

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2009-1026-01	REGULATORY ACTION NUMBER 2010-0226-025	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

2010 FEB 26 AM 10:51

RECEIVED FOR FILING PUBLICATION DATE

OCT 06 '09 OCT 16 '09

Office of Administrative Law

OFFICE OF ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY

Department of Consumer Affairs, Bureau of Automotive Repair

AGENCY FILE NUMBER (if any)

2008_209

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Exhaust System Certificate of Compliance Fee	TITLE(S) 16	FIRST SECTION AFFECTED 3340.36.1	2. REQUESTED PUBLICATION DATE October 16, 2009
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Tracy Brazil	TELEPHONE NUMBER 916-255-2279	FAX NUMBER (Optional) 916-255-1369
OAL USE ONLY ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Exhaust System Certificate of Compliance Fee	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 3340.36.1
	AMEND
	REPEAL
TITLE(S) 16	

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
n/a

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input checked="" type="checkbox"/> Effective 30th day after filing with Secretary of State	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Tracy Brazil	TELEPHONE NUMBER (916) 255-2279	FAX NUMBER (Optional) (916) 255-1369	E-MAIL ADDRESS (Optional) tracy_brazil@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

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SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 02/23/10
TYPED NAME AND TITLE OF SIGNATORY BRIAN J. STIGER, Director of Consumer Affairs	

BUREAU OF AUTOMOTIVE REPAIR

ORDER OF ADOPTION

The Bureau of Automotive Repair hereby adopts the following regulation in Articles 5.5 of Chapter 1 of Division 33 of Title 16 of the California Code of Regulations as follows:

1. *Section 3340.36.1 of Article 5.5 is adopted to read as follows:*

§ 3340.36.1. Fee For Exhaust System Certificate of Compliance.

The fee for an exhaust system certificate of compliance issued pursuant to Section 27150.2 of the Vehicle Code shall be one hundred eight dollars (\$108).

NOTE: Authority cited: Section 9882, Business and Professions Code; and Section 27150.2, Vehicle Code. Reference: Sections 27150, 27150.2, and 27151 Vehicle Code.



SHERRY MEHL, Chief
Bureau of Automotive Repair