

## **MINUTES OF THE MVRB AUGUST 13, 2015 BOARD MEETING**

17 North State, Suite 1200, Chicago, IL

The meeting of the Illinois Motor Vehicle Review Board is called to order at 11:05 a.m. by Chairman Terrence O'Brien.

Present Members: Mary Beth Averkamp, Joseph Rizzo, Frank Olivo and Michael Chvatal, and Chairman O'Brien.

Also present: Cindy McMahon from the Secretary of State's Office. Also present Dean Maragos, counsel to the board. Terry Gregory from the Secretary of State's Office is present via telephone. No members of the public are present. Thomas Rubbone, Director of Administrative Hearings joins the meeting later.

Minutes of the May 14, 2015 meeting are reviewed. Terrence O'Brien notes a change needs to be made in the last sentence, third paragraph of New Business, to read "the board authorizes, Dean Maragos, legal counsel to the board, to prepare a memorandum to be discussed at the next meeting". A motion is made by Frank Olivo and seconded by Michael Chvatal. All others are in favor. The minutes are approved as amended.

### **NEW BUSINESS:**

Chairman Terrence O'Brien asks for nominations to elect a chairperson and vice-chairperson. Frank Olivo nominates Terrence O'Brien to be re-elected as chairperson and Joseph Rizzo as vice-chairperson. The motions are seconded by Mary Beth Averkamp. No other nominations are made. A role call is made and all are in favor. Terrence O'Brien is re-elected as Chairperson of the Motor Vehicle Review Board and Joseph Rizzo is elected as Vice-Chairperson of the Motor Vehicle Review Board.

Meetings for fiscal year 2016 are confirmed as follows:

August 13, 2015 at 11:00 a.m.  
November 12, 2015 at 11:00 a.m.  
February 11, 2016 at 11:00 a.m.  
May 12, 2016 at 11:00 a.m.

A motion is made by Joseph Rizzo and seconded by Frank Olivo to confirm the fiscal 2016 meeting schedule. All are in favor and the 2016 meeting schedule is confirmed. All meetings will be held at Suite 1200, 17 N. State Street, Chicago, Illinois.

Dean Maragos discusses with the board, his Memorandum of Law-New Motor Vehicle Review Board Administrative Rules & Regulations-Collection of Hearing Fees & Costs.

Discussion is raised regarding the amount of time the parties can put off filing their settlement documents when they have told the hearing officer they have or are about to reach a settlement. Dean suggests adding to our procedures and rules to include a provision that after ninety days past the last date of the hearing, the hearing officer should proceed with a mandatory post hearing on fees and settlement documents. The board asks Dean Maragos, counsel to the board to look further into how dealers and manufacturers contribute to the Motor Vehicle Review Board fund and to come up with a draft of additions to the rules and procedures now used by the board for review before the November meeting. Cindy McMahon offered to look into the issue of how dealers and manufacturers contribute to the Motor Vehicle Review Board fund. A motion is made by Chairman O' Brien and seconded by Michael Chvatal to table the discussion to the November meeting until Dean has drafted additions to the rules and procedures for review. All are in favor.

Mark Kuchler and Michael McCafferty have submitted summaries of their open protest files. Each summary is reviewed and discussed by the board.

Dean informs the board the legislation regarding mandatory attorney representation may not be able to get into JACAR until 2016.

Additional New Business:

The next scheduled meeting is confirmed as November 12, 2015 at 11:00 a.m., Suite 1200, 17 N. State Street in Chicago. A motion is made by Mary Beth Awerkamp and seconded by Michael Chvatal to adjourn the meeting. The motion is carried and the meeting is adjourned.