



members' lack of awareness of numerous actions undertaken by CHRB staff. Commissioner Lansdale addressed the Board in support of the resolution. As an example of the problem, he noted that staff had initiated disciplinary actions against trainers for drug violations, and that certain CHRB members were not even aware that the actions had been initiated until reading about them in the press.

Also at its December meeting, CHRB elected new officers for the 1990 term. Henry Chavez, who served as Vice-Chair during 1989, will serve as Chair. William Lansdale will serve as Vice-Chair.

FUTURE MEETINGS:

To be announced.

NEW MOTOR VEHICLE BOARD

Executive Officer: Sam W. Jennings
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Pursuant to Vehicle Code section 3000 *et seq.*, the New Motor Vehicle Board (NMVB) licenses new motor vehicle dealerships and regulates dealership relocations and manufacturer terminations of franchises. It reviews disciplinary action taken against dealers by the Department of Motor Vehicles. Most licensees deal in cars or motorcycles.

NMVB is authorized to adopt regulations to implement its enabling legislation; the Board's regulations are codified in Title 13 of the California Code of Regulations (CCR). The Board also handles disputes arising out of warranty reimbursement schedules. After servicing or replacing parts in a car under warranty, a dealer is reimbursed by the manufacturer. The manufacturer sets reimbursement rates which a dealer occasionally challenges as unreasonable. Infrequently, the manufacturer's failure to compensate the dealer for tests performed on vehicles is questioned.

The Board consists of four dealer members and five public members. The Board's staff consists of an executive secretary, three legal assistants and two secretaries.

MAJOR PROJECTS:

Status Report on Certification Fees. Pursuant to Business and Professions Code section 9889.75, NMVB has been

collecting fees from manufacturers and distributors of new motor vehicles for the purpose of funding the Bureau of Automotive Repair's (BAR) certification of third party dispute programs. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 132; Vol. 9, No. 3 (Summer 1989) p. 121-22; and Vol. 9, No. 2 (Winter 1989) p. 101 for complete background information.) Billing for 1989-1990 fees began on September 29; at this writing, \$182,000 has been collected.

Regulatory Changes Approved. On October 16, the Office of Administrative Law (OAL) approved the Board's amendments to sections 550, 554, and 595, Title 13 of the CCR, to specify that petitions may be filed against new motor vehicle dealers, and to eliminate the requirement that petitioners be California residents. OAL also approved new section 555.1, amended sections 555, 556, 557, 558, and 562, and the repeal of section 559, to simplify existing petition procedures in several ways. The Board also moved section 579 concerning the availability of subpoenas in protest hearings from Article 4 to Article 1, and renumbered it as section 551.2. (See CRLR Vol. 9, No. 2 (Spring 1989) p. 116 and Vol. 9, No. 1 (Winter 1989) pp. 101-02 for detailed background information on these changes.)

LEGISLATION:

The following is a status update on bills reported in detail in CRLR Vol. 9, No. 4 (Fall 1989) at page 132:

AB 552 (Moore) would have given buyers of a motor vehicle pursuant to a conditional sales contract or purchase order the right to cancel the contract or purchase order, without penalty or obligation, until midnight of the first business day after the day on which the contract was signed. This bill died in committee.

SB 582 (Green), which would have deleted existing separate statutory provisions relating to lessor-retailers, and provided instead for their licensing and regulation under the same provisions which apply to dealers, died in committee.

SB 587 (Doolittle), which would make it unlawful for any person to provide unsafe, improperly equipped, unsafely loaded, or unregistered vehicles to a highway carrier, is pending in the Assembly Transportation Committee.

FUTURE MEETINGS:

To be announced.

BOARD OF OSTEOPATHIC EXAMINERS

Executive Director: Linda Bergmann
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In 1922, California voters approved a constitutional initiative which created the Board of Osteopathic Examiners (BOE). Today, pursuant to Business and Professions Code section 3600 *et seq.*, BOE regulates entry into the osteopathic profession, examines and approves schools and colleges of osteopathic medicine, and enforces professional standards. The Board is empowered to adopt regulations to implement its enabling legislation; BOE's regulations are codified in Chapter 16, Title 16 of the California Code of Regulations (CCR). The 1922 initiative, which provided for a five-member Board consisting of practicing doctors of osteopathy (DOs), was amended in 1982 to include two public members. The Board now consists of seven members, appointed by the Governor, serving staggered three-year terms.

The Board's licensing statistics as of August 1989 include the issuance of 1,481 active licenses and 450 inactive licenses to osteopaths.

At BOE's November 1989 meeting, Dr. Stan Flemming and Dr. Earl Gabriel were introduced as new Board members.

MAJOR PROJECTS:

Regulatory Changes. On September 22, the Office of Administrative Law (OAL) approved numerous changes to BOE's regulations, which the Board had adopted at its June 23 meeting. These changes include an amendment to section 1621 regarding approved written examinations for reciprocity licensure; the addition of sections 1660-1662 to implement BOE's Impaired Physicians' Diversion Program; an amendment to section 1676(a) which allows BOE to register previously unauthorized fictitious names; and amendments to section 1690(f), (g), (i), and (j), which lower the annual tax and registration fee, the inactive certificate fee, the medical corporation renewal fee, and the fictitious name permit renewal fee. (See CRLR Vol. 9, No. 3 (Summer 1989) p. 122 for background information on these regulatory changes.)

LEGISLATION:

Proposed Legislation. Under existing law, a physical therapist assistant or aide may perform physical therapy services