

**MINUTES
AUTO INDUSTRY DIVISION
RULEMAKING
STAKEHOLDER WORKING GROUP 2
MEETING 2**

Meeting of November 9, 2021
2:00 p.m.

Virtually via Cisco Webex

Working Group Members Present

Chris Rouze, Director - Auto Industry Division
Chris Hartman, Deputy Director - Auto Industry Division
Beth Spellerberg, Rules Administrator - Auto Industry Division
Christine Staberg, General Motors
David Cardella, CEO - CIADA
Gloria Breeden, Compliance Investigative Supervisor - Auto Industry Division
Jarod Mullins, Tractor Supply Company
Jeff Perry, General Motors
Jerry Abboud, PDAC
John Opeka, Agent-In-Charge - Auto Industry Division
Joshua Dexter, Investigative Supervisor - Auto Industry Division
Julia Shafer, General Motors
Matthew Groves, CADA
Michael Dommermuth, CADA
Nicole Brenner, Reed Smith Law Firm
Sarah Killeen, Assistant Attorney General - Colorado Attorney General's office
Hal Lenox, General Motors
Landon Gates, PDAC
Mike McKinnon, CIADA
Nelson Scott, PDAC
Cory Amend, Sr. Director of the Specialized Business Group - CDOR
Arleen Criddell Tapanen, Meeting Recorder - Auto Industry Division

Rules under Review:

1 CCR 205-1, Regulation 44-20-121(3)(i) - Advertising, Rule 3 for Motor Vehicle Dealers

1 CCR 205-2, Regulation 44-20-420(3)(i) - Advertising, Rule 3 for Powersports Dealers

Director Rouze opened the second Stakeholder meeting of Working Group 2 with participant introductions. Director Rouze stated that this meeting is not part of the Auto Industry Division's (Division) annual Rulemaking Agenda. This meeting is in response to multiple requests from stakeholders to review Advertising Rule #3 in light of the pandemic, global supply chain issues and microchip shortages. Today, the working group will review the proposed draft rules submitted to the Division.

Director Rouze reminded stakeholders to complete the virtual sign-in sheet, found on the Division's website, to capture the number of participants attending each working group.

Director Rouze reminded all that the Division can only propose rules. The MVDB is the rulemaking authority and they are empowered by statute to promulgate rules.

Director Rouze further stated that we need to remain consistent with our guiding principles to keep rules transparent, to clearly articulate expectations of licensees and that the rules need to be grounded in law. In addition, Director Rouze reminded the working group that one of the MVDB's primary missions is consumer protection.

Director Rouze turned the floor over to Rules Administrator, Beth Spellerberg.

Rules Administrator Spellerberg thanked all for their feedback and proposed language submissions. Rules Administrator Spellerberg asked Ms. Nicole Brenner to begin the discussion by presenting her comments to the working group.

A lengthy discussion ensued and another stakeholder meeting will be scheduled to incorporate new language to **Regulation 44-20-420(3)(i)**.

Regulation 44-20-121(3)(i) - Rule 3 para a - Working group did not reach a consensus of the proposed changes.

Rule 3 para b - Working group concurs with proposed changes.

Rule 3 para c - Working group concurs with proposed changes.

Agent-In-Charge Opeka reminded working group of the timeframe issue discussed at last month's meeting and the need for all to come to a consensus.

Regulation 44-20-420(3)(i) - After a lengthy discussion, the working group decided to draft new language to address the year and VIN in trailer advertisements and the timeframe advertisements should be posted.

The next stakeholder meeting is scheduled for Tuesday, December 7, 2021 at 2:00 p.m.

New proposed draft language should be submitted to Rules Administrator Spellerberg no later than close of business on Friday, November 19, 2021.

Director Rouze thanked all for their participation and adjourned the meeting at 3:35 p.m.

(Note: The minutes of these rulemaking working groups are very general in nature and only summarize the contents of the meeting. They are not verbatim transcripts and are based principally upon the digital recording of the meeting and upon the later collaboration of staff attendees to ensure that the summary faithfully captures the matters before the working group and the discussion the group had. The digital recording of the meeting is a permanent record of the Division, retained in the electronic filing system of Division, and is available on the Division's website).