

BUREAU OF AUTOMOTIVE REPAIR

PROPOSED REGULATION

CONSUMER ASSISTANCE PROGRAM UPDATES

Legend: Added text is indicated by underlining.
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(1) Amend Section 3394.3, Article 11, Chapter 1, Division 33 of Title 16 of the California Code of Regulations

§ 3394.3. State Assistance 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 meet income eligibility requirements. All other vehicle owners shall 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 meet income eligibility requirements will 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 certification and operating under an agreement with the Bureau of Automotive Repair.

(1) Income eligible owners of 1976-1995 vehicles may receive up to three hundred dollars (\$300) in additional emission related diagnostic and repair services with pre-approval from the Bureau, if an evaluation by the Bureau indicates that the proposed repairs are necessary to pass the Smog Check test.

(2) Income eligible owners of 1996 and newer vehicles may receive up to seven hundred dollars (\$700) in additional emission related diagnostic and repair services with pre-approval from the Bureau if an evaluation by the Bureau indicates that the proposed repairs are necessary to pass the Smog Check test.

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.

(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 a minimum of twenty percent (20%) of the total cost of diagnosis and repair of ~~the total cost of testing and diagnosing~~ 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 ~~b~~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 ~~365~~120 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.~~

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 (07/12), which is hereby incorporated by reference, and with~~ required documentation to the ~~Department or its designee with original signature(s).~~ Bureau on a form prescribed by the Bureau that includes all of the following:

(1) Program Option (Vehicle Retirement or Repair Assistance).

(2) The registered owner's name, date of birth, driver license or identification number, and mailing address.

(3) The vehicle year, make, model, identification number (VIN), and California license plate number.

(4) The number of people living in the household and gross household income.

(5) The original or electronic signature of the applicant(s) certifying under penalty of perjury under the laws of the State of California that all the statements made in the application and all attached supporting documents pertaining to the application are true and correct and acknowledging the following:

(A) the information provided on the application will be used to assess and verify eligibility for assistance and may be shared with other government agencies;

(B) additional documentation may be required to verify household income;

(D) submitting false information may result in a criminal conviction, civil penalties, and/or the ineligibility to receive future assistance in the Consumer Assistance Program; and

(E) if all program eligibility requirements are not met, CAP assistance will not be provided.

(b) To qualify based on income level, the applicant's ~~must certify under penalty of perjury that he or she has a household income that is~~ must be 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. Prior to approving the application, the ~~B~~Bureau will periodically and randomly require the applicant to provide a copy of one of the following documents, as applicable:

(1) A letter from the issuing agency stating that the applicant receives any of the following benefits:

- (A) Supplemental Security Income (SSI);
 - (B) State Supplemental Payments (SSP);
 - (C) Temporary Assistance for Needy Families (TANF);
 - (D) California Work Opportunity and Responsibility to Kids (CalWORKS);
 - (E) General Assistance (GA) or General Relief (GR); or
 - (F) Publicly subsidized medical coverage, such as ~~or~~ Medi-Cal.
- (2) The applicant's state or federal income tax form (Form 540 or 1040) filed in the most recent tax year; and a paycheck stub reflecting year-to-date earnings, hours worked, and hourly wage of the applicant; or
- (3) An unemployment, veterans' benefits, or disability check issued to the applicant within the last sixty (60) days; or
- (4) A monthly bank statement issued to the applicant within the last sixty (60) days reflecting direct deposit of Social Security or Public Assistance; or
- (5) Other documentation satisfactory to the Department.

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.