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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
MINUTES

The New Motor Vehicle Board (“Board”) held a General meeting on March 30, 2022, via Zoom and teleconference. Bismarck Obando, President and Public Member, called the meeting of the Board to order at 10:31 a.m.

Member Obando welcomed everyone to the meeting and stated that the meeting materials are available on the Board’s website and hard copies of the materials can be requested by contacting the Board’s legal staff at (916) 445-1888 or nmvb@nmvb.ca.gov. Member Obando also set forth the parameters for the meeting.

2. **ROLL CALL**

Board Members Present: Ramon Alvarez C.
Anne Smith Boland
Kathryn Ellen Doi
Ryan Fitzpatrick
Ardashes “Ardy” Kassakhian (joined at 11:16 a.m.)
Bismarck Obando
Jacob Stevens

Board Staff Present: Timothy M. Corcoran, Executive Director
Dawn Kindel, Assistant Executive Officer
Robin P. Parker, Chief Counsel
Danielle R. Phomsopha, Senior Staff Counsel
Suzanne Luke, Administrative Services Analyst
Holly Victor, Mediation Analyst
Lee Moore, Mediation Analyst

3. **PRESENTATION OF RESOLUTION TO PETER WELCH, RETIRED PRESIDENT AND CEO OF THE NATIONAL AUTOMOBILE DEALERS ASSOCIATION (NADA)**

Mr. Welch provided Mr. Corcoran with a note that his plans changed at the last minute

and was unable to join the Board Meeting. Mr. Welch sent his appreciation for the Board's work and partnership over the years during his time in the industry. Board staff will provide him with his resolution.

4. **APPROVAL OF THE MINUTES FROM THE DECEMBER 7, 2021, AND JANUARY 12, 2022, GENERAL MEETINGS**

Member Stevens moved to adopt the December 7, 2021, General Meeting minutes and January 12, 2022, General Meeting minutes. Member Alvarez seconded the motion. The motion carried unanimously.

5. **APPOINTMENT OF COMMITTEE MEMBER TO THE POLICY AND PROCEDURE COMMITTEE BY THE BOARD PRESIDENT**

After a brief discussion off the record, Mr. Obando made the following Policy and Procedure committee appointment:

POLICY AND PROCEDURE COMMITTEE

Jake Stevens, Chair

Ramon Alvarez, C. Member

6. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO NANXI LIU, FORMER PUBLIC BOARD MEMBER**

Member Doi moved to present a Resolution to Nanxi Liu, former Public Member, in recognition of her contribution to the New Motor Vehicle Board. Member Fitzpatrick seconded the motion. The motion carried unanimously. President Obando commented that the document will be sent around electronically for everyone's signature.

7. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO INDER DOSANJH, FORMER DEALER BOARD MEMBER**

Member Stevens moved to present a Resolution to Inder Dosanjh, former Dealer Member, in recognition of his contribution to the New Motor Vehicle Board. Member Doi seconded the motion. The motion carried unanimously.

8. **ANNUAL UPDATE CONCERNING THE USE OF THE BOARD'S WEBSITE**

Ms. Kindel, Ms. Victor and Ms. Moore provided an update concerning the use of the Board's website. Ms. Moore indicated that website traffic is monitored on a monthly basis and content revisions are made throughout the year as needed. Website visitors can subscribe to Board publications, make document requests and review public documents provide at Board meetings. DMV maintains and updates the website as directed by Board staff.

From 2020 to 2021, the total hits to the Board's website increased by 3,109. The Mediation Request Form hits increased by 898 and the mediation program link was viewed 616 times more than the previous year, resulting in an overall increase of 52 more mediation cases. Since website activity is now reported on the Administrative Matters Report, this annual report to the Board will be discontinued.

There was no Board action as this matter was for information only.

9. **CONSIDERATION OF THE REVISED GUIDE TO THE NEW MOTOR VEHICLE BOARD TO INCLUDE INFORMATION ON STATUTORY AND REGULATORY CHANGES**

The members were provided with a memorandum and revised *Guide to the New Motor Vehicle Board* from Tim Corcoran and Robin Parker.

The annual update of all publications is being held at this meeting since the updates were not yet available at the time of the January meeting, which was held early in the year.

As indicated in the memo, the "New as of 2022" section was updated to reflect recently promulgated regulations that were effective January 1, 2022.

In addition, the following amendments were made:

- On pages 9 and 71 under the heading "Challenge to Presiding Officer," a sentence was added to clarify that if a Board Administrative Law Judge (ALJ) is unavailable to preside over the merits hearing after the filing of a peremptory challenge, an ALJ from the Office of Administrative Hearings will be assigned.
- Footnote 16 on page 45 was revised because Section 586 of the Board's regulations now references Vehicle Code section 3065.4 protests (Retail Labor Rate or Retail Parts Rate).
- New Section 586.5 of the Board's regulations provides the content requirements for filing Section 3065.3 performance standard protests so references to Section 586 on page 60 were changed to Section 586.5 and footnote 22 was deleted.
- On page 68, a sentence was added to reflect newly amended Section 556 of the Board's Regulations that requires a petition to clearly identify the facts, legal authority, and relief sought and include declarations or other evidence or documents that support the petition.
- On page 69, a sentence was added to specify the procedure by which the respondent can file evidence in its answer to a petition.

Member Doi moved to adopt the revised *Guide to the New Motor Vehicle Board*. Member Smith Boland seconded the motion. The motion carried unanimously.

10. **BOARD MEMBER EDUCATION CONCERNING CHANGES TO THE ADMINISTRATIVE PROCEDURE ACT AND BAGLEY-KEENE OPEN MEETING ACT**

The members were provided with a memorandum from Tim Corcoran and Robin Parker along with summaries of the Administrative Procedure Act and Bagley-Keene Open Meeting Act. A number of resource materials were also provided electronically. Ms. Parker mentioned that the summaries encompass changes for the past couple years. Previously, there was one combined memo regarding the four bodies of law covered by both Danielle and Robin. However, it made sense to break out the Administrative Procedure Act and Bagley-Keene Open Meeting Act. As indicated in the memo, the substantive changes to the Administrative Procedure Act are as follows:

1. Effective January 1, 2020, Assembly Bill 179 (Stats. 2019, Ch. 796) restored the Board's authority to hear export or sale-for-resale prohibition policy protests in Article 6 of the Vehicle Code commencing with Section 3085. Additionally, the subdivisions in Vehicle Code section 3050 were re-lettered with the repeal of appeals in subdivision (b). Changes in this regard are reflected throughout the summary.
2. Effective January 1, 2022, Sections 551.8 (Dismissals of Protests and Petitions), 551.12 (Notice of Assignment of Administrative Law Judges; Peremptory Challenges), and 590 (Hearings by Board or by Administrative Law Judge) of the Board's regulations were amended.
3. Government Code section 11425.20 requires hearings to be open to public observation unless there is an order closing the hearing or making other protective orders. To the extent a hearing is conducted by telephone, television, or other electronic means and is not closed as otherwise required by law, the meeting is considered open to the public if both of the following apply: the public, at reasonable times, may hear or inspect the agency's record, and inspect any transcript obtained by the agency; and the public is permitted to be physically present at the place where the presiding officer is conducting the hearing. Effective January 1, 2022, the public can also be "virtually" present. The term "present" can be satisfied either by providing a designated location from which members of the public can observe the meeting via a live audio or a video feed of the hearing made available to the public on the internet or by teleconference.
4. Government Code section 11440.30, which pertains to the conduct of hearings by telephone, television, or other electronic means, was amended effective January 1, 2022, but the Board's regulation excepts it from this provision. (13 CCR § 551.19. Motions; Form, Briefing, and Hearings.)

5. Section 11507.6 pertains to requests for discovery. Effective January 1, 2022, discovery of all categories of evidence specified in this section may be conducted electronically by means prescribed by an administrative law judge.
6. Subdivision (b)(3) of Government Code section 11508 allows hearings “virtually by telephone, videoconference, or other electronic means.” This provision is not in conflict with the Vehicle Code or the Board’s regulations so it would apply to Board hearings.

The changes to the Bagley-Keene Open Meeting Act as addressed in the summary, are as follows:

1. Section 11123.5 was added effective January 1, 2019. It permits an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body consisting of three or more members to hold a meeting by teleconference.
2. Until January 31, 2022, Section 11133 authorized the Board to hold meetings through teleconference and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the Board. The requirements that each teleconference location be accessible to the public and that members of the public be able to address the Board at each teleconference location have temporarily been suspended. On January 5, 2022, Governor Newsom issued Executive Order N-1-22, which suspends the sunset dates in Government Code section 11133 to March 31, 2022.
3. Subdivision (c)(1) of Section 11125.7 was amended effective January 1, 2022. It includes the use of “other translating technology” to ensure non-English speakers receive the same opportunity to address the Board.
4. Subdivision (e) of Section 11125.7 was reorganized to encompass subdivisions (f)-(h). It clarifies that public comment is not applicable to closed sessions held pursuant to Section 11126 or in decisions regarding proceedings held pursuant to Chapter 5 of the Administrative Procedure Act. This includes personnel matters, consideration of Proposed Orders or Proposed Decisions, and conferring with, or receiving advice from, the Board’s legal counsel regarding pending litigation.
5. There were a number of conforming changes to reflect the reorganization and renumbering of the Public Records Act in Sections 11124.1, 11125.1, 11126, and 11126.1. These amendments were effective January 1, 2022 but are not operative until January 1, 2023.

Member Doi commented that the documents provided were comprehensive but does not feel it is necessary to add copies of all documents since the information is summarized. Mr. Corcoran indicated that all the information was provided to the Board Members for background, but that they could rely exclusively on the summaries if they so choose. Ms.

Parker indicated that the majority of the attachments related to the different versions of the Political Reform Act.

Member Doi suggested staff highlight and discuss any important changes at the meetings so the Board Members are aware of the information they should pay special attention to.

Ms. Parker suggested that staff can just provide the summary and analysis and if any Board Members have a request for resource materials or bodies of law, staff can provide it upon their request. Member Doi and President Obando agreed that would be sufficient.

There was no Board action as this matter was for information only.

11. **BOARD MEMBER EDUCATION CONCERNING CHANGES TO THE POLITICAL REFORM ACT AND PUBLIC RECORDS ACT**

The members were provided with a memorandum from Tim Corcoran and Danielle Phomsopha along with summaries of the Political Reform Act and Public Records Act. Ms. Phomsopha mentioned that the summaries encompass changes effective after January 1, 2019 through January 1, 2022. As indicated in the memo, the substantive changes to the Political Reform Act are as follows:

1. Section 81005 was added to allow for the extension of the filing deadline for statements where the filing deadline falls on a Saturday, Sunday or official State holiday. The deadline is extended to the next regular business day.
2. Section 81010.5 states that a filing officer or filing official's failure to provide notice of a filing or disclosure obligation does not affect a person's duty to file statements disclosing information required by this Act or any conflict of interest code.
3. The definition of "spouse" was codified in Section 82048.8 to include registered domestic partners recognized by state law.
4. Section 87206.5 describes the information that must be provided when disclosing a leasehold interest.
5. The description of when a gift is both "received" and "accepted" is described in Section 89503.5

In addition, the following relevant regulation changes were made:

1. The gift limit was adjusted to \$520 for the period of January 1, 2021 through December 31, 2022.
2. Bright-line materiality standards were established for evaluating the following:
 - a. Financial interests in a business entity
 - b. Financial interests in real property

- c. Financial interests in a source of income
 - d. Financial interests in a source of gift
 - e. Financial interests in an official's personal finances
3. 2 CCR section 18944.1 was amended to clarify the requirements for agency-provided tickets or passes to be exempt from qualification as gifts under the Political Reform Act.
 - a. Relating to this clarification, 2 CCR section 18946 was also amended to clarify how to determine the "fair value" of a ticket when the price on the ticket does not reflect the actual cost for a ticket in a luxury box or suite.
4. 2 CCR section 18703 was amended to address how the "public generally exception" (A governmental decision's financial effect on a public official's financial interest is indistinguishable from its effect on the public generally if the official establishes that a significant segment of the public is affected and the effect on the official's financial interest is not unique compared to the effect on the significant segment) applies and expands the exception in instances where the only relevant interest is an official's primary residence. Further amendments clarify the application of the special circumstances exception provided in the regulation.

Also, as indicated in the memo, the substantive changes to the Public Records Act are as follows:

1. Effective January 1, 2023, all relevant statutes beginning with Government Code section 6250 are repealed and renumbered. Further information regarding the renumbering and any relevant amendments will be provided in the update for 2023.
2. Effective January 1, 2020, a requester can use the Board's equipment for copying or reproducing the records on-site without being charged any fees or costs so long as the copying or reproduction does not damage the records or require access to the Board's computer systems.

In addition, relevant case law has also recently held the following:

1. The term "extraction" in Government Code section 6253.9(b)(2), is designed to address retrieving responsive data from an unproducible government database. However, the term "extraction" does not cover every process that might be colloquially described as taking information out (i.e., redaction). *National Lawyers Guild v. City of Hayward* (2020) 9 Cal.5th 488. Thus, the Board cannot charge requesters for any time taken to redact electronic copies of documents.
2. In the case of *Anderson-Barker v. Superior Court* (2019) 31 Cal.App.5th 528, the 2nd District Court of Appeal found that a state agency must disclose records pursuant to the PRA in both its actual and constructive possession, with constructive possession meaning "the right to control the records." However, the

agency must have a possessory interest in the records and only potential access to the information requested is insufficient. The agency must have created or obtained the records, rather than just have the ability to obtain such records.

There was no Board action as this matter was for information only.

12. **DISCUSSION AND CONSIDERATION OF THE AGENDA AND DATES FOR THE 2022 NEW MOTOR VEHICLE BOARD INDUSTRY ROUNDTABLE**

Mr. Corcoran reported that the Government and Industry Affairs Committee and Ad Hoc Committee on Equity, Justice and Inclusion met this morning to discuss this year's Roundtable event to be focused on equity in the industry as well as electric vehicles. The following is a summary of comments regarding the draft meeting agenda:

- Committee members would like all speakers to be able to have a comprehensive presentation so that all aspects of equity are covered. Staff will work with speakers in advance to ensure their presentations cover as many issues as possible.
- In regard to the presentations speaking about the franchise system, committee members would like to hear about what is being done to encourage further development of minority ownership of dealerships, as well as potential disrupters to the current franchise network system. This includes whether those disruptions are brought about by the proliferation of electric vehicles and any changes to sales models, as well as any other outside effects that might have on the franchise system.
- In regard to alternative fuel vehicles, committee members would like to ensure that all alternative fuels are included in the discussion, not just electric vehicles.
- Finally, committee members would like the automakers to discuss electric vehicles, in addition to diversity in the industry. Therefore, the topic of diversity and inclusion in the industry on Day 1 was broadened to allow automakers to deep dive into diversion, inclusion, and equity in EVs.

Staff are also still working to identify keynote speakers for both days. Committee members would like those speakers to address what is being done to promote equity at the state level through policy, through legislative action and any other influence the state has at the administrative level.

Board staff are anticipating a transition from a purely virtual event to either back in-person or more likely a hybrid event. This will allow Board Members and some guests in-person and then also allow access to guests, members of the public and some speakers virtually. Staff are working to procure equipment and conduct testing to overcome any technological hurdles and challenges in advance of the event.

Committee members provided three potential targeted dates for the event: September 14-15, September 28-29 and October 12-13. The Roundtable will be a two-day event, four hours each day with back-to-back days. Staff will also provide these potential dates to automakers to ensure there are no major industry events that would preclude a number

of industry representatives from participating. After checking with the automakers, staff will then provide the potential dates to our speakers to confirm their availability. [Subsequent to the meeting staff confirmed the dates where automakers and speakers are available are September 28-29.]

Member Stevens commented that Member Boland did an excellent job chairing the meeting and ensuring that the committees were on topic and timely. He also thanked staff for their good work.

Member Smith Boland concurred with Member Stevens and thanked Mr. Corcoran and Ms. Phomsopha for their work to get ready for the meeting. Member Fitzpatrick is also in agreement. He expects a lot of people in attendance and thinks the event will be very informative.

Ms. Phomsopha indicated this item was set up for a vote. However, the Board can take action at a later date once the committees have confirmed dates and the agenda particulars.

President Obando confirmed the tentative dates provided work for his schedule and inquired whether staff will return before the full Board with the proposed dates and more tightened agenda. Mr. Corcoran agreed. He indicated that if one of the three tentative set of dates are chosen, then there is time for one more joint committee meeting to be held in advance of the Roundtable and then one General Meeting of the full Board to lock everything in.

13. **DISCUSSION CONCERNING PENDING LEGISLATION**

a. Pending Legislation of Special Interest:

- (1) Assembly Bill 1733 (Assembly Member Quirk) – State bodies: open meetings
- (2) Assembly Bill 1795 (Assembly Member Fong) – Open meetings: remote participation
- (3) Assembly Bill 1996 (Assembly Member Cooley) – State government: administrative regulations: review

b. Pending Legislation of General Interest:

- (1) Assembly Bill 2600 (Assembly Member Dahle) – State agencies: letters and notices: requirements
- (2) Senate Bill 361 (Senator Umberg) – Electronic transactions: motor vehicle finance

c. Pending Federal Legislation of General Interest:

- (1) United State Senate Bill 2118 (Senator Wyden) – Clean Energy for America Act

The members were provided with a memorandum from Tim Corcoran and Danielle Phomsopha concerning pending legislation. Ms. Phomsopha reported that there has not been any substantial movement on any of the bills listed in the memo.

Ms. Phomsopha also advised that staff are also watching and will report on AB 1604, a reincarnation of last year's Upward Mobility Act, which was ultimately vetoed by the Governor. It would require boards and commissions to maintain a minimum composition of members from an underrepresented community, among other things. Staff are also watching AB 2370, which requires state agencies to retain and preserve all public records, including emails, for at least two years. Also, AB 2788 which would change the amount of time a state agency has to provide an initial response to a Public Records Act request from 10 days to 10 business days.

President Obando added that legislative policy committees are now moving and there are a number of hearings that are occurring. In addition, there are a number of hearings occurring around the budget. Therefore, there will be more discussion regarding budget plays and negotiations between now and May, leading up to the adoption of the budget in June. This is the beginning of a lot of movement with the legislation and the Legislative Committee and staff will continue to keep the Board up-to-date.

There was no Board action as this matter was for information only.

14. **CONSIDERATION OF THE EXPORT OR SALE-FOR-RESALE PROHIBITION POLICY PROTEST GUIDE (VEHICLE CODE SECTION 3085, ET SEQ.)**

The members were provided with a memorandum and *Export or Sale-for-Resale Prohibition Policy Protest Guide*. Ms. Parker reported that there were no substantive changes to the Guide this year. Ms. Parker also advised that there has only been one export or sale-for resale prohibition policy protest filed. The Guide just updates the composition of the Board and the Secretary of the Transportation Agency.

Member Stevens moved to adopt the 2022 *Export or Sale-for-Resale Prohibition Policy Protest Guide* as amended. Member Doi seconded the motion. The motion carried unanimously.

15. **CONSIDERATION OF REVISIONS TO THE INFORMATIONAL GUIDE FOR MANUFACTURERS AND DISTRIBUTORS, WHICH OUTLINES THEIR OBLIGATIONS TO PROVIDE NOTICES, SCHEDULES, AND FORMULAS MANDATED BY THE CALIFORNIA VEHICLE CODE AND CIVIL CODE TO THE NEW MOTOR VEHICLE BOARD AND/OR IMPACTED DEALERS**

The members were provided with a memo and a revised *Informational Guide for Manufacturers and Distributors* from Tim Corcoran and Robin Parker. Ms. Parker indicated that there were no legislative changes but some updates were made. As indicated in the memo, the changes from the prior version adopted in February 2021 are as follows:

- On page 11, the contact information for Occupational Licensing was updated.
- Footnote 15 on page 16 was added in 2021 to note that Board meetings are being held by Zoom and teleconference. As noted on the agenda for this meeting, until January 31, 2022, Government Code section 11133 authorizes the Board to hold meetings through teleconference and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the Board. The requirements that each teleconference location be accessible to the public and that members of the public be able to address the Board at each teleconference location have temporarily been suspended. On January 5, 2022, Governor Newsom issued Executive Order N-1-22, which suspends the sunset dates in Government Code section 11133 to March 31, 2022. In light of this, footnote 15 is being deleted.

Member Stevens moved to adopt the 2022 *Informational Guide for Manufactures and Distributors* as amended. Member Fitzpatrick seconded the motion. The motion carried unanimously.

16. **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 mentioned that many documents that are updated each year have been removed from the Board's website due to ADA accessibility issues. In the past 2-3 years, staff have taken the time to make sure the documents are accessible. It is important that the Board's website is accessible, transparent and available equally to all. He thanked staff for assisting him in making documents ADA compliant and staff will continue to work to restore the website in coming years.

Mr. Corcoran mentioned that there is pending legislation that may be enacted which could mandate, in some form, that Board Meetings be held in a hybrid format. Also, in the interest of accessibility, the Board can anticipate that meetings will also need to simultaneously put out through Zoom or another format and telephonically accessible to individuals who cannot attend in person. In this regard, there is some work that needs to occur in preparation for this. One way to test the hybrid format before it is required is to do so for our June meeting. It would be less of a stretch to prepare for the first hybrid

meeting in Sacramento so that staff can test out everything beforehand. Therefore, Mr. Corcoran requested that the June meeting be held in Sacramento, rather than Southern California. Member Doi supported having the meeting in Sacramento, or wherever is most convenient for staff.

Mr. Corcoran indicated that once all equipment is procured it will be mobile, including a laptop and small camera. Further research needs to be done on microphones to determine what will meet the Board's needs to pick up everyone's comments, including the public.

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. Specifically, the Board should look forward to reviewing the Board's logo at the June meeting. Options may include the logo used for last year's Roundtable event, another option created by DMV as well as moving away from a logo at all, which may address accessibility concerns. Mr. Corcoran also invited Board Members to assist if they know of any entities familiar with designing logos.

Mr. Corcoran briefly updated the Board on the Board's office move: ground has not been broken but that time is getting close. Ms. Kindel and Mr. Corcoran will do an additional walk-through at the proposed space and will review the draft floor plan for the buildout next week. This will allow staff to provide more information, including total cost involved, at the June Board meeting.

Ms. Parker reported that the next Zoom merits hearing will begin on May 23rd. It will be Judge Smith's first hearing with the Board, although he is extremely experienced given his time at the Office of Administrative Hearings. This will also be the Board's first retail labor rate and retail parts rate protests. Finally, Ms. Parker mentioned that the 2018 case of *Courtesy Subaru of Chico v. Subaru of America* was closed last week after Judge Matteucci issued her decision resolving a dispute regarding parties' confidential settlement agreement.

Ms. Phomsopha indicated that since the EDR was published there were ten new BMW motorcycle modification protests filed. Also, President Obando reviewed the writ filed in *Western Truck Parts v. Volvo*, which was heard by the Board at the January meeting. President Obando determined that there is not an important state interest, and the Board will not be participating via the Attorney General's office. Staff will continue to monitor and report back on the status of the matter.

Member Doi indicated that there was some discussion of the number of merits hearing on schedule this year at the joint committee meeting and she was interested in the current workload. Ms. Parker indicated that in addition to the merits hearing set to begin on May 23rd, there is a 5-day hearing set for September 19th, a 15-day hearing set for September 26th, a 4-day hearing set for November 1st, a 10-day hearing set for December 5th, a 5-day hearing set for the end of January and 10-day hearing set for the beginning of March of next year. After the hearing to be held on May 23rd, there is a small break until August. Hearings are time-consuming for staff due the amount of advance work with the judge,

as well as staff sitting through the entire hearing. There is currently a large caseload of 68 or 69 open protests and there is no legal clerical staff.

There was no Board action as this matter was for information only.

17. **PUBLIC COMMENT (Gov. Code § 11125.7)**

No additional public comment was presented.

18. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(a)(1), all members of the Board shall convene in a closed Executive Session.

CONSIDERATION OF ANNUAL PERFORMANCE REVIEW FOR EXECUTIVE DIRECTOR - EXECUTIVE COMMITTEE

19. **OPEN SESSION**

The Board Members returned to Open Session. There was no announcement made in regard to Agenda Item 18.

20. **ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at approximately 12:16 p.m.

Submitted by

Timothy M. Corcoran
TIMOTHY M. CORCORAN
Executive Director

APPROVED: Bismarck Obando
Bismarck Obando
President
New Motor Vehicle Board