are received from the public, they will be presented to the Board with a response from the staff. By adopting the regulation today, all the Board is doing is granting the Executive Director the ministerial duty of proceeding through the rulemaking process. The staff cannot make any substantive changes to the proposed regulation if adopted. Lastly, Ms. Parker commented that the Board is kept apprised of the rulemaking process in the administrative matters portion of the Executive Director's Report.

The proposed revisions are as follows:

§ 551.12. Notice of Assignment of Administrative Law Judges; Peremptory Challenges.

(a) The name of the administrative law judge assigned to a protest or petition proceeding will be noted on the order of time and place of hearing. An amended order or notice will be issued if a different administrative law judge is subsequently assigned to the proceeding.

(b) ~~In any proceeding other than those relating to applications for temporary relief or interim orders, each party is entitled to only one peremptory challenge of the assigned administrative law judge~~ Each party is entitled to one peremptory challenge of the administrative law judge assigned to preside over the hearing on the merits of a petition as required by Vehicle Code section 3050(c) or the administrative law judge assigned to preside over the hearing on the merits of a protest as required by subdivisions (d) and (e) of Vehicle Code section 3050, based solely upon satisfying all of the following requirements:

(1) ~~The peremptory challenge shall~~ The peremptory challenge must be filed with the board no later than either 20 days from the date of the order of time and place of hearing identifying the merits administrative law judge or 20 days prior to the date scheduled for commencement of the merits hearing, whichever is earlier.

(2) The peremptory challenge may be made by the party, the party's attorney, or authorized representative appearing in ~~any~~ the proceeding, and shall be by written declaration ~~consistent with the requirement of subsection (e), below; and~~ substantially in the following form:
"I am a party to [case name and number] and am exercising my right to a peremptory challenge regarding ALJ [name], pursuant to Section 551.12 and Government Code section 11425.40(d)"; and

(3) The peremptory challenge shall be served on opposing parties.

(c) If a party obtains the removal of the assigned administrative law judge,

either by way of peremptory challenge, or for cause under Section 551.1, any other party shall have the right to a peremptory challenge of the subsequently assigned administrative law judge provided that the party complies with subparagraphs (b)(2)-(3), above. This latter peremptory challenge shall be filed with the board no later than either 20 days from the date of the notice or order identifying the subsequent administrative law judge or 10 days prior to the date scheduled for the merits hearing, whichever is earlier.

(d) No peremptory challenge shall be considered or granted if it is not made within the time limits set forth above.

(e) A peremptory challenge of the assigned administrative law judge is not authorized for law and motion hearings, settlement conferences, and rulings on discovery disputes. ~~Any declaration filed pursuant to this regulation shall be in substantially the following form:~~

~~I, ____(name)____, declare: That I am a party (or attorney or authorized representative for a party) in the pending matter. That the administrative law judge assigned to the hearing is prejudiced against the party (or his or her attorney or authorized representative of record) or the interest of the party (or his or her attorney or authorized representative) so that the declarant cannot or believes that he or she cannot have a fair and impartial hearing before the administrative law judge.~~

~~I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct:~~

~~_____ _____~~
~~(Date) (Signature)~~

(f) Unless required for the convenience of the board or good cause is shown, a continuance of the merits hearing shall not be granted by reason of a peremptory challenge. ~~If a continuance is granted, the matter shall be continued to the first convenient day for the board and shall be reassigned or transferred for hearing as promptly as possible.~~ Nothing in this regulation shall affect or limit the provisions of Vehicle Code section 3066(a), 3080(a), or 3085.2(a).

(g) Nothing in this regulation shall affect or limit the provisions of a challenge for cause under Article 1, section 551.1.

Note: Authority cited: Sections 3050~~(a)~~, 3066, 3080 and 3085.2, Vehicle Code. Reference: Section 3050(a), Vehicle Code; ~~Section 2015.5, Code of Civil Procedure;~~ and Section 11425.40, Government Code.

Ms. Doi moved to adopt the proposed regulation. Mr. Batarse seconded the motion. The motion carried unanimously.

Mr. Alvarez read the following statement into the record:

Given the Board's decision to go forward with the proposed regulation, 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 regulation, 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 regulation. Furthermore, if the staff decides that substantive modifications to the proposed texts 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.

23. **CONSIDERATION OF PROPOSED NON-SUBSTANTIVE REGULATORY AMENDMENTS TO ADD REFERENCES TO CODE OF CIVIL PROCEDURE SECTION 1013b, WHICH PERTAINS TO PROOF OF ELECTRONIC SERVICE - POLICY AND PROCEDURE COMMITTEE**

a. Request for Informal Mediation (13 CCR § 551.14);
b. Service; Proof of Service (13 CCR § 551.24);
c. Service of Petition upon Respondent(s) (13 CCR § 555.1); and
d. Service of Protest upon Franchisor (13 CCR § 584).

The members were provided with a memorandum from Tim Corcoran and Robin Parker concerning proposed non-substantive regulatory amendments to add references to Code of Civil Procedure section 1013b, which pertains to proof of electronic service.

Mr. Lizárraga moved to adopt the proposed regulation. Mr. Stevens seconded the motion. The motion carried unanimously.

Mr. Alvarez read the following statement into the record:

Given the Board's decision to go forward with the proposed regulation, 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 regulation, 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 regulation. 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 and 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.

24. 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. Corcoran 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. Corcoran indicated that he is working with DMV's Enterprise Risk Management Division on succession planning and one component is looking at the Mission and Vision statements. Additionally, Mr. Corcoran mentioned Assembly Bill 434 that was approved by the Governor requires the agency chief information officer certify their public website by complying with certain content and accessibility guidelines by June 30, 2019. DMV is making these changes for the Board well in advance of the deadline. Mr. Corcoran indicated that effective February 20, 2018, Brian Annis was appointed the Secretary of California State Transportation Agency. Mr. Annis is succeeding Mr. Brian Kelly. Mr. Annis was previously Under Secretary from 2013-2018 until being designated Acting Secretary prior to his appointment. Mr. Stevens suggested that Secretary Annis be invited to the next General Meeting.

Ms. Parker informed the Board that an ALJ Roundtable is planned for the spring. Additionally, ALJ Matteucci just presided over a 10-day hearing in *Folsom Chevrolet*. An 8-day hearing in *West Covina Nissan* is set to begin April 2, 2018. Ms. Parker updated the members on ALJ Wong's success in settling protests.

25. SELECTION OF BOARD MEETING DATES FOR THE REMAINDER OF 2018

The members were provided with a memorandum from Tim Corcoran concerning Board meeting dates for the remainder of 2018. The members went off the record for this discussion. Mr. Alvarez indicated that the CNCDA Dealer Day event is May 16, 2018. The next two General Meetings are August 13, 2018, and November 7, 2018.

26. DISCUSSION AND CONSIDERATION OF WHO WILL ATTEND THE OUT-OF-STATE TRIPS FOR THE 1ST HALF OF FISCAL YEAR 2018-2019 THAT WERE PREVIOUSLY APPROVED BY THE BOARD - EXECUTIVE COMMITTEE

The members were provided with a memorandum from Tim Corcoran concerning who will attend out-of-state trips for the 1st half of fiscal year 2018-2019. As indicated in the memo,

at the January 24, 2018, General Board meeting, the Board members approved the following out-of-state travel plans for the first half of fiscal year 2018-2019.

- The National Association of Motor Vehicle Boards and Commissions (NAMVBC) Fall Workshop on September 19-22, 2018, in New Orleans, Louisiana; and
- The Recreational Vehicle Industry Association's 56th National Trade Show which will take place in Louisville, Kentucky in late November 2018 (if the travel ban to Kentucky is lifted).

In response to Mr. Corcoran's inquiry, Miss Kindel indicated that the staff that have attended the NAMVBC meetings in the past are the Executive Director, Danielle, Robin and herself.

Mr. Stevens moved to approve the out-of-state trips for the first half of the 2018-2019 fiscal year for the Executive Director and two staff to be named by the Executive Director. Mr. Hassanally seconded the motion. The motion carried unanimously.

27. **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 12:23 p.m.

Submitted by _____
TIMOTHY M. CORCORAN
Executive Director

APPROVED: _____
Ramon Alvarez C.
President
New Motor Vehicle Board