

41-3-106 Board -- Creation and composition -- Appointment, terms, compensation, and expenses of members -- Meetings -- Quorum -- Powers and duties -- Officers' election and duties -- Voting.

- (1)
 - (a) There is created an advisory board of five members that shall assist and advise the administrator in the administration and enforcement of this chapter.
 - (b) The members shall be appointed by the governor from among the licensed motor vehicle manufacturers, distributors, factory branch and distributor branch representatives, dealers, dismantlers, transporters, remanufacturers, and body shops.
 - (c)
 - (i) Except as required by Subsection (1)(c)(ii), each member shall be appointed for a term of four years or until his successor is appointed and qualified.
 - (ii) Notwithstanding the requirements of Subsection (1)(c)(i), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
 - (d) Three members of the board shall be selected as follows:
 - (i) one from new motor vehicle dealers;
 - (ii) one from used motor vehicle dealers; and
 - (iii) one from manufacturers, transporters, dismantlers, crushers, remanufacturers, and body shops.
 - (e) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (i) Section 63A-3-106;
 - (ii) Section 63A-3-107; and
 - (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
 - (f) A majority of the members of the board constitutes a quorum and may act upon and resolve in the name of the board any matter, thing, or question referred to it by the administrator, or that the board has power to determine.
 - (g) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (2)
 - (a) The board shall on the first day of each July, or as soon thereafter as practicable, elect a chair, vice chair, secretary, and assistant secretary from among its members, who shall each hold office until his successor is elected.
 - (b) As soon as the board elects its officers, the elected secretary shall certify the results of the election to the administrator.
 - (c) The chair shall preside at all meetings of the board and the secretary shall make a record of the proceedings, which shall be preserved in the office of the administrator.
 - (d) If the chair is absent from any meeting of the board, his duties shall be discharged by the vice chair, and if the secretary is absent, his duties shall be discharged by the assistant secretary.
 - (e) All members of the board may vote on any question, matter, or thing that properly comes before it.

Amended by Chapter 286, 2010 General Session
Amended by Chapter 324, 2010 General Session