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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
MINUTES

The New Motor Vehicle Board (“Board”) held a General meeting on February 28, 2025, at the West Fresno Center, Multi-Purpose Room, A-127, Fresno City College, 600 E. Church Avenue, Fresno, California 93706.

Ardashes (“Ardy”) Kassakhian, President and Public Member, called the meeting of the Board to order at 9:45 a.m.

2. **ROLL CALL**

Board Members Present:	Anne Smith Boland Ashley Dena Ardashes “Ardy” Kassakhian Bismarck Obando Brady Schmidt Jacob Stevens
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Board Members Not Present:	Kathryn Ellen Doi
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Board Staff Present:	Timothy M. Corcoran, Executive Director Kim Vaye, Assistant Director and Equity Officer Robin P. Parker, Chief Counsel Jason Rose, then Senior Staff Counsel Alejandro Martinez, Legal Program Analyst
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Mr. Corcoran indicated that a quorum was established for general business.

3. **PLEDGE OF ALLEGIANCE**

President Kassakhian led the members and staff in the Pledge of Allegiance.

4. **10:00 a.m. TOUR OF THE ADVANCED TRANSPORTATION CENTER (LONG PANTS AND CLOSED TOED SHOES ARE REQUIRED TO ENTER THE LABORATORY AREA) - BOARD DEVELOPMENT COMMITTEE**

Mr. Corcoran introduced Gurminder Sangha, Dean, West Fresno Center, and Wyatt Jones, Diesel Technology, instructor. The members and staff watched a video on the history of the Advanced Transportation Center (Center).

Wyatt hosted the tour and provided the members and staff with an overview of the Center and answered many questions. The Center is impeccable, organized, and stocked with everything a student would need to learn to repair passenger cars, electric vehicles, and medium-duty and heavy-duty diesel trucks. A new automotive collision repair program will start late summer. There are many industry partners that donate vehicles, tools, and parts to the Center including General Motors Automotive Service Educational Program (ASEP), ACDelco, Mopar Career Automotive Program (CAP), Ford Automotive Career Exploration (ACE), Toyota and Lexus TECS Elite, Honda and Acura Professional Automotive Career Training (PACT), Subaru University (SU), Volvo, Mack, Peterbilt, Freightliner, CNH Industrial, Thermo King, and Kenworth.

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

5. **APPROVAL OF THE MINUTES FROM THE AUGUST 9, 2024, GENERAL MEETING, AUGUST 9, 2024, MEETING OF THE AD HOC COMMITTEE ON EQUITY, JUSTICE AND INCLUSION, NOVEMBER 1, 2024, SPECIAL MEETING, NOVEMBER 1, 2024, GENERAL MEETING, AND NOVEMBER 1, 2024, MEETING OF THE AD HOC COMMITTEE ON EQUITY, JUSTICE AND INCLUSION**

Member Stevens moved to adopt the Minutes from the August 9, 2024, General Meeting, August 9, 2024, Meeting of the Ad Hoc Committee on Equity, Justice and Inclusion, November 1, 2024, Special Meeting, November 1, 2024, General Meeting, and November 1, 2024, Meeting of the Ad Hoc Committee on Equity, Justice and Inclusion. Member Schmidt seconded the motion. The motion carried unanimously.

6. **2025 ELECTION OF BOARD PRESIDENT AND VICE PRESIDENT - EXECUTIVE COMMITTEE**

Member Kassakhian moved to nominate Member Stevens as President. Member Stevens accepted this nomination. No other nominations for President were made. Member Schmidt moved to close the nominations with Member Obando seconding the motion. This motion to close the nominations carried unanimously. Member Schmidt seconded the motion to nominate Member Stevens as President. The motion to nominate Member Stevens as President carried unanimously.

Member Stevens moved to nominate Member Smith Boland as Vice President. Member Smith Boland accepted this nomination. No other nominations for Vice President were made. Member Schmidt moved to close the nominations with Member Stevens seconding the motion. This motion to close the nominations carried unanimously. Member Schmidt

seconded the motion to nominate Member Smith Boland as Vice President. The motion to nominate Member Smith Boland as Vice President carried unanimously.

7. **ANNUAL REVIEW AND APPOINTMENT OF COMMITTEE MEMBERS TO THE ADMINISTRATION COMMITTEE, BOARD DEVELOPMENT COMMITTEE, COMMITTEE ON EQUITY, JUSTICE AND INCLUSION, FISCAL COMMITTEE, GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE, LEGISLATIVE COMMITTEE, POLICY AND PROCEDURE COMMITTEE, AND AD HOC COMMITTEE TO REVIEW THE MISSION AND VISION STATEMENTS, BY THE INCOMING BOARD PRESIDENT**

After a brief discussion off the record, the incoming Board President Member Stevens announced the following committee appointments:

ADMINISTRATION COMMITTEE

Bismarck Obando, Chair

Ashley Dena, Member

BOARD DEVELOPMENT COMMITTEE

Brady Schmidt, Chair

Kathryn Ellen Doi, Member

COMMITTEE ON EQUITY, JUSTICE AND INCLUSION

Kathryn Ellen Doi, Chair

Jake Stevens, Vice Chair

Anne Smith Boland, Member

Ashley Dena, Member

Ardy Kassakhian, Member

Bismarck Obando, Member

Brady Schmidt, Member

EXECUTIVE COMMITTEE

Jake Stevens, President

Anne Smith Boland, Vice President

FISCAL COMMITTEE

Ardy Kassakhian, Chair

Anne Smith Boland, Member

GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE

Ashley Dena, Chair

Brady Schmidt, Member

LEGISLATIVE COMMITTEE

Jake Stevens, President

Anne Smith Boland, Vice President

POLICY AND PROCEDURE COMMITTEE

Kathryn Ellen Doi, Chair
Jake Stevens, Member

AD HOC COMMITTEE TO REVIEW THE MISSION AND VISION STATEMENTS

Ardy Kassakhian, Chair
Jake Stevens, Member

8. **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**

This matter was pulled from the agenda since the incoming President is a Public Member and the incoming Vice President is a Dealer Member. If both the incoming President and Vice President were Dealer Members, this designation would be necessary to comply with the Board adopted policy.

9. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO KARTHICK RAMAKRISHNAN, FORMER PUBLIC BOARD MEMBER**

Member Stevens moved to present a Resolution to Karthick Ramakrishnan, former Public Member, in recognition of his contribution to the New Motor Vehicle Board. Member Obando seconded the motion. The motion carried unanimously.

10. **CONSIDERATION OF PRESENTATION OF RESOLUTION FOR MERILYN WONG'S MORE THAN 40 YEARS OF SERVICE AS A HEARING OFFICER, ADMINISTRATIVE LAW JUDGE, AND THE BOARD'S DESIGNATED MANDATORY SETTLEMENT CONFERENCE JUDGE FROM 2017 TO 2024**

Member Obando moved to present a Resolution to Administrative Law Judge Marilyn Wong's family in recognition of her contribution to the New Motor Vehicle Board. Member Dena seconded the motion. The motion carried unanimously.

11. **CONSIDERATION OF THE REVISED GUIDE TO THE NEW MOTOR VEHICLE BOARD TO INCLUDE INFORMATION ON STATUTORY AND REGULATORY CHANGES - ADMINISTRATION COMMITTEE**

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

As indicated in the memo, the section entitled "New as of 2025" was updated to reflect there were no changes to legislation, case law, and regulations impacting the Board. The following additional amendments were made:

- All references to paying filing fees by credit card have been deleted. In the absence of a vendor contract, credit card payments cannot be accepted.
- Gender specific language was replaced with gender neutral language in the

Amicus Curiae Briefs section on pages 11 and 76.

- The word “petitioner” replaced “protestant” in the Petitioner Filing Fees section on page 73.

Member Obando moved to adopt the revised *Guide to the New Motor Vehicle Board*. Member Stevens seconded the motion. The motion carried unanimously.

Ms. Parker indicated that all guides approved at this meeting will be posted on the Board’s website and a Public Notice will be issued reflecting this.

12. **UPDATE ON BOARD DEVELOPMENT ACTIVITIES - BOARD DEVELOPMENT COMMITTEE**

The members were provided a memo from Tim Corcoran concerning Board development activities. Mr. Corcoran indicated that Board development would be addressed during the Industry Roundtable discussion.

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

The members were provided with a memo from Tim Corcoran and Robin Parker along with summaries of the Administrative Procedure Act and Bagley-Keene Open Meeting Act.

Ms. Parker noted that there were no legislative changes to the Administrative Procedure Act effective January 1, 2025. Nor were there any regulatory or procedural changes. Additionally, Ms. Parker reported that there were no legislative changes to the Bagley-Keene Open Meeting Act impacting the Board. Government Code section 11126 (pertaining to closed sessions) was amended effective January 1, 2025, authorizing the California Earthquake Authority to hold a closed session as specified.

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

14. **BOARD MEMBER EDUCATION CONCERNING CHANGES TO THE POLITICAL REFORM ACT AND PUBLIC RECORDS ACT - BOARD DEVELOPMENT COMMITTEE**

The members were provided with a memo from Tim Corcoran and Jason Rose along with summaries of the Political Reform Act and Public Records Act.

Mr. Rose highlighted the following changes to the Political Record Act:

- Effective January 1, 2025 - December 31, 2026, the gift limit will increase from \$590 to \$630. This gift limit is adjusted for inflation every odd-numbered year.

- The FPPC will no longer accept paper filings from officials who must disclose financial interests directly to the FPPC; they must be filed electronically.

Mr. Rose noted that there were no major changes to the Public Records Act but did highlight a couple of cases.

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

15. **UPDATE CONCERNING THE BOARD'S COMPLIANCE WITH THE 1996 PERFORMANCE AUDIT CONDUCTED BY BUSINESS, TRANSPORTATION & HOUSING AGENCY, AND THE RESULTANT CORRECTIVE ACTION PLAN - EXECUTIVE COMMITTEE**

Mr. Corcoran and Ms. Parker provided the members with an update regarding the Board's compliance with the 1996 performance audit. As indicated in the memo, the chart below provides a brief summary of the updates to the corrective action plan taken by the Board:

Finding No.	Description	Update
14	The Board should ensure that all required transaction reports are filed with the Agency.	Reference to the Senior Staff Counsel position providing the Week Ahead Report has been deleted. This allows flexibility in which member of the team submits this report.
15	Board delegations are not formalized.	Reflects updates to the Board adopted delegations.
28(29)	Designation of economic conflict-of-interest filing officials is incomplete.	Amendments are in process to reflect the new Assistant Division Chief/Program Manager position (Assistant Director and Equity Officer.)
30(31)	Board staff do not have access to written guidance on appropriate behavior.	All staff have access to written guidance on appropriate behavior via the DMV Driver and the DMV Expectations document. Additional language was added that these documents are also provided to staff.

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

16. **REPORT ON THE BOARD'S FINANCIAL CONDITION FOR THE 2nd QUARTER OF FISCAL YEAR 2024-2025 AND OTHER RELATED FISCAL MATTERS - FISCAL COMMITTEE**

The members were provided with a memo from Tim Corcoran, Kim Vaye, and Suzanne Luke. Ms. Vaye reported that staff continue to find ways to cut expenses. She mentioned

that the annual appropriation was reduced by about \$12,000. The memo provided to the members will continue to evolve to be transparent. Staff are closely working with the accounting and budgets staff at the Department of Motor Vehicles (DMV). The pro rata expense the Board pays is now shown in Realtime; \$80,000 was deducted out of \$135,000.

Ms. Vaye reported that \$157,000 has been allocated for Office of Administrative Hearings' expenses. Ms. Parker reported that she is not expecting any merits hearing prior to the end of the current fiscal year.

As indicated in the memo, the 2nd quarter of Fiscal Year 2024-2025 began with a budget appropriation of \$2.151 million, a beginning reserve balance of \$1.639 million, and a current reserve balance (as clarified) at \$2.009 million. Forty-two percent of the appropriated budget for Fiscal Year 2024-2025 was expended. For its Annual Fee collection from manufacturers and distributors, since July 2024, \$866,071.81 has been collected.

Mr. Corcoran thanked Ms. Vaye for being so proactive. The Board is in a better position than it was a year ago.

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

17. **CONSIDERATION OF OUT-OF-STATE TRAVEL PLANS FOR FISCAL YEAR 2025-2026 - FISCAL COMMITTEE**

The members were provided with a memo from Kim Vaye and Tim Corcoran concerning out-of-state travel plans for Fiscal Year 2025-2026. Ms. Vaye requested approval for one out-of-state trip for up to four staff and up to four Board members to attend the National Association of Motor Vehicle Boards and Commissions (NAMVBC) Fall Conference in September 2025 (tentatively), in Arizona or another bordering state. As indicated in the memo, if four staff and four Board members attend, the expense will not exceed \$15,000. If the Board approves this request, the staff will submit the request to the DMV and the California State Transportation Agency (CalSTA) for final approval.

Member Schmidt moved to approve the proposed out-of-state travel for Fiscal Year 2025-2026 as mentioned in the memo dated February 7, 2025. Member Schmidt gave the Executive Director broad discretion. Member Obando seconded the motion. The motion carried unanimously.

18. **DISCUSSION AND CONSIDERATION OF WHO WILL ATTEND THE OUT-OF-STATE TRIPS FOR THE 1st HALF OF FISCAL YEAR 2025-2026 THAT WERE APPROVED BY THE BOARD - EXECUTIVE COMMITTEE**

As a result of the action taken in Agenda Item 17, Member Obando moved to grant the Executive Director broad discretion on an interim basis to send up to four staff and up to four members to the NAMVBC Fall Conference. The Executive Director will consult in advance with the Executive Committee and report the action taken to the Board at the

next regularly scheduled meeting. Member Stevens seconded the motion. The motion carried unanimously.

19. **DISCUSSION OF THE 2025 NEW MOTOR VEHICLE BOARD INDUSTRY ROUNDTABLE FOCUSING ON INDUSTRY SERVICES - GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE**

Mr. Corcoran discussed the upcoming Industry Roundtable being held in Sacramento on March 27, 2025, the day after the event hosted by the California New Car Dealers Association (CNCDA). Mr. Corcoran indicated that he hopes to get a number of dealers to stay for the Roundtable. He noted the agenda is filled with items of interest to both dealers, manufacturers, and attorneys that practice before the Board. Additionally, the Roundtable targets non-government entities, local government, and non-profits. By aligning with the CNCDA, automakers, and the National Safety Council, the airbag recall press conferences were a success. Mr. Corcoran stated that as a small board we can do more when we align our shared goals, which allows for savings and for the Board to be more agile than a government agency typically is.

Mr. Corcoran reviewed the details of the agenda and the afternoon workshops where nonprofits, non-governmental organizations, cities, and counties will join Board staff to look at the Board's Strategic Plan to see if there are shared goals where the Board can partner. Additionally, a separate afternoon workshop invites stakeholder licensees (dealers, manufacturers, and distributors) to speak with the DMV's Occupational Licensing, Investigations, and Policy Section. Licensees can address statutes they think might need to be amended or how clarification on enforcement might change as the statute is not necessarily flawed.

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

20. **DISCUSSION CONCERNING PENDING LEGISLATION - LEGISLATIVE COMMITTEE**

Mr. Rose reported that when the materials were sent, there was not any special or general legislation of significance. However, Senator Benjamin Allen introduced Senate Bill 766 on February 21, 2025, that could impact the retail auto industry by repealing and replacing the current sales disclosure contract in the cooling-off period. Valueless add-ons will be banned and there will be a 10-day right to cancel. Mr. Rose noted the Board will monitor this legislation.

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

21. **DISCUSSION AND CONSIDERATION OF PROPOSED REVISIONS TO THE ASSIGNMENT OF CASES TO EXCLUSIVELY USE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR ALL MERITS HEARINGS - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memo from Tim Corcoran and Robin Parker concerning proposed revisions to the assignment of cases to exclusively use the Office

of Administrative Hearings (“OAH”) for all merits hearings.

Ms. Parker commented that for almost two years the Board has been discussing the transition to OAH for its merits hearings. She noted that this proposal was reviewed and approved by the then Ad Hoc Committee on Equity, Justice and Inclusion at its November 1, 2024, meeting. For the past 18 months or so, the staff have informed the parties that the Board is considering this transition and no complaints were received.

Member Stevens moved to adopt the staff recommendation that effective immediately all merits hearings in new protests and existing protests would be assigned to the Office of Administrative Hearings. The Board’s retired annuitant ALJs would be retained on the Alternative MSC Assignment Log and the Alternative Law and Motion Assignment Log. Member Schmidt seconded the motion. The motion carried unanimously.

22. **DISCUSSION AND CONSIDERATION OF APPOINTING ROBIN PARKER THE BOARD’S DESIGNATED MANDATORY SETTLEMENT CONFERENCE HEARING OFFICER - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memo from Tim Corcoran and Robin Parker concerning appointing Robin Parker the Board’s Designated Mandatory Settlement Conference Hearing Officer. As indicated in the memo, on October 28, 2024, the Executive Committee designated Robin as the Board’s Hearing Officer for Mandatory Settlement Conferences on an emergency basis given the unexpected passing of Designated Mandatory Settlement Conference Judge Marilyn Wong. Robin has been authorized by the Board since 1997 to preside over law and motion hearings, discovery hearings, and Mandatory Settlements Conferences.

Member Smith Boland moved to appoint Robin Parker the Designated Mandatory Settlement Conference Hearing Officer. Member Dena seconded the motion. The motion carried unanimously.

23. **DISCUSSION AND CONSIDERATION OF PROPOSED REGULATORY AMENDMENTS TO SECTION 551.19 (MOTIONS; FORM, BRIEFING, AND HEARINGS) OF TITLE 13 OF THE CALIFORNIA CODE OF REGULATIONS - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memo from Tim Corcoran and Robin Parker regarding proposed regulatory amendments to Section 551.19 of Title 13 of the California Regulations which specifies the procedural requirements for motions including whether the motion is oral or written, whether an opposition or reply brief is permissible, and if the hearing is in person or telephonic. Ms. Parker remarked that the Board’s merits hearings and motion hearings with live testimony have been held remotely via Zoom and teleconference. To formalize this process in motion hearings with live testimony, staff propose amending Section 551.19 as follows:

§ 551.19. Motions; Form, Briefing, and Hearings.

(a) Unless made during a hearing while on the record, all motions shall be

in writing and filed with the board with an attached proof of service on all parties.

(b) Motions and any response thereto including opposition to motion and reply to opposition shall conform to the requirements of Article 6 herein. The motion and any response shall state in plain language the relief sought and the facts, circumstances, and legal authority that support the motion or the response.

(c) Briefing may be permitted by stipulation of the parties or by order of the board.

(d) Notwithstanding Government Code section 11440.30 of the Administrative Procedure Act, the ALJ may conduct the hearing by telephone, television, or other electronic means if each party in the hearing has an opportunity to participate in and to hear the entire proceeding while it is taking place and to observe exhibits. In the event of live testimony, the hearing shall be conducted in person before the ALJ or other electronic means if each party in the hearing has an opportunity to participate in and to hear the entire proceeding while it is taking place and to observe exhibits.

NOTE: Authority cited: Section 3050(a), Vehicle Code. Reference: Section 3050(a), Vehicle Code; and Section 11440.30, Government Code.

Member Schmidt moved to adopt the proposed regulatory amendments. Member Stevens seconded the motion. The motion carried unanimously.

President Kassakhian read the following statement into the record for the proposed regulatory changes:

Given the Board's decision to go forward with the proposed regulatory amendment, I hereby delegate to the Executive Director the [ministerial] duty of proceeding through the rulemaking process in compliance with the Administrative Procedure Act. Notice of the proposed rulemaking will be published in the California Regulatory Notice Register and will be sent to the Public Mailing List.

During the public comment period, I want to invite and encourage written and oral comments. Additionally, a public hearing at the Board's offices may be held to accept oral and written comments. By the Board instructing staff to go forward with the proposed regulatory amendments, this does not necessarily indicate final Board action.

If any written or oral comments are received, the full Board will consider the comments and reconsider the text of the proposed regulatory amendments. Furthermore, if the staff decides that substantive modifications to the

proposed text are necessary, the Board will consider those modifications at a noticed meeting.

However, non-substantive changes involving format, grammar, or spelling suggested by the Office of Administrative Law or the staff will not be considered by the Board because they are non-regulatory in nature. They will be considered by the Executive Committee and ultimately reported to the Board at a future meeting.

If there are no written or oral comments received, then the rulemaking process will proceed without further Board involvement.

24. **CONSIDERATION OF 2025 RULEMAKING CALENDAR - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memorandum and 2025 Rulemaking Calendar from Tim Corcoran and Jason Rose. Mr. Rose reported that the Rulemaking Calendar has been approved by CalSTA. The rulemaking pertains to the fee increase and staff anticipate the rulemaking process will be completed in November 2025.

Member Obando moved to adopt the 2025 Rulemaking Calendar. Member Schmidt seconded the motion. The motion carried unanimously.

25. **ANNUAL REPORT CONCERNING BOARD ADOPTED POLICIES - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memo from Tim Corcoran and Robin Parker concerning the annual review of Board adopted policies. As indicated in the memo, the following policies were added or amended:

- President Kassakhian converted the Ad Hoc Committee on Equity, Justice and Inclusion to the Committee on Equity, Justice and Inclusion. Delegations made to the Ad Hoc Committee were transferred to the standing committee.
- The adjusted annual gift limit increased from \$590 to \$630 from January 1, 2025, through December 31, 2026.
- Updates were made to the “Appointment of Hearing Officers” to reflect removal of ALJs from assignment logs and the hiring of ALJ Tammy Bayne for law and motion hearings.
- “Case Assignments” were updated to reflect ALJ Marilyn Wong’s passing.
- With the addition of OAH to the Board’s “Merit Hearings Judge Assignment Log,” the policy reflecting the “Source of Board Hearing Officers” is obsolete.
- In the absence of a vendor contract, credit card payments cannot be accepted.

- Board Delegations were updated to reflect:
 - The Executive Director's discretion to remove an ALJ from an assignment log based on performance.
 - That recruitment and hiring practices should be designed and implemented with the goal of filling at least 44% of Board public contact positions with bilingual employees who have passed the DMV's Bilingual Verbal Proficiency Examination.
 - The Committee on Equity, Justice and Inclusion's review of all new and revised policies prior to Board action in order to further institutionalize equity within Board programs.
 - Three new Vehicle Code section 3065.3 protests.
 - The Board adopted Strategic Plan June 2024-30.
 - The Executive Director's discretion to take action responsive to the objectives in the Strategic Plan.
 - Personnel duties in the Delegation of Administrative Duties were updated to reflect the newly created Assistant Director and Equity Officer position.
- The "Delegation of Authority Concerning Promulgating Regulations" was expanded, if necessary, to allow staff discretion in consultation with the Executive Committee to reduce the proposed fees to any number between \$400 to \$425 for the dealer licensing fee and the per vehicle fee of \$.60 to \$.65 for manufacturers and distributors with a minimum of \$400 to \$425.
- The *Guide to the New Motor Vehicle Board, Informational Guide for Manufacturers and Distributors*, and *Export or Sale-for-Resale Prohibition Policy Protest Guide* were updated.
- The Strategic Plan 2024-30 was added.

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

26. **ANNUAL REPORT ON THE ASSIGNMENT OF CASES TO ADMINISTRATIVE LAW JUDGES - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memo from Tim Corcoran, Robin Parker, and Jason Rose concerning the assignment of cases to Board Administrative Law Judges in 2024. Mr. Rose reported that there were six law and motion hearings, one discovery hearing (ruling on objections), and four mandatory settlement conferences. There was one merits hearing held in 2024.

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

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

The members were provided with a memo and *Export or Sale-for-Resale Prohibition Policy Protest Guide*. As indicated in the memo, the following changes were made:

- The references to paying filing fees by credit card has been deleted on pages 3 and 4. In the absence of a vendor contract, credit card payments cannot be accepted.
- Gender specific language was replaced with gender neutral language in the Amicus Curiae Briefs section on page 4.

Member Obando moved to adopt the 2025 *Export or Sale-for-Resale Prohibition Policy Protest Guide*. Member Stevens seconded the motion. The motion carried unanimously.

28. **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**

The members were provided with a memo and revised *Informational Guide for Manufacturers and Distributors* from Tim Corcoran and Robin Parker. As indicated in the memo, the following changes were made:

- References to the California RV Show sponsored by the Recreation Vehicle Industry Association on pages 6, 8 and 23 have been deleted or changed to “an annual show sponsored by a national trade association of recreation vehicle manufacturers.”
- In the section on “What is a Certificate of Proposed Franchise (OL 124),” the sentence to contact Occupational Licensing on page 11 has been deleted as they do not provide phone assistance.

Member Smith Boland moved to adopt the 2025 *Informational Guide for Manufactures and Distributors* as amended. Member Obando seconded the motion. The motion carried unanimously.

29. **REPORT ON THE 3RD ANNUAL CALSTA (CALIFORNIA STATE TRANSPORTATION AGENCY) LEADERSHIP SUMMIT BY TIM CORCORAN, EXECUTIVE DIRECTOR**

Mr. Corcoran provided a detailed summary of the 3rd Annual CalSTA Leadership Summit. The theme this year was “Action Leading to Outcomes.” PowerPoint slides from the Summit were displayed on leadership and the superpowers of Objectives and Key

Results (OKRs). Mr. Corcoran commented that the CalSTA OKRs caused the Board to “stretch” especially for a small organization with such a narrow focus so it was meaningful to help save lives with the air bag recall campaign.

Next, the newly established CalSTA Secretary’s Award was discussed. It was reported that Secretary Omishakin hopes this award will be a future tradition. Fifteen people were to be recognized by him. Under the CalSTA umbrella, there are eight departments, commissions and Boards comprising over 40,000 employees. Ms. Vaye was one of the recipients. Mr. Corcoran shared Secretary Omishakin’s remarks:

Kim improved existing New Motor Vehicle Board CalSTA Core Four priority initiatives, including one that changes significantly to increase the repair rate of motor [vehicle] recalls in California, preventing traffic deaths on our roads. She did this by reimagining the initial, narrowly scoped objective of addressing Takata airbag recalls growing into one, which seeks to educate and inform Californian's regarding all open safety recalls in the state and how motorists may have their free repair performed.

Kim also created a number of new initiatives, including one which will enhance the Board’s collaboration with California communities and raise its agency profile. She seeks to accomplish this by scheduling town-hall events in conjunction with Board meetings throughout the state.

Kim improved existing services and developed new ones, each time putting people first and creating partnerships where they did not exist before. She brings energy, enthusiasm and creativity to every project Kim works on and is a valued member of the CalSTA leadership team, not only as assistant director, but as a true OKR champion who looks to build lasting relationships with her peers to assure improved outcomes for all.

Mr. Corcoran and Ms. Vaye discussed their tour of the California High Speed Rail mockup train set and seat. A mobile version is forthcoming but has not arrived in the U.S.

Ms. Vaye displayed a poster the National Safety Council prepared for the Check-to-Protect campaign with CalSTA’s logo. Ms. Vaye and Mr. Martinez delivered these to the entities under CalSTA’s umbrella. This information is on the screens in DMV field offices.

Member Smith Boland inquired about outreach to address interim fixes for a recall that requires the consumer to return for the final remedy. Member Smith Boland will provide an example of this situation. Member Dena commented on a recent recall of electric vehicles and a recall about 10 years ago that did not have parts for several weeks so the ticket could be opened but not closed until the parts arrived. In response to President Kassakhian’s question about Vehicle Safety Recalls Week, Ms. Vaye indicated she would share the social media materials so the members can share it with their contacts.

30. **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 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. Mr. Corcoran provided the members with a copy of the 2024 CalSTA Accomplishments Report in which the Board is featured on three pages. This is expected to increase next year as 25% of the Board's Strategic Plan are CalSTA Core Four initiatives. Next, as staff are doing more public-facing work, Ms. Vaye arranged for several members of the team to attend training at Caltrans.

Mr. Corcoran noted that he is working to report differently on the OKRs themselves and decide whether it makes sense to report them under the various committees that align with a particular OKR or Core Four item or lump them together under one committee.

Additionally, Mr. Corcoran discussed two Core Four items in the Strategic Plan that are expected to launch soon and may launch at the Industry Roundtable. One, is the recognition of jurisdictions for their successes in becoming Zero Emission Vehicle or ZEV-ready for implementing a ZEV-ready infrastructure. Ms. Vaye commented that this pertains to Objective 2.7, which is to recognize local jurisdictions that demonstrate ZEV readiness. Ms. Vaye stated that the Board's website has been updated in a draft mode to detail the form and process for submitting and reviewing an application, Board approval, and presentation of the award. Approval is still pending though from CalSTA and potentially the Governor's Office. Once approved, these documents will be shared.

Mr. Corcoran stated that at the Roundtable the electric-vehicle expert pledge for California dealerships will launch. He commented that the ElectrifiQ training offered by NADA (National Automobile Dealers Association) is available at no cost for a limited time to CNCDA members. The Board is not endorsing this training but it just happens to be one with the same criteria in the Strategic Plan. As part of the Strategic Plan, the Board wants to encourage dealers to train their staff to engage in responsible sales activity. As it is not just about selling EVs but about selling the right EV to the right customer at the right time. With the idea being that you do not want consumers who enter into this purchase to have a terrible experience and then tell 10 people how awful it is. The ask is for dealers to have one expert on their sales team who is there and available to educate consumers.

Ms. Parker indicated that an additional termination protest was filed in response to a 15-day notice. There will likely be law and motion so there could be three case management matters at the August 1, 2025, General meeting as there will be two proposed decisions. Additionally, she noted that this year is busier than 2024. There have already been six protests filed and 25 notices of termination predominately for recreational vehicles. Lastly, there are three hearing readiness conferences scheduled this year including one in March but it is unlikely any cases will go to hearing this fiscal year.

Mr. Rose reported 10 consolidated protests reached a settlement so they will be dismissed. A termination protest filed against Mitsubishi resulted in the protestant voluntarily terminating so this matter will be dismissed.

Mr. Corcoran encouraged the members to RSVP to the Industry Roundtable and share the event if possible.

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

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

No additional public comment was presented.

President Kassakhian thanked the staff and the incoming President and Vice President. When he first joined the Board and was the "new kid on the block," he relied on Member Obando and other members who have moved on to show him what to do, how to do it, and be the best contributor he could be. President Kassakhian added that as important as their guiding work was, if it was not for the staff, he could not have done his term as president. Although the Board has gone through a number of changes and there are a lot of new faces, it is all for the better. The Board is a better organization today than it was the first day he joined.

Member Stevens moved to adjourn the meeting. Member Dena seconded the motion.

32. **ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at 1:10 p.m.

Submitted by



TIMOTHY M. CORCORAN
Executive Director

APPROVED:



Jacob Stevens, President
President
New Motor Vehicle Board