

P.O. Box 188680
Sacramento, California 95818-8680
Telephone: (916) 445-1888
Board staff contact: Danielle Phomsopha
[New Motor Vehicle Board website](#)
DMV press contact: (916) 657-6438
dmvpublicaffairs@dmv.ca.gov

STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
NOTICE OF GENERAL BOARD MEETING

**Wednesday, January 25, 2023, at 9:30 a.m.
Via Zoom and Teleconference**

Through July 1, 2023, Government Code section 11133 authorizes the New Motor Vehicle Board ("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.

The Board Meeting will be conducted via Zoom and teleconference. Board members will participate in the meeting from individual remote locations. Members of the public can attend the meeting remotely via one of several options listed below. Written comments, if any, can be submitted at nmvp@nmvp.ca.gov or during the meeting. Items of business scheduled for the meeting are listed on the attached agenda. Recesses may be taken at the discretion of the Chairperson and items may be taken out of order.

To request a reasonable modification or accommodation for individuals with disabilities at this or any future Board meeting or to request any modification or accommodation for individuals with disabilities necessary to receive agendas or materials prepared for Board meetings, please contact Danielle Phomsopha at danielle.phomsopha@nmvp.ca.gov or (916) 445-1888.

Join Zoom Meeting
[Zoom link](#)

Meeting ID: 814 2763 4958
Passcode: 975114
One tap mobile
+16694449171,,81427634958#,,,,*975114# US
+16699009128,,81427634958#,,,,*975114# US (San Jose)

Dial by your location
+1 669 900 9128 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC)

Meeting ID: 814 2763 4958
Passcode: 975114
Find your local number: <https://us02web.zoom.us/j/81427634958>

P.O. Box 188680
Sacramento, California 95818-8680
Telephone: (916) 445-1888
Board staff contact: Danielle Phomsopha
[New Motor Vehicle Board website](#)
DMV press contact: (916) 657-6438
dmvpublicaffairs@dmv.ca.gov

STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD

A G E N D A

GENERAL MEETING

Wednesday, January 25, 2023, at 9:30 a.m.
Via Zoom and Teleconference

[Zoom link](#)

Please note that Board action may be taken regarding any of the issues listed below. As such, if any person has an interest in any of these issues, he or she may want to attend.

The Board provides an opportunity for members of the public to comment on each agenda item before or during the discussion or consideration of the item as circumstances permit. (Gov. Code § 11125.7)

1. **9:30 a.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Introduction and welcome of newly appointed Dealer Board Member Brady Schmidt.**
4. **Approval of the Minutes from the September 28-29, 2022, Special Meeting/Industry Roundtable and November 7, 2022, General Meeting.**
5. **2023 Election of Board President and Vice President - Executive Committee.**
6. **Annual review and appointment of Committee members to the Administration Committee, Board Development Committee, Fiscal Committee, Government and Industry Affairs Committee, Legislative Committee, and Policy and Procedure Committee, and Ad Hoc Committee (if applicable), by the incoming Board President.**
7. **Appointment of Board Member designee in compliance with the Board's 1997 "Revised Board Policy Regarding Representation in Court Actions" by the incoming Board President.**

8. **Discussion and consideration of the revised New Motor Vehicle Board logo - Administration Committee.**
9. **Discussion and consideration of amended Board adopted policy concerning the Board's Document Request Policy, Waiver Request Policy, and Facsimile Request Policy to reflect the reorganization of the California Public Records Act - Administration Committee.**
10. **Closed Executive Session.**

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

Discussion and consideration of personnel matters - Administration Committee.

Discussion and consideration of personnel matters, by all members of the Board.
11. **Open Session.**
12. **Consideration of nominee for the Solon C. Soteras Employee Recognition Award recipient as recommended by the Board Development Committee.**
13. **Discussion concerning Board Development activities - Board Development Committee.**
14. **Discussion and consideration of amended Board adopted policy concerning the Board's Legislative Policy to reflect the reorganization of the California Public Records Act - Executive Committee.**
15. **Discussion and consideration of amended Board adopted policy concerning confidential Proposed Stipulated Decisions and Orders pursuant to Vehicle Code section 3050.7 to reflect the reorganization of the California Public Records Act - Executive Committee.**
16. **Report on the Board's financial condition for the 1st quarter of Fiscal Year 2022-2023 - Fiscal Committee.**
17. **Consideration of out-of-state travel plans for fiscal year 2023-2024 - Fiscal Committee.**
18. **Annual report concerning Board adopted policies - Policy and Procedure Committee.**
19. **Consideration of 2023 Rulemaking Calendar - Policy and Procedure Committee.**
20. **Annual report on the assignment of cases to Board Administrative Law Judges - Policy and Procedure Committee.**

21. **Consideration of the *Export or Sale-for-Resale Prohibition Policy Protest Guide* (Vehicle Code section 3085, et seq.) - Policy and Procedure Committee.**
22. **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 - Policy and Procedure Committee.**
23. **Discussion and consideration of proposed revisions to the assignment of cases to Board Administrative Law Judges by adding the Office of Administrative Hearings to the Merits Judge Assignment Log in light of CalPERS proposed regulation 574.1 (Cal. Code Regs., tit. 2, § 574.1) - Policy and Procedure Committee.**
24. **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.

25. **Consideration of the following by the Public Members of the Board in:**

COURTESY AUTOMOTIVE GROUP, INC., dba COURTESY SUBARU OF CHICO v. SUBARU OF AMERICA, INC.
 Petition No. P-463-22

- a. **Consideration of Respondent's Motion to consider the supplemental Declaration of Raymond Smit and sign specifications requested by Petitioner in Support of Opposition to Petition and Declaration of Lisa M. Gibson in support thereof.**

Consideration of Respondent's Motion to consider the Supplemental Declaration of Raymond Smit and sign specifications requested by Petitioner in Support of Opposition to Petition and Declaration of Lisa M. Gibson in support thereof.

- b. **Consideration of Protestant's Motion to consider the Declaration of Shahram Mihanpajouh (Jerry Pajouh) in Support of Petition.**

Consideration of Protestant's Motion to consider the Declaration of Shahram Mihanpajouh (Jerry Pajouh) in Support of Petition.

- c. **Consideration of Petition requesting that the Board direct the Department of Motor Vehicles (DMV) to conduct an investigation of the matters contained therein and/or make a determination to order DMV to take action against Respondent's Occupational License pursuant to Vehicle Code section 3050(b)(1) and (3).**

Consideration of Petition requesting that the Board direct DMV to conduct an investigation of the matters contained therein and/or make a determination to order DMV to take action against Respondent's Occupational License pursuant to Vehicle Code section 3050(b)(1) and (3), by the Public Members of the Board.

26. **Public Comment. (Gov. Code § 11125.7)**

27. **Adjournment.**

To request special accommodations for persons with disabilities at this or any future Board meeting or to request any accommodation for persons with disabilities necessary to receive agendas or materials prepared for Board meetings, please contact Danielle Phomsopha at (916) 445-1888 or danielle.phomsopha@nmvb.ca.gov.