

**BUREAU OF AUTOMOTIVE REPAIR  
PROPOSED REGULATION**

**CONSUMER ASSISTANCE PROGRAM UPDATES**

Legend:       Added text is indicated by underlining.  
                  Deleted text is indicated by ~~strikethrough~~.  
                  Omitted text is indicated by (\* \* \* \*)

**(1) Amend Section 3394.3, Article 11, Chapter 1, Division 33 of Title 16 of the California Code of Regulations**

§ 3394.3. ~~State~~Vehicle Retirement and Repair Assistance Payment Limits.

An applicant determined to be eligible under the Consumer Assistance Program may receive the following assistance:

(a) Under the Vehicle Retirement option, payment of one thousand five hundred dollars (\$1,500) for each vehicle retired from operation for vehicle owners ~~that~~who meet income eligibility requirements. All other vehicle owners ~~shall~~may receive one thousand dollars (\$1,000) for each vehicle retired from operation. All vehicles shall be retired from operation at a dismantler operating under contract with the Bureau of Automotive Repair.

(b) Under the Repair Assistance option, vehicle owners ~~that~~who meet income eligibility requirements ~~will~~may receive up to five hundred dollars (\$500) in emissions-related repair services performed at a ~~licensed smog check test and repair station holding valid STAR test and repair station certification and operating under an agreement with the Bureau of Automotive Repair.~~

(c) If the STAR test-and-repair station submits a repair notification to the Bureau requesting emissions-related repairs in excess of \$500, and the Bureau concurs that those repairs are necessary to pass the Smog Check inspection, then the vehicle owner may receive additional emissions-related diagnostic and repair services in the following amounts:

(1) up to four hundred dollars (\$400) for model year 1976-1995 vehicles, and

(2) up to seven hundred dollars (\$700) for model year 1996 and newer vehicles.

Note: Authority cited: Sections 44001.3, 44001.5, 44002 and 44062.3, Health and Safety Code. Reference: Sections 44001.3, 44014.2, 44015, 44017, 44037.1, 44062.1, 44062.3, 44091, 44092, 44093, 44094 and 44095, Health and Safety Code.

**(2) Amend Section 3394.4, Article 11, Chapter 1, Division 33 of Title 16 of the California Code of Regulations**

§ 3394.4. Eligibility Requirements.

The Bureau determines Consumer Assistance Program eligibility as follows:

(a) In order to participate in the Repair Assistance option of the Consumer Assistance Program, the following requirements must be met:

(1) The applicant must be the registered owner of the vehicle with vehicle title issued in their name.

(2) The applicant must not have previously participated in the Repair Assistance option for the same vehicle.

(3) The applicant must have a household income that is less than or equal to two hundred twenty-five percent (225%) of the federal poverty level, as published in the Federal Register by the United States Department of Health and Human Services.

(4) The applicant must pay ~~the total cost of testing and diagnosing~~ a minimum of twenty percent (20%) of the total cost of diagnosis and repair of the emissions-related failure as co-payment for participating in the Repair Assistance option. The co-payment shall be paid directly to the station that performs the state-subsidized emissions-related repair work under an agreement with the ~~h~~Bureau.

(5) At the time of application, the vehicle must:

(A) Have failed its biennial Smog Check inspection. Aborted, manual mode, and training mode tests do not qualify.

(B) Be currently registered with the Department of Motor Vehicles with a valid and unexpired registration sticker, or have all fees paid to the Department of Motor Vehicles and not have a registration that has been expired more than ~~120~~365 days.

~~(C) Have been continuously registered in California with the Department of Motor Vehicles without substantial lapse during the two consecutive years preceding the current registration expiration date, such that it has not experienced breaks in registration totaling more than 120 days.~~

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Note: Authority cited: Sections 44001.3, 44001.5, 44002 and 44062.3, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44005, 44010.5, 44011, 44012, 44014.2, 44014.7, 44015, 44017, 44017.1, 44037.1, 44062.1, 44062.3, 44091, 44092, 44093, 44094, 44095 and 44125, Health and Safety Code.

**(3) Amend Section 3394.6, Article 11, Chapter 1, Division 33 of Title 16 of the California Code of Regulations**

§ 3394.6. Application and Documentation Requirements for the Consumer Assistance Program.

(a) In order to participate in the Consumer Assistance Program, the applicant shall meet the requirements pursuant to 3394.4 et seq. and submit a completed application, CAP/APP (~~07/1204/2020~~), which is hereby incorporated by reference, and required documentation to the Department or its designee with original signature(s).

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Note: Authority cited: Sections 44001.5, 44002, 44091 and 44094, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44001.3, 44005, 44010.5, 44011, 44012, 44014, 44014.2, 44015, 44017, 44017.1, 44062.1, 44092, 44093, 44094 and 44095, Health and Safety Code.