

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

The entire text of the Initial Statement of Reasons is incorporated herein by reference.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

In the Initial Statement of Reasons, the Board relied on the following documents in drafting and proposing the adoption of the proposed regulation:

- (1) Memorandum dated April 2, 2024, from Timothy M. Corcoran and Robin P. Parker to the Policy and Procedure Committee regarding Proposed Regulatory Amendments to Amend the Definition of Administrative Law Judge in Section 550 of Title 13 of the California Code of Regulations (Definitions) to Exempt the Board from Subdivision (b) in Sections 3067, 3081, and 3085.4 when the Office of Administrative Hearings Presides Over a Merits Hearing.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose any mandate on local agencies or school districts.

SUMMARY AND RESPONSE TO COMMENTS

The text was made available to the public from December 6, 2024, through January 21, 2025. The Board did not receive any comments on the text prior to the close of the comment period.

ALTERNATIVES THAT WOULD LESSEN ADVERSE ECONOMIC IMPACT ON SMALL BUSINESS

No alternatives were proposed to the Board that would lessen any adverse economic impact on small business.

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ALTERNATIVES DETERMINATION

The Board has determined that no alternative it considered would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed

action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The amendment adopted by the Board is the only regulatory provision identified by the Board that accomplishes the goal of providing the Board's legal staff sufficient time to review Office of Administrative Hearing proposed decisions for consistency and accuracy to properly advise its Board members whether they should adopt, reject, or make technical or other changes to the proposed decision involving franchised new motor vehicle dealers and their franchisors (new vehicle manufacturers or distributors) who choose to file a protest or petition with the Board. No other alternative has been proposed or otherwise brought to the Board's attention.