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STATE OF CALIFORNIA

NEW MOTOR VEHICLE BOARD

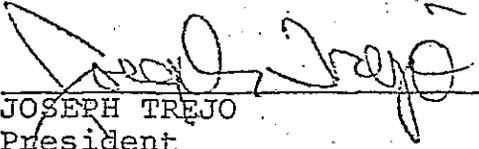
In the Matter of the Protest of)
)
TEAM MAYBE MANANA, LTD., a) Protest No. PR-262-79
California Corporation, dba)
STEVE'S BULTACO SALES,)
)
Protestant,)
)
vs.)
)
BULTACO INTERNATIONAL, LTD.,)
a Virginia Corporation,)
)
Respondent.)
_____)

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the New Motor Vehicle Board as its Decision in the above entitled matter.

This Decision shall become effective forthwith.

IT IS SO ORDERED this 22nd day of February, 1980.



JOSEPH TREJO
President
New Motor Vehicle Board

STATE OF CALIFORNIA

NEW MOTOR VEHICLE BOARD

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a Virginia Corporation,)	
)	
Respondent.)	
)	

Procedural Background

1. The Protestant, Steve's Bultaco Sales, 7627 Van Nuys Boulevard, Van Nuys, California, located within ten miles of a newly established Bultaco dealership filed a protest and requested a hearing pursuant to section 3062 of the Vehicle Code.
2. Pursuant to section 3066 of the Vehicle Code, a hearing was held before Gloriette C. Fong, Administrative Law Judge, commencing on February 14, 1980, in Los Angeles, California.
3. Protestant in the above-entitled matter was represented by attorney, Stephen Piecuch. The respondent was represented by attorney, Lawson Riddle. At the commencement of the hearing respondent's attorney submitted a law memorandum which is on file herein.

DETERMINATIONS

4. Both protestant and respondent stipulated that Bultaco vehicles are off highway vehicles only.

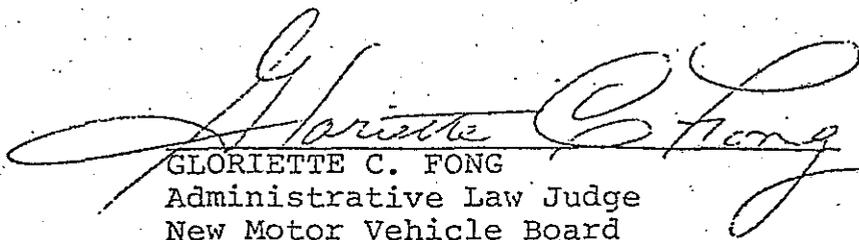
5. Because of this stipulation and in light of the provisions of section 286(h) and 3062 of the Vehicle Code, it is the opinion of the Administrative Law Judge that the New Motor Vehicle Board does not have jurisdiction over the matter at issue.

* * * * *

Wherefore the protest is dismissed.

I hereby submit the foregoing which constitutes my proposed decision in the above entitled matter, as a result of a hearing had before me on the above date at Los Angeles, California, and recommend its adoption as the decision of the New Motor Vehicle Board.

Dated: February 21, 1980


GLORIETTE C. FONG
Administrative Law Judge
New Motor Vehicle Board