

STATE OF CALIFORNIA



MEMO

To : ADMINISTRATION COMMITTEE
PETER HOFFMAN, CHAIR
RYAN BROOKS, MEMBER

Date: December 3, 2012

From : WILLIAM G. BRENNAN
ROBIN P. PARKER

Subject: DISCUSSION AND CONSIDERATION OF THE REVISED *GUIDE TO THE NEW MOTOR VEHICLE BOARD* TO INCLUDE INFORMATION ON STATUTORY AND REGULATORY CHANGES

The enclosed *Guide to the New Motor Vehicle Board* was reviewed and revised most recently at the March 20, 2012, General Meeting. It is being updated to reflect legislative changes that were effective January 1, 2013, and the revised Board policy concerning court reporter fees and transcripts. The pertinent changes, as indicated below, are in italic/underline and strikeout font.

- The heading, “New as of 2013”, has been added (page 3). There were no legislative changes effective January 1, 2013, that impact the Board’s jurisdiction. Given the significance of the changes effective January 1, 2012, they were retained and will likely be deleted next version.
- Footnote 5 (page 22) was added to clarify that a franchisor may want to issue a modification notice even though it may think it is not necessary to avoid a claim that the franchisor has violated the Vehicle Code.
- In the section on recreational vehicle line-make as defined in Vehicle Code section 3072.5 (page 27), the reference to a written franchise agreement is to Section 331. A sentence was added that “effective January 1, 2009, the proper reference should be Section 331.3. This is yet another example of the inconsistencies in the recreational vehicle statutes that require clean-up legislation.
- The discovery section in Hearing Procedures (page 42), was updated to reflect legislative changes effective January 1, 2013, pertaining to sections of the Civil Discovery Act relating to electronically stored information.
- At the March 20, 2012, General Meeting, the members adopted a revised policy concerning the allocation of court reporter appearance and transcript fees. The section on “Court Reporting and Transcripts of Board Proceedings (pages 46-47) was updated to reflect this.

This topic is being agendaized for discussion and consideration at the January 22, 2013, 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: Ramon Alvarez C.