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# LEGISLATION & REGULATIONS UPDATE

DEPARTMENT OF CONSUMER AFFAIRS



Bureau of Automotive Repair

HOLLY O'CONNOR  
EXECUTIVE OFFICE  
BAR ADVISORY GROUP MEETING  
APRIL 18, 2019

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# LEGISLATION

- AB 142 (Garcia, Carrillo, & Santiago): Lead-Acid Batteries
- AB 161 (Ting): Electronic Proofs of Purchase
- AB 210 (Voepel): Smog Check Exemption
- AB 390 (Frazier & Grayson): Notice to Correct Violations
- AB 755 (Holden): California Tire Fee
- AB 949 (Medina): Unsafe Used Tires Installation
- AB 1359 (Santiago): Towing and Storage of Vehicles
- AB 1538 (Weber): Automobile Collision Coverage
- SB 59 (Allen): Automated Vehicle Technology
- SB 460 (Beall): Biennial Registration

\* Disclaimer: Though every effort is made to ensure information provided on these slides is the most current, given the nature of the legislative process, hearing dates or bill summaries shown here may not reflect the latest updates. Please be sure to check [www.leginfo.legislature.ca.gov](http://www.leginfo.legislature.ca.gov) for the most current bill information.

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# AB 142: LEAD-ACID BATTERIES

- Status: Introduced in Assembly by Garcia, Carrillo, and Santiago on December 13, 2018.
- Hearing: None currently scheduled, Appropriations Committee.
- Summary: This bill would increase the manufacturer fee on lead-acid batteries from \$1 to \$2.

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# AB 161: ELECTRONIC PROOFS OF PURCHASE

- Status: Introduced in Assembly by Ting on January 7, 2019.
- Hearing: None currently scheduled, Privacy and Consumer Protection Committee.
- Summary: This bill would require, on and after January 1, 2022, a proof of purchase for the retail sales or for services provided to a consumer, by a business, to be provided only in electronic form, unless the consumer requests that the proof of purchase be provided in paper form.

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# AB 210: SMOG CHECK EXEMPTION

- Status: Introduced in Assembly by Voepel on January 14, 2019.
- Hearing: None currently scheduled, Transportation Committee.
- Summary: This bill would exempt from the Smog Check Program all motor vehicles, including diesel-powered vehicles, manufactured prior to the 1983 model-year. (Current law exempts vehicles manufactured prior to the 1976 model-year.)

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# AB 390: NOTICE TO CORRECT VIOLATIONS

- Status: Introduced in Assembly by Frazier and Grayson on February 5, 2019.
- Hearing: None currently scheduled, Appropriations Committee.
- Summary:
  - California Vehicle Code sections 27150 and 27151 require that all vehicles be equipped with an adequate muffler to prevent exhaust noise from exceeding 95 decibels. Assembly Bill 1824 (Committee on Budget, Chapter 38, Statutes of 2018) changed the way that noise citations work and “fix-it tickets” are no longer issued. BAR can still inspect cited vehicles and issue a certificate if it passes; however, receiving a certificate may not necessarily remedy the violation and the court could still issue a fine.
  - This bill would revert that and would permit the issuance of a “fix-it ticket” for violations of California Vehicle Code sections 27150 and 27151.

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# AB 755: CALIFORNIA TIRE FEE

- Status: Introduced in Assembly by Holden on February 19, 2019.
- Hearing: None currently scheduled, Appropriations Committee.
- Summary:
  - Existing law, until January 1, 2024, requires that \$0.75 per tire on which the California tire fee (\$1.75) is imposed be deposited in the Air Pollution Control Fund for use by the State Air Resources Board.
  - This bill would increase the California tire fee by \$1.50. The bill would deposit the additional moneys in the Stormwater Permit Compliance Fund, which would be established by the bill, and would make the moneys available to the State Water Resources Control Board Division of Financial Assistance.

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# AB 949: UNSAFE USED TIRES INSTALLATION

- Status: Introduced in Assembly by Medina on February 20, 2019.
- Hearing: None currently scheduled, Appropriations Committee.
- Summary: This bill would prohibit an automotive repair dealer from installing an unsafe used tire, as specified, on a motor vehicle for use on a highway. This prohibition would not apply to a tire mounted on a wheel or rim that is temporarily removed from a vehicle and reinstalled on the same vehicle. Because a violation of these provisions by an automotive repair dealer would be a crime, the bill would impose a state-mandated local program.



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# AB 1359: TOW TRUCKS

- Status: Introduced in Assembly by Santiago on February 22, 2019.
- Hearing: None currently scheduled, Transportation Committee.
- Summary: This bill would require the California Highway Patrol to convene an advisory working group that includes representatives from the Highway Patrol, the towing industry, the insurance industry, and other stakeholders to study the feasibility of developing and maintaining a registry of towing companies operating in California. The advisory working group would be required to report its findings and recommendations, and any appropriations that may be necessary to implement those recommendations, to the Assembly Committee on Transportation and the Senate Committee on Transportation on or before May 1, 2021.

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# AB 1538: AUTOMOBILE COLLISION COVERAGE

- Status: Introduced in Assembly by Weber on February 22, 2019.
- Hearing: None currently scheduled. Passed by the Assembly and ordered to the Senate on April 11, 2019.
- Summary:
  - Existing law requires an insurer issuing a policy for comprehensive coverage for a motor vehicle to make the payment in a specified manner.
  - This bill would make that requirement apply to a policy for automobile physical damage coverage, instead of comprehensive coverage, and would state that these provisions do not limit the right of an insured to select the auto body repair shop or other repair facility to repair the damaged vehicle, or to decide not to have the vehicle repaired.
  - The bill would prohibit an insurer from withholding the payment of reasonable repair cost benefits that are payable under the policy if the insured decides not to have the vehicle repaired.

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# SB 59: AUTOMATED VEHICLE TECHNOLOGY

- Status: Introduced in Senate by Allen on December 19, 2018.
- Hearing: None currently scheduled, Environmental Quality Committee.
- Summary:
  - This bill would establish state policy relating to automated vehicles, to ensure these vehicles support the state's efforts to, among other things, reduce greenhouse gas emissions and encourage efficient land use.
  - Requires the Office of Planning and Research in the Governor's Office, in coordination with the State Air Resources Board, to convene an automated vehicle interagency working group of specified state agencies to guide policy development for automated vehicle technology.

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# SB 460: BIENNIAL REGISTRATION

- Status: Introduced in Senate by Beall on February 21, 2019.
- Hearing: April 22, 2019, Appropriations Committee.
- Summary: This bill would authorize the Department of Motor Vehicles, on or after January 1, 2020, to establish a biennial registration period for a vehicle, rather than the current annual registration period.

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# BAR REGULATIONS

- STAR Program Clean-Up
- Licensing Forms Updates
- Certified Training Institutions/Instructors
- Brake/Lamp Stations and Adjusters
- Repair Assistance

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# STAR PROGRAM CLEAN-UP

- Purpose: (1) Delete outdated Gold Shield Program provisions; (2) amend STAR eligibility criteria; and (3) revise STAR suspension process to be consistent with statute.
- History: Public workshop held on July 21, 2016. Rulemaking package submitted to DCA / BCSH for formal review on May 22, 2018.
- Status: BAR revised the package based on DCA's review and resubmitted on March 1, 2019.
- Next Steps: Complete DCA / BCSH formal review; file with OAL to begin 45-day public comment period.

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# LICENSING FORMS UPDATES

- Purpose: (1) Update application review times under certain circumstances; (2) unincorporate BAR's licensing applications and list application components in regulation; and (3) add substantial relationship criteria for criminal convictions per AB 2138 (Chiu, Chapter 995, Statutes of 2018).
- Status: BAR submitted the regulation package for DCA Legal informal review on February 15, 2019.
- Next Steps: Complete DCA Legal informal review. Submit for DCA / BCSH formal review; file with OAL to begin 45-day public comment period.

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# CERTIFIED TRAINING INSTITUTIONS/INSTRUCTORS

- Purpose: (1) Make requirements for certification of Smog Check training providers consistent with current licensing requirements; (2) authorize training for compliance with laws and regulations; and (3) make conforming changes to Disciplinary Guidelines.
- History: Public workshops held on January 9, 2014 and October 21, 2015. Submitted for DCA formal review on December 1, 2017.
- Status: BAR is revising rulemaking package based on DCA Legal review.
- Next Steps: Complete DCA / BCSH formal review; file with OAL to begin 45-day public comment period.



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# BRAKE/LAMP STATIONS AND ADJUSTERS

- Purpose:
  - Revise: (1) Identification numbers for licensing applications; (2) license renewal and equipment requirements; (3) handbooks on inspection procedures for brake and lamp systems; and (4) brake and lamp certificates of adjustment/compliance.
  - Eliminate the Gross Vehicle Weight Rating (GVWR) restriction of vehicles to be inspected and certified by Class C stations.
- History: Public workshop held on October 20, 2016. Submitted rulemaking package to DCA Legal for informal review on March 30, 2018.
- Status: BAR revising rulemaking package based on DCA Legal informal review.
- Next Steps: Complete DCA Legal informal review. Submit for DCA / BCSH formal review; file with OAL to begin 45-day public comment period.

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# REPAIR ASSISTANCE

- Purpose: Increase Smog Check repair assistance participation by: (1) providing higher repair contributions based on vehicle model year, (2) reducing high pre-repair diagnostic fees for low-income vehicle owners, and (3) removing unnecessary eligibility restrictions pertaining to vehicle registration.
- History: Public workshop held on January 17, 2019.
- Status: BAR is preparing the rulemaking package.
- Next Steps: Submit for DCA Legal informal review.

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# QUESTIONS AND COMMENTS

Submit questions and/or comments to:

Holly O'Connor

Bureau of Automotive Repair

10949 N. Mather Boulevard

Rancho Cordova, CA 95670

Phone: 916-403-8627

Email: [Holly.OConnor@dca.ca.gov](mailto:Holly.OConnor@dca.ca.gov)