



June 10, 2020

## **NOTIFICATION OF PROPOSED EMERGENCY REGULATORY ACTION**

### **Subject: Consumer Assistance Program Updates**

The Bureau of Automotive Repair (Bureau) is proposing an emergency action to add regulations related to the Consumer Assistance Program (CAP). This proposed regulation would increase repair assistance contribution limits to income-eligible vehicle owners for emissions-related repairs with pre-approval from the Bureau, restructure the consumer copay for repairs, allow participation of a vehicle with registration expired up to 365 days, eliminate eligibility requirements pertaining to prior registration lapses, and update the CAP application to reflect the Bureau's current website and the revised amounts receivable through repair assistance as established through this emergency rulemaking.

Government Code section 11346.1(a)(2) requires that, at least five (5) working days prior to the submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency action, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency action. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for one hundred and eighty (180) days. Within the 180-day effective period, the Bureau will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

Attached to this notice is the specific regulatory language of the Bureau's proposed emergency action and the Finding of Emergency.

You may also review the proposed regulatory language and Finding of Emergency on the Bureau's website at the following address:

[https://www.bar.ca.gov/About\\_BAR/Regulatory\\_Actions.aspx](https://www.bar.ca.gov/About_BAR/Regulatory_Actions.aspx).

The Bureau plans to file the Emergency Rulemaking Package with OAL at least five (5) working days from the date of this notice. If you would like to make comments on the Finding of Emergency or the Proposed Emergency Regulation Text, both the Bureau and OAL must receive the comments within five (5) calendar days after notice of the filing of the Emergency Rulemaking Package is posted on OAL's website. Responding to the comments at this point in the process is strictly at the Bureau's discretion.

Comments should be sent simultaneously to:

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Address: Bureau of Automotive Repair  
10949 North Mather Blvd.  
Rancho Cordova, CA 95670  
Fax Number: (916) 464-3424  
Email: [Holly.O'Connor@dca.ca.gov](mailto:Holly.O'Connor@dca.ca.gov)

AND

Name: Office of Administrative Law  
Address: 300 Capitol Mall, Suite 1250  
Sacramento, CA 95814  
Fax Number: (916) 323-6826  
Email: [staff@oal.ca.gov](mailto:staff@oal.ca.gov)

The comment must state that it is about an emergency rulemaking action currently under OAL review and include the topic of the emergency.

If you have any questions regarding this proposed emergency action, please contact Holly O'Connor at (916) 403-8627, or at [Holly.O'Connor@dca.ca.gov](mailto:Holly.O'Connor@dca.ca.gov).