

STD. 400 (REV. 01-2015)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2013-0715-01FP	

ENDORSED FILED
IN THE OFFICE OF
2013 JUL 24 PM 3:23
Jebra Bowen
JEBRA BOWEN
SECRETARY OF STATE

For use by Office of Administrative Law (OAL) only

2013 JUL 15 PM 2:38
OFFICE OF ADMINISTRATIVE LAW

NOTICE REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
New Motor Vehicle Board

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
		PUBLICATION DATE	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Conflict of Interest Code [approved by the FPPC for filing]	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 599
TITLE(S) 13	REPEAL

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) 30 days after SOS per 1974 PRA
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input checked="" type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Dana F. Winterrowd	TELEPHONE NUMBER (916) 445-1888	FAX NUMBER (Optional) (445) 323-1632	E-MAIL ADDRESS (Optional) nmvb@nmvb.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>William G. Brennan</i>	DATE 7/12/13
TYPED NAME AND TITLE OF SIGNATORY William G. Brennan, Executive Director	

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ENDORSED APPROVED
JUL 24 2013
Office of Administrative Law

Amend Section 599 TO READ:

**CONFLICT-OF-INTEREST CODE FOR THE
NEW MOTOR VEHICLE BOARD**

The Political Reform Act (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regulations Section 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, constitute the conflict-of-interest code of the **New Motor Vehicle Board (Agency Board)**.

Individuals holding designated positions shall file statements of economic interests with the **Agency Board**. Upon receipt of the statements of Board Members and the Executive Director, the **Agency Board** shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. (Gov. Code Sec. 81008.) The Board shall forward copies of all other statements for appointed members of multi-member boards and commissions to the Fair Political Practices Commission. All other statements will be retained by the Board.

Authority cited: Section 3050(a), Vehicle Code; Sections 87300, 87304 and 87306, Government Code. Reference: Section 81000, et seq., Government Code.

CONFLICT OF INTEREST CODE FOR THE
NEW MOTOR VEHICLE BOARD

APPENDIX A- DESIGNATED POSITIONS

Designated Positions	Assigned Disclosure Category
<u>EXECUTIVE DIVISION</u>	
Board Member	1
Executive Director	1
Consultant	*
<u>LEGAL DIVISION</u>	
General Counsel	1
Hearing Officer Administrative Law Judge	1
Staff Counsel III	1
Staff Counsel	1
Staff Services Analyst	1
<u>ADMINISTRATIVE DIVISION</u>	
Staff Services Manager 1	1
Staff Services Analyst	1
Associate Governmental Program Analyst	1
Consultant/New Position	*

* Consultants and new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitations:

The Executive Director may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Executive Director is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code. Sec. 81008.) Nothing herein excuses any such consultant from any other provision of the conflict-of-interest code.

APPENDIX B-DISCLOSURE CATEGORY

Category 1

Designated positions assigned to this category must report:

- (a) Income, including receipt of gifts, loans, and travel payments, received during the reporting period from an individual or entity which the designated position knows or has reason to know is:
 - (1) Any licensee subject to the jurisdiction of the New Motor Vehicle Board pursuant to Vehicle Code section 3050, et seq.;
 - (2) An applicant to the Board who has or has had during the filing period any proceeding pending before the Board;
 - (3) A party contracting with the Board or engaged in the performance of work or services of the type utilized by the Board including, the provision of goods, services, office space or realty.
- (b) Investments held during the reporting period in any business entity, which the designated position knows or has reason to know is described in parts (1), (2) or (3) of subsection (a).
- (c) The fact that the designated position, during the reporting period was a director, officer, partner, trustee, employee or held any position of management in a business entity the designated position knows or has reason to know is described in parts (1), (2) or (3) of subsection (a).

AUTHORITY: ~~Gov. Code Sections 87300, 87304~~

REFERENCE: ~~Gov. Code Section 87300, et. seq.~~

COST STATEMENT: ~~These are "no cost" regulations under Revenue and Taxation Code Section 2231 and State Administrative Manual Section 6052.1, and involve no costs or savings to local, state or federal government under Gov. Code section 11421.~~

~~Given the limited and particular application of these regulations, it has been determined that these regulations shall not be set forth in full in the California Code of Regulations, but that appropriate reference be made therein pursuant to Gov. Code Section 11344.~~

~~These regulations are available to the public for review or purchase at cost at the following locations:~~

~~New Motor Vehicle Board
1507 21st Street, Ste. 330
Sacramento, CA 95811~~

~~Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814~~

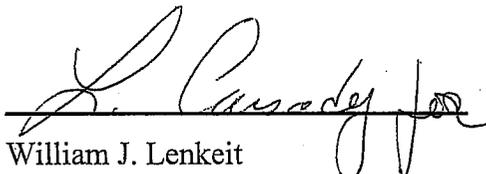
~~Archives
Secretary of State
1020 O Street
Sacramento, CA 95814~~

This is the last page of the conflict of interest code for the **New Motor Vehicle Board**.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the **New Motor Vehicle Board** was approved on July 3, 2013.



William J. Lenkeit

Senior Counsel, Legal Division

Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective: