



REGULATORY AGENCY ACTION

ance firm that is paid more than \$1 million in annual premiums by LART. A spokesperson for the state Fair Political Practices Commission (FPPC) said in mid-March that the FPPC is investigating the relationship between Board members and HPOC.

At its February 24 meeting, the Board was asked by HPOC to amend its approval of the HPOC harness application and allocate those five weeks for the conduct of a quarter horse racing meeting in lieu of any harness racing meeting. Chair Liscom withdrew from discussion or voting on the matter; thus, Vice-Chair Chavez introduced the item into discussion.

Because CSSSC had obtained a writ from the court preventing the Board from deciding this issue until the court rules on the conflict of interest problems, the Board did not vote on the item. Instead, the Board decided to hold a special meeting to vote on HPOC's request to amend its application as soon as the court reaches a decision.

HPOC and the quarter horse owners expressed concern over the time delay of the Board's decision on HPOC's request. If granted, the quarter horses would start racing on March 31. HPOC stated it needs advance time for advertising and general preparation. The Board promised to be as accommodating as legally possible in this issue.

RECENT MEETINGS:

On February 24, the CHRB moved to hold over until its March 31 meeting its approval of licenses to operate as extended wagering facility for 22 locations.

FUTURE MEETINGS:

June 23 in Cypress.
July 27 in La Jolla.

NEW MOTOR VEHICLE BOARD

Executive Officer: Sam W. Jennings
(916) 445-1888

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.

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:

Proposed Regulatory Amendments. The NMVB has formally proposed amendments to its regulations contained in Title 13 of the California Code of Regulations. (See CRLR Vol. 9, No. 1 (Winter 1989) pp. 101-02 for detailed background information.) The Board proposes to clarify the language of its regulations to be consistent with its enabling statute. In addition, the Board recommends that section 579 regarding subpoena authority be moved to Article 1 of the Board's regulations pertaining to appeals and petitions, and renumbered as section 551.2. The Board also recommends the simplification of the procedures for petitions filed pursuant to Vehicle Code section 3050(c). A hearing on these modifications was scheduled for May 5.

LEGISLATION:

AB 552 (Moore) would give 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 third business day after signing the contract. AB 552 is pending in the Assembly Committee on Governmental Efficiency and Consumer Protection.

SB 582 (Green) would delete the separate provisions relating to lessor-retailers, and provide for their licensing and regulation under the same provisions which apply to dealers. The bill would also create the new categories "dealer branch" and "lessor-retailer branch", and similarly provide for their licensing and regulation. SB 582 is pending in the Senate Transportation Committee.

SB 587 (Doolittle) would make it unlawful for any person to lease unsafe, improperly equipped, or unsafely loaded vehicles to a highway carrier, as defined, or to hire a highway carrier to transport any unsafe vehicle, vehicle not equipped as required, or unsafely loaded vehicle, thereby imposing a state-mandated local program by creating a new crime. This bill would also impose strict liability for death or injury, and highway and bridge damage resulting from engaging the ser-

vices of highway carriers to transport loads in violation of size and weight requirements. SB 587 is pending in the Senate Committee on Transportation.

RECENT MEETINGS:

The Board meeting scheduled for January 26 was cancelled because there was not a quorum.

FUTURE MEETINGS:

To be announced.

BOARD OF OSTEOPATHIC EXAMINERS

Executive Director: Linda Bergmann
(916) 322-4306

In 1922, California voters approved a constitutional initiative which created the Board of Osteopathic Examiners (BOE). BOE regulates entry into the osteopathic profession, examines and approves schools and colleges of osteopathic medicine and enforces professional standards. The 1922 initiative, which provided for a five-member Board consisting of practicing osteopaths, 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 September 1988 include the issuance of 1,330 active licenses and 498 inactive licenses to osteopaths.

At its January 10 meeting, BOE re-elected Bryn Henderson, DO, as President and Kenneth C. Stahl, DO, as Vice President. Robert M. Acosta, DO, was elected Secretary-Treasurer.

MAJOR PROJECTS:

Possible Regulatory Change. At its January 10 meeting in Sacramento, BOE again discussed the possibility of lowering the maximum fee that may be charged for a fictitious name renewal permit fee. (See CRLR Vol. 9, No. 1 (Winter 1989) p. 103 for background information.) In the future, BOE may develop regulatory language to lower the limit to an amount which would only cover costs incurred by the Board in renewing the permit.

RECENT MEETINGS:

At its January 10 meeting, BOE discussed the possibility of amending existing statutory language requiring it to meet in Sacramento on the first Tuesday in January to any time during the first three months of the year. Board members felt that this statutory change would