



NEW MOTOR VEHICLE BOARD 8th INDUSTRY/ATTORNEY ROUNDTABLE

WEDNESDAY, MARCH 30, 2011

9:00 A.M.

California Secretary of State's Office
Auditorium
1500 11th Street
Sacramento, California 95814

8:30 a.m. Registration

9:00 a.m. Introduction of Board Members and Staff, Roundtable Participants and Attendees by Tom Flesh, Chair, Government and Industry Affairs Committee.

9:10 a.m. **WELCOMING REMARKS FROM TRACI STEVENS, ACTING UNDERSECRETARY OF THE BUSINESS, TRANSPORTATION AND HOUSING AGENCY**

9:20 a.m. **Topic 1:**

THE AMERICAN ARBITRATION ASSOCIATION'S ROLE IN ADMINISTRATING THE GENERAL MOTORS AND CHRYSLER ARBITRATIONS

- ❖ Dwight James, Vice President, American Arbitration Association
- ❖ Jeffrey Garcia, Vice President, American Arbitration Association

- The role of the American Arbitration Association in administering the Section 747 Arbitrations (Sec. 747 of the Consolidated Appropriations Act of 2010).
- The lessons learned from the experience.
- Questions and answers.

10:20 a.m. Break

10:35 a.m. **Topic 2:**

OVERVIEW OF THE ENERGY COMMISSION'S ALTERNATIVE AND RENEWABLE FUEL AND VEHICLE TECHNOLOGY FUNDING PROGRAM BY PAT PEREZ, DEPUTY DIRECTOR OF FUELS AND TRANSPORTATION DIVISION, CALIFORNIA ENERGY COMMISSION

PANEL DISCUSSION CONCERNING ALTERNATIVE FUEL VEHICLES

- ❖ Russell Vare, EV Regional Manager, Nissan North America, Inc.
- ❖ James Chen, Director of Public Policy, Tesla Motors, Inc.
- ❖ Pat Perez, California Energy Commission

- Introduction and overview of the alternative fuel vehicle industry; the type and quality of vehicles.
- Are "green collar" jobs being created?

- Consumer demand for these alternative fuel vehicles.
 - Incentives and tax rebates.
 - Do these incentives drive consumer demand?
- The role of the new vehicle dealers.
 - The investment required in terms of the infrastructure.
- Questions and answers.

12:00 p.m. Lunch break (on your own, a full-service cafeteria is available along with several local restaurants).

1:00 p.m. **Topic 3:**

UPDATES CONCERNING THE DEPARTMENT OF MOTOR VEHICLES’ OCCUPATIONAL LICENSING BRANCH BY MARY GARCIA, BRANCH CHIEF, OCCUPATIONAL LICENSING

- Questions and answers.

DISCUSSION CONCERNING THE DEPARTMENT OF MOTOR VEHICLES’ BUSINESS PARTNERS AUTOMATION AND ELECTRONIC LIENS/TITLES BY ANDREW CONWAY, CHIEF, REGISTRATION POLICY AND AUTOMATION BRANCH

- Questions and answers.

1:30 p.m. **Topic 4:**

PANEL DISCUSSION CONCERNING MANUFACTURER/DISTRIBUTOR PRESSURE TO UPGRADE FACILITIES

- ❖ Michael J. Flanagan, Esq., Law Offices of Michael J. Flanagan
- ❖ Aaron Jacoby, Esq., Arent Fox LLP
- ❖ Allen Resnick, Esq., Jeffer, Mangels, Butler & Mitchell LLP
- ❖ L. Joseph Lines, III, Esq. or Gregory Oxford, Esq. (to be determined)

- What are manufacturers/distributors requiring in terms of facility upgrades and new facilities?
- What financial incentives are being provided?
- Anticipated impact, if any, from recently amended Vehicle Code sections 11713.1 and 11713.13 (effective July 2, 2009)?
- Questions and answers.

2:30 p.m. Break

2:45 p.m. **Topic 5:**

DISCUSSION CONCERNING THE TRENDS IN CASE MANAGEMENT

❖ **Robin Parker, Senior Staff Counsel, New Motor Vehicle Board**

- Introduction and overview of the New Motor Vehicle Board.
- Discussion concerning trends in case management including:
 - Types and number of notices of termination being filed;
 - Types of protests being filed;
 - Number of cases going to a merits hearing; and
 - The number being resolved prior to hearing.

PRACTICING BEFORE THE NEW MOTOR VEHICLE BOARD

❖ **Robin Parker, Senior Staff Counsel, New Motor Vehicle Board**

- What are the common mistakes encountered by the Board's legal staff with the pleadings submitted?
 - No proof of service;
 - "Notice to Dealer";
 - "Original" signatures versus copy;
 - The franchise is not part of the record or not referenced when drafting pleadings; and
 - Wrong Vehicle Code section referenced.

3:00 p.m. **Topic 6:**

RECENTLY PROMULGATED REGULATORY PROVISIONS (13 CCR § 550, et seq.)

❖ **Robin Parker, Senior Staff Counsel, New Motor Vehicle Board**

- Overview of the recently promulgated regulatory amendments that provide clarity and consistency in addition to filling a number of case management gaps in the Board's procedures.
- Questions and answers.

3:30 p.m. Adjourn

Materials (including hand-outs and PowerPoint presentations) from today's Roundtable will be available on the Board's website at www.nmvb.ca.gov .