



New Motor Vehicle Board

In-Site

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JUNE 6, 2007 GENERAL MEETING HIGHLIGHTS

The Board held its June 6, 2007, General Meeting in Los Angeles. Andy Robles, former Dealer Board Member was presented with a resolution for his contributions to the New Motor Vehicle Board, to the motor vehicle industry and to the people of the State of California.



Robert Branzuela, Ryan Brooks, Glenn Stevens, Tom Flesh, Andy Robles, David Wilson, Alan Skobin, Ramon Alvarez C.

John Paliwoda, Executive Director, California Motorcycle Dealers Association (CMDA) provided the Board with an overview of the motorcycle industry, the value of this industry to the economy, and the importance of motorcycle safety to the CMDA.

A number of staff reports were given on a variety of topics.

The members were informed that the Board was in full compliance with all of the audit findings and corrective plans that resulted from its 1996 Business, Transportation & Housing Agency audit.

The staff reported on the feasibility of providing the Board meeting materials in an electronic form, and is working to put these materials on the Board's website.

Every January the Board sends notice to the Public Mailing List and all manufacturers and distributors within the

Board's jurisdiction regarding the requirements of Vehicle Code sections 3064/3074 and 3065/3075 relating the filing of schedules and formulas for (1) warranty reimbursement; and (2) delivery preparation obligations and compensation. The schedules and formulas are only maintained for three years, plus the current year and stress that it is incumbent upon the manufacturer or distributor to file new documents every three years, or sooner as the information changes. At the June Meeting, the staff reported that there were still 59 manufacturers who have failed to file documents responsive to the Board's request, or who have requested, and been granted, an extension of time to file the documents. The Board has requested that an update of those licensees in compliance and how to handle non-compliance be presented at the September 7, 2007, General Meeting in San Francisco.

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, Robert Branzuela and Ryan Brooks, who ultimately recommended Jackie Grassinger as the Employee Recognition Award recipient.

The members were provided with the Board financial condition report for the 3rd quarter of fiscal year 2006-2007. The Board has expended 63% of its appropriated budget for the current fiscal year.

The Board is required by statute to administer the collection of fees to fully fund the Department of Consumer Affairs, Arbitration Certification Program. These fees are collected from all manufacturers and distributors licensed in California that distribute passenger vehicles weighing less than 10,000 pounds. The staff collected approximately \$947,000 to fund the program including \$5,000 in administrative fees to cover its costs.

The members were provided with feedback concerning the 6th Annual Industry Roundtable. The 7th Annual Industry Roundtable is tentatively set for April 30, 2008, in Indian Wells, California. If you would like to receive

June 16, General Meeting, cont'd from page 1

information concerning this event, please contact Robin Parker at (916) 445-1888 or rparker@nmvb.ca.gov.

In an effort to respond to requests for changes of venue for Mandatory Settlement Conferences, the Board, subject to stipulation of counsel, can use litigants' conference rooms or offices. The Fair Political Practices Commission has determined that if the requirements of Section 18944.2 of Title 2 of the California Code of Regulations are met then the gift would be considered made to the Board and not to its members. A report was presented to the members concerning the Board's compliance in this regard. This process is running smoothly and was utilized in one protest, *South Shore Motors v. Subaru of America, Inc.*, Protest No. PR-1970-05. It provides the parties additional flexibility in selecting convenient settlement conference dates and locations.

Due to the expiration of his 6-month personal services contract, Judge Norman "Greg" Taylor was taken off the Merits and Mandatory Settlement Conference Assignment Logs effective May 1, 2007.

It was reported that there was no pending legislation that directly impacts the Board's operations at this time.

The members selected the following Board meeting dates for the remainder of 2007: September 7, 2007, San Francisco; November 15, 2007, Los Angeles; and December 13, 2007, Sacramento.

Mr. Skobin appointed the Board's newest members to the following committees: Ramon Alvarez C., Fiscal Committee; and Haig Papaian, Administration Committee.

BOARD TOURS HONDA MOTORCYCLE FACILITY

Board members and Staff were hosted to a tour of the American Honda Motor Co., Inc. (Honda) motorcycle distribution facility on June 6, 2007, as part of the Board's education program. The tour was coordinated by Bruce Ishimatsu, Attorney for Loeb & Loeb LLP, Bill Herten, Manager, Legal Coordination, Motorcycle Division, Honda, and Frank Patton, Assistant Manager Legal Coordination, Motorcycle Division, Honda.



The tour provided an overview of how product comes into the U.S. and how product is distributed to the dealer, how distributors retain their dealer body, what aftermarket accessories are available, the categories of products, and an overview of how distributors market their motorcycles to consumers.



State of California
Arnold Schwarzenegger, Governor

IN-SITE

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and Housing Agency*
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CALRVDA 3rd ANNUAL RV TOUR

The California Recreation Vehicle Dealers Association (CalRVDA) hosted their third annual "RV Capitol Tour" on Tuesday, June 5, 2007, featuring the latest makes and models of RVs. One of the more popular attractions was a vintage silver bullet RV camper that was made in the mid 1900's out of aircraft aluminum, and towed by a classic Packard automobile.



Board staff Eugene Ohta and Laura Rader

The RV Tour at the Capitol provides an opportunity to inform the Legislators, their staff and the general public about the enormous contributions the industry contributes to California. Californians who engage in RVing are representative of the state's diverse population from different cultures, backgrounds and socioeconomic levels.



Skip Daum, Andy Coyle, Bill Brennan, Mark Richardson

This year, CalRVDA emphasized the contributions that RV'ing makes to the tourism industry, local towns, travel parks and campgrounds. The California Travel Parks Association, Good Sam Club, equestrian RV'ers, and CalRVDA demonstrated why RV'ing continues to be the least expensive way for families to vacation.

NMVB Executive Director, Bill Brennan, toured the RVs along with several Board staff, and conversed with CalRVDA's President, Andy Coyle and Skip Daum, CalRVDA's association manager and advocate. It was estimated that more than 850,000 television, live radio and next day newspaper hits were generated from the event.

UPCOMING ATTORNEY ROUNDTABLE

The New Motor Vehicle Board ("Board") will be hosting its first Attorney Roundtable on Friday, September 28, 2007, in Sacramento. The Roundtable is tailored for in-house and outside counsel of dealers and manufacturers that practice before the Board or would like to.

Although not final at this point, the topics may include such subjects as the "nuts and bolts" of practicing before the New Motor Vehicle Board, effectiveness of Mandatory Settlement Conferences, regulatory changes the vehicle industry would like to see implemented, an historical overview of the Board's jurisdiction, and trends in case management including the types of protests being filed.

If you would like more information on the Attorney Roundtable, please contact Robin Parker, Senior Staff Counsel, at (916) 445-1888, or email, rparker@nmvb.ca.gov.

2007 KIDS DAY AT NMVB



Bryan Brennan and David Angulo

Each year in April, the Department of Motor Vehicles holds an Annual Kids Day, allowing employees to bring their children to their work place. The children get a "hands on" opportunity to actually see what their parent's jobs are, and also allows them to better understand the demands of their workday.

This year, the New Motor Vehicle Board celebrated Kids Day with the children of the Executive Director, Bill Brennan and Management Services Technician, Nicole Angulo. Bill's son, Bryan (age 11), and Nicole's son, David (age 10), were each given a spot to set up their own "pretend" office, with a cardboard nameplate. The two boys helped out by folding and putting labels on a booklet for a public mailing that was to be mailed that day. Both boys toughed out the whole day and commented that they would most likely come again next year.

NEW MOTOR VEHICLE BOARD
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