

**OFFICE OF ADMINISTRATIVE LAW**

300 Capitol Mall, Suite 1250  
Sacramento, CA 95814  
(916) 323-6225 FAX (916) 323-6826



DEBRA M. CORNEZ  
Director

**MEMORANDUM**

TO: Dawn Kindel  
FROM: OAL Front Desk *jo*  
DATE: 1/26/2015  
RE: Return of Approved Rulemaking Materials  
OAL File No. 2014-1209-01N

OAL hereby returns this file your agency submitted for our review (OAL File No. 2014-1209-01N regarding Arbitration Certification Program - Fee Collection).

If this is an approved file, it contains a copy of the regulation(s) stamped "ENDORSED APPROVED" by the Office of Administrative Law and "ENDORSED FILED" by the Secretary of State. The effective date of an approved regulation is specified on the Form 400 (see item B.5). **Beginning January 1, 2013**, unless an exemption applies, Government Code section 11343.4 states the effective date of an approved regulation is determined by the date the regulation is filed with the Secretary of State (see the date the Form 400 was stamped "ENDORSED FILED" by the Secretary of State) as follows:

- (1) **January 1** if the regulation or order of repeal is filed on September 1 to November 30, inclusive.
- (2) **April 1** if the regulation or order of repeal is filed on December 1 to February 29, inclusive.
- (3) **July 1** if the regulation or order of repeal is filed on March 1 to May 31, inclusive.
- (4) **October 1** if the regulation or order of repeal is filed on June 1 to August 31, inclusive.

If an exemption applies concerning the effective date of the regulation approved in this file, then it will be specified on the Form 400. The Notice of Approval that OAL sends to the state agency will contain the effective date of the regulation. The history note that will appear at the end of the regulation section in the California Code of Regulations will also include the regulation's effective date. Additionally, the effective date of the regulation will be noted on OAL's Web site once OAL posts the Internet Web site link to the full text of the regulation that is received from the state agency. (Gov. Code, secs. 11343 and 11344.)

**Please note this new requirement:** Unless an exemption applies, Government Code section 11343 now requires:

1. **Section 11343(c)(1):** Within 15 days of OAL filing a state agency's regulation with the Secretary of State, the state agency is required to post the regulation on its Internet Web site in an easily marked and identifiable location. The state agency shall keep the regulation posted on its Internet Web site for at least six months from the date the regulation is filed with the Secretary of State.
2. **Section 11343(c)(2):** Within five (5) days of posting its regulation on its Internet Web site, the state agency shall send to OAL the Internet Web site link of each regulation that the agency posts on its Internet Web site pursuant to section 11343(c)(1).

OAL has established an email address for state agencies to send the Internet Web site link to for each regulation the agency posts. Please send the Internet Web site link for each regulation posted to OAL at [postedregslink@oal.ca.gov](mailto:postedregslink@oal.ca.gov).

**NOTE ABOUT EXEMPTIONS.** Posting and linking requirements do not apply to emergency regulations; regulations adopted by FPPC or Conflict of Interest regulations approved by FPPC; and regulations not subject to OAL/APA review. However, an exempt agency may choose to comply with these requirements, and OAL will post the information accordingly.

**DO NOT DISCARD OR DESTROY THIS FILE**

Due to its legal significance, you are required by law to preserve this rulemaking record. Government Code section 11347.3(d) requires that this record be available to the public and to the courts for possible later review. Government Code section 11347.3(e) further provides that "...no item contained in the file shall be removed, altered, or destroyed or otherwise disposed of." See also the State Records Management Act (Government Code section 14740 et seq.) and the State Administrative Manual (SAM) section 1600 et seq.) regarding retention of your records.

If you decide not to keep the rulemaking records at your agency/office or at the State Records Center, you may transmit it to the State Archives with instructions that the Secretary of State shall not remove, alter, or destroy or otherwise dispose of any item contained in the file. See Government Code section 11347.3(f).

Enclosures

# NONSUBSTANTIVE

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <del>Z-06-1027-04N</del> <i>15080</i>	REGULATORY ACTION NUMBER <i>2014-1209-01N</i>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY New Motor Vehicle Board			AGENCY FILE NUMBER (if any)

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

JAN 23 2015

1:37 PM

2014 DEC -9 AM 10:38

OFFICE OF ADMINISTRATIVE LAW

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

1. SUBJECT OF NOTICE ACP FEE 2014/2015	TITLE(S) 13	FIRST SECTION AFFECTED 553.70	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input checked="" type="checkbox"/> Other	4. AGENCY CONTACT PERSON Dawn K. Kindel	TELEPHONE NUMBER 916-323-7201	FAX NUMBER (Optional) 916-323-1632
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) ARBITRATION CERTIFICATION PROGRAM - FEE COLLECTION	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)		
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 553.70 REPEAL		
TITLE(S) 13			
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346.1) <i>per agency request</i> <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____ <input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
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 checked="" type="checkbox"/> \$100 Changes Without Regulatory Effect <i>per agency request</i> <input type="checkbox"/> Effective other (Specify) _____			
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 type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Dawn K. Kindel	TELEPHONE NUMBER 916-323-7201	FAX NUMBER (Optional) 916-323-1632	E-MAIL ADDRESS (Optional) dkindel@nmvb.ca.gov

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 12/2/2014
TYPED NAME AND TITLE OF SIGNATORY William G. Brennan, Executive Director <i>per agency request</i>	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

JAN 23 2015

Office of Administrative Law

PROPOSED TEXT OF REGULATION

Title 13 California Code of Regulations Section 553.70 be amended to read:

The New Motor Vehicle Board shall determine the fee to be assessed per vehicle by dividing the dollar amount necessary to fully fund the certification program for the Arbitration Certification Program by the number of new motor vehicles sold, leased, or otherwise distributed in California during the preceding calendar year. For calendar year ~~2012~~ 2013, the fee shall be ~~\$.685~~ \$.647 per vehicle.

Upon receipt of the information required by Section 553.50(a), or as determined by section 553.60, the New Motor Vehicle Board shall send a written notice by certified mail, return receipt requested, to manufacturers and distributors subject to the fee assessment stating the number of new motor vehicles (as defined in Business and Professions Code Section 472.5(e)) distributed by the manufacturer or distributor and the amount of the fee to be paid.

Payment of the fee shall be made to the New Motor Vehicle Board no later than thirty (30) days after the date of receipt of the notice.

Note: Authority Cited: Section 472.5(f), Business and Professions Code. Reference: Sections 472.5(b), (c) and (e), Business and Professions Code.

**Partington, Eric@OAL**

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**From:** Parker, Robin P.@NMVB <Robin.Parker@nmvb.ca.gov>  
**Sent:** Friday, January 23, 2015 8:50 AM  
**To:** Partington, Eric@OAL  
**Cc:** Kindel, Dawn@NMVB  
**Subject:** Form 400 Non-Substantive Rulemaking NMVB

Good morning Eric,

The New Motor Vehicle Board authorizes OAL to make the following changes to the Form 400 for the non-substantive regulation for the Arbitration Certification Program fee:

- (1) Insert the title in Box B.2.
- (2) In Box B.5. select the box pertaining to \$ 100 changes without regulatory effect in lieu of effective on filing with the Secretary of State.

Thanks for your assistance in this regard.

If you have any questions or require additional information, please contact me.

Regards,

Robin

*Robin P. Parker*

New Motor Vehicle Board  
Senior Staff Counsel  
1507 21st Street, Suite 330  
Sacramento, CA 95811  
(916) 323-1536 direct  
(916) 445-1888 main  
(916) 323-1632 fax

## NEW MOTOR VEHICLE BOARD

### Arbitration Certification Program Fee Collection -- FY 2014-15

#### Statement Specifying Why The Changes Are Without Regulatory Effect

Business and Professions Code section 472.1 authorizes the Department of Consumer Affairs (Department) to establish a program for certifying each third-party dispute resolution process used for the arbitration of motor vehicle disputes pursuant to Civil Code section 1793.22(d)(9). Business and Professions Code section 472.5 designates the New Motor Vehicle Board (Board) as the agency responsible for administering the collection of fees from new motor vehicle manufacturers and distributors to fully fund the Arbitration Certification Program (ACP) within the Department of Consumer Affairs.

Business and Professions Code section 472.5 further requires:

- a) That each manufacturer and distributor file a statement with the Board, on or before May 1 of each year, which contains specified information, and to pay a fee within a specified time after written notification by the Board;
- b) That the Department notify the Board, on or before February 1 of each year, of the dollar amount necessary to fully fund the Arbitration Certification Program for the upcoming fiscal year, but not specify to the method by which the Board is to determine the dollar amount;
- c) That the regulations which the Board adopts to implement the provisions relating to the collection of fees shall include, at a minimum, a formula for calculating the fee to be collected for each motor vehicle and the total amount of fees to be collected from each manufacturer or distributor.

The Board adopted regulations in Title 13 of the California Code of Regulations (sections 553.50 et seq.), to clarify and implement the collection of the fees.

Currently, the Board is proposing to adopt changes to 13 CCR section 553.70. These changes merely reflect the dollar amount to be charged for the 2014-15 fee collection and are without regulatory effect. The amount to be collected pursuant to Section 472.5 (b) of the Business and Professions Code is to be determined each year by a specific formula as delineated in 13 CCR 553.70. Pursuant to 13 CCR 553.70, the Board is required to divide the dollar amount necessary to fully fund the Department's Arbitration Certification Program by the number of new motor vehicles sold, leased or otherwise distributed in California during the previous calendar year. It was reported that 1,865,034 new motor vehicles were sold, leased or otherwise distributed in California during 2013 (see attached Exhibit A). The Department reports that it will need \$1,203,000 to fund the Arbitration Certification Program for fiscal year 2014-15 (see attached Exhibit B). The Department's figure does not, however, include the Board's costs of administering the collection of fees to fund this program

Section 3016 of the Vehicle Code requires that the Department reimburse the Board for its costs associated with the administration of the collection of the fees. It is estimated that the Board's costs for this program will approximate \$3,000 during the period from July 1, 2014, through June 30, 2015 (see attached Exhibit C). As such, computation of the fee to be charged per vehicle is as follows:

ACP's funding requirements	\$1,203,000
Board's costs	\$ 3,000
Total funding requirements	\$1,206,000
Number of vehicles distributed in 2013	1,865,034
Fee per vehicle (calculated by dividing the total funding needed by the number of vehicles distributed)	\$ 0.647

Accordingly, a fee of \$0.647 per vehicle will cover all costs associated with this program.

The proposed changes in the regulation are implementing the conditions and prescriptions contained in the regulation. The Board is merely specifying the amount to be charged and does not alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the existing regulation.

26-Oct-12

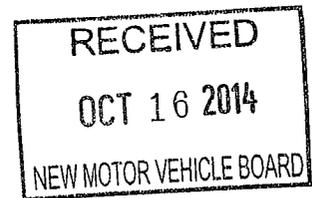
**Arbitration Certification Program  
2014-2015 fee collection**

OL#	company	2013 sales	x.647	fees
45410	Alvarez Electric Motors Company	32	20.70	21
41920	American Custom Golf Cars, Inc.	26	16.82	17
03421	American Honda Motor Company, Inc.	236,069	152,736.64	152,737
41910	Aston Martin Lagonda	256	165.63	166
41171	Automobili Lamborghini America	186	120.34	120
11980	Bentley Motors, Inc.	836	540.89	541
15776	BMW of North America, Inc.	82,665	53,484.26	53,484
45259	Chrysler Group LLC	138,914	89,877.36	89,877
41521	Club Car, Inc.	100	64.70	65
54329	Columbia ParCar Corporation	48	31.06	31
45666	Daimler Vans USA, LLC	1,805	1,167.84	1,168
36097	Executive Coach Builders	28	18.12	18
29188	E-Z Go Division of Textron, Inc.	100	64.70	65
32354	Ferrari North America, Inc.	493	318.97	319
00014	Ford Motor Company	184,824	119,581.13	119,581
00015	General Motors LLC	250,958	162,369.83	162,370
45282	HDK Electric Vehicles	179	115.81	116
17000	Hyundai Motor America	69,456	44,938.03	44,938
44615	JH Global Services, Inc.	43	27.82	28
41916	Jaguar/Land Rover	11,796	7,632.01	7,632
19573	KIA Motors America, Inc.	57,472	37,184.38	37,184
47276	Landi Renzo USA Corporation	232	150.10	150
27202	Lexus, A Division of Toyota	55,339	35,804.33	35,804
15920	Lotus Cars USA, Inc.	22	14.23	14
54302	Maserati North America, Inc.	1,063	687.76	688
04896	Mazda Motor of America, Inc.	40,183	25,998.40	25,998
48899	McLaren Automotive, Inc.	609	394.02	394
05506	Mercedes-Benz of North America, Inc.	72,920	47,179.24	47,179
00202	Mitsubishi Motor Sales of America, Inc.	6,213	4,019.81	4,020
00562	Nissan North America, Inc.	184,950	119,662.65	119,663
38966	Polaris Industries, Inc. (GEM)	483	312.50	313
16403	Porsche Cars North America, Inc.	9,873	6,387.83	6,388
59010	Rolls Royce Motor Cars	322	208.33	208
18593	Subaru of America, Inc. - WER	39,045	25,262.12	25,262
63277	Tesla Motors Inc.	8,538	5,524.09	5,524
44612	Tiffany Coachworks	42	27.17	27
63293	Tomberlin Outdoor	26	16.82	17
00797	Toyota Motor Sales, U.S.A., Inc.	316,860	205,008.42	205,008
45239	Vantage Vehicle International, Inc.	42	27.17	27
11976	Volkswagen Group of America, Inc.	82,927	53,653.77	53,654
17773	Volvo Cars of North America, Inc.	6,252	4,045.04	4,045
12491	Wheeled Coach Industries, Inc.	66	42.70	43
06805-G	Yamaha Golf Car Company	2,741	1,773.43	1,773
Page 1				
<b>Total</b>		<b>1,865,002</b>	<b>\$1,206,677.00</b>	<b>1,206,677</b>

**Exhibit A**



October 14, 2014



William G. Brennan  
Chief Administrative Law Judge/ Executive Secretary  
New Motor Vehicle Board  
1507 21st Street, Suite 330  
Sacramento, CA 95811

Dear Mr. Brennan:

Pursuant to Business and Professions Code, Chapter 9, Division 1, we have estimated that \$1,203,000 will need to be collected from manufacturers to fully fund the Arbitration Certification Program (ACP) in FY 20014/2015. If needed, we request that the New Motor Vehicle Board collect the maximum allowed per statute (\$1) and the ACP will use its budget reserves to cover the remaining balance. Attached is the ACP's fund condition.

If you have any questions or need additional information, please contact me at (916) 574-7350.

Sincerely,

Sherrie Moffet-Bell  
Program Chief

Enclosure: ACP's Fund Condition

Exhibit B

# 0166 - Arbitration Certification Program Analysis of Fund Condition

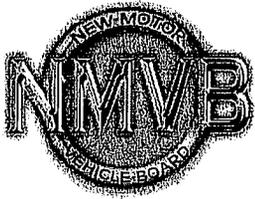
Prepared 10/6/14

(Dollars in Thousands)

	ACTUAL	CY	Governor's Budget BY	BY + 1	BY + 2
	2013-14	2014-15	2015-16	2016-17	2017-18
<b>BEGINNING BALANCE</b>	\$ 1,100	\$ 1,167	\$ 1,164	\$ 1,163	\$ 1,160
Prior Year Adjustment	\$ (6)	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,094	\$ 1,167	\$ 1,164	\$ 1,163	\$ 1,160
<b>REVENUES AND TRANSFERS</b>					
Revenues:					
125600 Other regulatory fees	\$ 1,187	\$ 1,196	\$ 1,220	\$ 1,244	\$ 1,269
125700 Other regulatory licenses and permits	\$ -	\$ -	\$ -	\$ -	\$ -
125800 Renewal fees	\$ -	\$ -	\$ -	\$ -	\$ -
125900 Delinquent fees	\$ -	\$ -	\$ -	\$ -	\$ -
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 2	\$ 4	\$ 4	\$ 4	\$ 4
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1,189	\$ 1,200	\$ 1,224	\$ 1,248	\$ 1,273
Transfers from Other Funds					
Transfers to Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 1,189	\$ 1,200	\$ 1,224	\$ 1,248	\$ 1,273
Totals, Resources	\$ 2,283	\$ 2,367	\$ 2,389	\$ 2,411	\$ 2,433
<b>EXPENDITURES</b>					
Disbursements:					
0840 SCO (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ 1,111	\$ 1,202	\$ 1,226	\$ 1,251	\$ 1,276
8860 FSCU Assessment	\$ -	\$ -	\$ -	\$ -	\$ -
8880 Financial Information System for California (State Operations)	\$ 5	\$ 1	\$ -	\$ -	\$ -
Total Disbursements	\$ 1,116	\$ 1,203	\$ 1,226	\$ 1,251	\$ 1,276
<b>FUND BALANCE</b>					
Reserve for economic uncertainties	\$ 1,167	\$ 1,164	\$ 1,163	\$ 1,160	\$ 1,157
<b>Months in Reserve</b>	11.6	11.4	11.2	10.9	10.7

**NOTES:**

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED.
- B. ASSUMES INTEREST RATE AT .361%.
- B. ASSUMES APPROPRIATION GROWTH OF 2% BEGINNING BY +1.



# NEW MOTOR VEHICLE BOARD

1507 21<sup>ST</sup> Street, Suite 330, Sacramento, California 95811  
Telephone: (916) 445-1888 Legal Fax: (916) 323-1632 Mediation Fax (916) 323-1631  
Legal E-mail: [nmfvb@nmfvb.ca.gov](mailto:nmfvb@nmfvb.ca.gov) Mediation E-mail: [nmfvbmediation@nmfvb.ca.gov](mailto:nmfvbmediation@nmfvb.ca.gov)  
Website: [www.nmfvb.ca.gov](http://www.nmfvb.ca.gov)

Edmund G. Brown Jr., Governor  
State of California

Brian P. Kelly, Secretary  
California State Transportation Agency

Glenn E. Stevens, President • Victoria R. Rusnak, Vice-President

Ramon Alvarez C. • Anthony A. Batarse Jr. • Ryan L. Brooks • Kathryn E. Doi • Rahim Hassanally • David C. Lizárraga • Bismarck Obando

## INVOICE

Department of Consumer Affairs  
Arbitration Certification Program  
Attn: Jose Escobar  
1625 North Market Blvd., N112  
Sacramento, CA 95834

Date: September 10, 2014

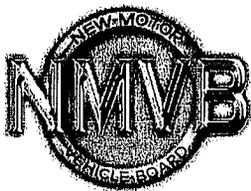
This invoice is for direct costs incurred by the New Motor Vehicle Board in the administration and collection of fees to support the Department of Consumer Affairs' Arbitration Certification Program for the period July 1, 2013 – June 30, 2014. (Authority cited: Vehicle Code § 3016; Business and Professions Code § 472.5)

Staff Time	\$2,541.93
Postage	\$ 118.52
Office Supplies	\$40.00
<b>Total</b>	<b>\$2,700.45</b>

Please remit payment (with a copy of this invoice) to:

New Motor Vehicle Board  
Attn: Dawn K. Kindel  
1507 – 21<sup>ST</sup> Street, Suite 330  
Sacramento, California 95811

Exhibit C



# NEW MOTOR VEHICLE BOARD

1507 21<sup>ST</sup> Street, Suite 330, Sacramento, California 95811

Telephone: (916) 445-1888 Legal Fax: (916) 323-1632 Mediation Fax (916) 323-1631  
Legal E-mail: [nmvp@nmvb.ca.gov](mailto:nmvp@nmvb.ca.gov) Mediation E-mail: [nmvpmediation@nmvb.ca.gov](mailto:nmvpmediation@nmvb.ca.gov)

Website: [www.nmvp.ca.gov](http://www.nmvp.ca.gov)

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December 2, 2014

Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, CA 95814

## RE: CHANGES WITHOUT REGULATORY EFFECT

Enclosed please find an original and six copies of the New Motor Vehicle Board's request to amend section 553.70 of the California Code of Regulations, Title 13. This filing represents a non-substantive change in that it merely implements an existing regulatory formula revising the fee to be collected from motor vehicle manufacturers and distributors to support the Department of Consumer Affairs' Arbitration Certification Program.

The New Motor Vehicle Board authorizes the Office of Administrative Law to remove all documents, with the exception of the regulations text, from the Form 400 prior to filing with the Secretary of State.

Please contact me at (916) 323-7201, or [dkindel@nmvb.ca.gov](mailto:dkindel@nmvb.ca.gov) if you have any questions regarding this submission.

Sincerely,

A handwritten signature in cursive script that reads "Dawn K. Kindel".

Dawn K. Kindel  
Chief of Staff

Enclosures as stated