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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
A G E N D A
SPECIAL MEETING

New Motor Vehicle Board
The William G. Brennan Hearing Room
1507 21st Street, Suite 330
Sacramento, California 95811

March 5, 2020

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) However, comments by the parties or by their counsel that are made regarding any proposed decision, order, or ruling must be limited to matters contained within the administrative record of the proceedings. No other information or argument will be considered by the Board. Members of the public may not comment on such matters.

1. **9:30 a.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Pledge of Allegiance.**
4. **Oral Presentation before the Public Members of the Board.**
 - a. PENINSULA AUTOMOTIVE PARTNERS III, LLC dba PENINSULA CHEVROLET CADILLAC v. GENERAL MOTORS, LLC
Protest Nos. PR-2637-19 and PR-2638-19
 - b. VISTA FORD OXNARD, LLC, a Limited Liability Company, dba VISTA FORD LINCOLN OF OXNARD v. FORD MOTOR COMPANY, a corporation; FORD OF VENTURA, INC., dba FORD OF VENTURA, Intervenor
Protest No. PR-2575-18

- c. R & H AUTOMOTIVE GROUP, INC. v. AMERICAN HONDA MOTOR CO., INC., ACURA AUTOMOTIVE DIVISION
Protest No. PR-2605-19

5. **Closed Executive Session deliberations.**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board convenes in closed Executive Session to deliberate the decisions reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

Pursuant to Government Code section 11517(c)(2), the Board could adopt the proposed decision, make technical or other minor changes, reject the proposed decision and remand the case, or reject the proposed decision and decide the case upon the record.

a. **Consideration of Proposed Order.**

PENINSULA AUTOMOTIVE PARTNERS III, LLC dba PENINSULA CHEVROLET CADILLAC v. GENERAL MOTORS, LLC
Protest Nos. PR-2637-19 and PR-2638-19

Consideration of the Administrative Law Judge's Proposed Order Granting Respondent's Motion to Dismiss Protests, by the Public Members.

b. **Consideration of Proposed Decision.**

VISTA FORD OXNARD, LLC, a Limited Liability Company, dba VISTA FORD LINCOLN OF OXNARD v. FORD MOTOR COMPANY, a corporation; FORD OF VENTURA, INC., dba FORD OF VENTURA, Intervenor
Protest No. PR-2575-18

Consideration of the Administrative Law Judge's Proposed Decision, by the Public Members of the Board.

c. **Consideration of Proposed Order.**

R & H AUTOMOTIVE GROUP, INC. v. AMERICAN HONDA MOTOR CO., INC., ACURA AUTOMOTIVE DIVISION
Protest No. PR-2605-19

Consideration of the Administrative Law Judge's Recommendation that Respondent's Motion to Dismiss be Granted and Proposed Order Granting Respondent's Motion to Dismiss, by the Public Members of the Board.

6. **Open Session.**
7. **Consideration of the Department of Motor Vehicles' request for an extension of time to conduct its investigation and submit a written report to the Board as to whether the Care by Volvo subscription program violates Vehicle Code sections 11713.3(o)(1), 3060(b), 11713.3(u) and/or 11713.19, by the Public Members of the Board.**

CALIFORNIA NEW CAR DEALERS ASSOCIATION v. VOLVO GROUP NORTH AMERICA LLC aka VOLVO CAR USA, LLC
Petition No. P-460-19

Consideration of the Department of Motor Vehicles' request, by the Public Members of the Board.

8. **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 Eugene Ohta at (916) 445-1888 or Eugene.Ohta@nmvb.ca.gov.