

**DEPARTMENT OF CONSUMER AFFAIRS
Title 16. BUREAU OF AUTOMOTIVE REPAIR
DIVISION 33.
BUREAU OF AUTOMOTIVE REPAIR**

**NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Airbag Safety**

NOTICE IS HEREBY GIVEN that the Bureau of Automotive Repair (Bureau) is proposing to take the rulemaking action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Bureau has not scheduled a public hearing on this proposed action. However, the Bureau will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under “Contact Person” in this Notice, must be received by the Bureau at its office no later than **Monday, August 24, 2026**, or must be received by the Bureau at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Business and Professions Code (BPC) sections 9882, 9884.19, and 9884.76 and Vehicle Code (VEH) section 27317, to implement, interpret, and make specific BPC sections 490 and 9884.7 and VEH section 27317, the Bureau proposes adopting the following changes to section 3367 of Title 16, Division 33, Chapter 1, Article 8 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Consumer Affairs (DCA), Bureau of Automotive Repair (Bureau or BAR) is the state agency charged with licensing automotive repair dealers (ARDs), Smog Check stations, STAR stations, brake and lamp stations, Vehicle Safety Systems Inspection Stations, and their respective inspectors, repair technicians, and adjusters. Pursuant to Article 1 of Chapter 20.3 of Division 3 of the BPC (commencing with section 9880), the Bureau regulates automotive repair and has the authority to adopt, amend, and repeal necessary rules and regulations.

The Bureau regulates approximately 35,000 ARDs in the State of California. The Bureau ensures persons operating as ARDs are registered with the Bureau and comply with laws and regulations established to protect consumers in repair transactions. The mission of both DCA and the Bureau—and therefore the main purpose of any regulatory proposal—is consumer protection, which includes ensuring “all Californians are informed, empowered, and protected.” (DCA, About Us [as of May 2026].)

The Bureau proposes amending existing regulations specific to airbag safety. These regulation changes are necessary to protect the public and ensure ARDs comply with consumer protection laws and regulations.

The Bureau proposes amending section 3367 of Chapter 1 of Division 33 of Title 16 of the CCR to expand airbag safety regulations to help protect California consumers by ensuring ARDs

- Do not manufacture, import, install, reinstall, distribute, sell, or offer for sale any airbags that meet the criteria specified in the regulation section,
- Restore airbags to the original operating condition as designed by the original equipment manufacturer (OEM),
- Only purchase replacement airbag parts or components from the original manufacturer or an entity that meets the criteria specified in the regulation section, and
- Retain receipts for all parts received or purchased, and maintain the receipts in accordance with existing record-keeping requirements.

Documents Incorporated by Reference

None.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

The Bureau has determined this regulatory proposal will have the following benefits to the health and welfare of California residents: by implementing these regulatory changes, the Bureau will expand airbag safety regulations to ensure ARDs are prohibited from manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale substandard/unsafe airbags, as specified. ARDs must restore airbags to the original operating condition as designed by the OEM, buy replacement airbag parts only from suppliers that meet specified criteria, and keep receipts for all parts in compliance with record-keeping requirements.

This regulatory proposal will establish engineering safety standards that will help to ensure substandard/unsafe airbags are not installed in California automobiles.

The regulations do not have an impact on worker safety or the state's environment because they set standards for airbags, as specified.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, BAR has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: ARDs found to be out-of-compliance may be subject to disciplinary action. BAR may issue a citation and fine and estimates workload costs of \$450 and fine revenues of \$500 per violation.

The Bureau does not have a total fiscal impact estimate because the number of future non-compliant airbags being manufactured, imported, installed, reinstalled, distributed, sold, or offered for sale is unknown.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500 – 17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES:

BAR made the initial determination that the proposed regulations will have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposal is intended to help prevent substandard/unsafe airbag repair practices.

It is difficult to estimate the total cost impact resulting from the proposed regulations because the number of future non-compliant airbags being manufactured, imported, installed, reinstalled, distributed, sold, or offered for sale is unknown.

Additionally, the number or percentage of non-compliant airbags already installed in the state's fleet is also unknown, plus the cost of an OEM airbag or the component parts of an airbag system varies by vehicle make and model. As a result, BAR does not have a total economic cost estimate at this time.

However, sales cost data indicates OEM airbags of various popular automobiles, including automobiles from Toyota, Honda, Ford, and Tesla, range from \$500 to \$1,000 per unit (not including installation). BAR notes non-compliant airbags from these brands can be purchased on the internet at up to 50 percent lower costs.

BAR also notes that a non-compliant airbag failing to deploy properly and/or causing harm or death has no intrinsic value, and could result in significant healthcare costs, as well as unmeasurable pain and suffering to Californians.

Cost Impact on Representative Private Person or Business:

The Bureau is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

This proposal is intended to expand airbag safety regulations to ensure ARDs are prohibited from manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale substandard/unsafe airbags, as specified. ARDs must restore airbags to the original operating condition as designed by the OEM, buy replacement airbag parts only from suppliers that meet specified criteria, and keep receipts for all parts in compliance with record-keeping requirements.

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BAR also notes that a non-compliant airbag failing to deploy properly and/or causing harm or death has no intrinsic value, and could result in significant healthcare costs, as well as unmeasurable pain and suffering to Californians.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Bureau has determined this regulatory proposal will have the following benefits to the health and welfare of California residents: by implementing these regulatory changes, the Bureau will expand airbag safety regulations to ensure ARDs are prohibited from manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale airbags that meet the criteria specified in the regulation. ARDs must

restore airbags to the original operating condition as designed by the OEM, buy replacement airbag parts only from suppliers that meet specified criteria, and keep receipts for all parts in compliance with record-keeping requirements.

This regulatory proposal will establish engineering safety standards that will help to ensure substandard/unsafe airbags are not installed in California automobiles.

The regulations do not have an impact on worker safety or the state's environment because they set standards for airbags, as specified.

Impact on Jobs/Businesses:

BAR has determined that this regulatory proposal will not:

- (1) create jobs within California;
- (2) eliminate jobs within California;
- (3) create new businesses within California;
- (4) eliminate existing businesses within California; and,
- (5) expand businesses currently doing business in the State of California.

Benefits of Regulation:

The Bureau has determined this regulatory proposal will have the following benefits to the health and welfare of California residents: by implementing these regulatory changes, the Bureau will expand airbag safety regulations to ensure ARDs are prohibited from manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale substandard/unsafe airbags, as specified. ARDs must restore airbags to the original operating condition as designed by the OEM, buy replacement airbag parts only from suppliers that meet specified criteria, and keep receipts for all parts in compliance with record-keeping requirements.

This regulatory proposal will establish engineering safety standards that will help to ensure substandard/unsafe airbags (airbags that meet the criteria specified in the regulation) are not installed in California automobiles.

The regulations do not have an impact on worker safety or the state's environment because they set standards for airbags, as specified.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Bureau.

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations will not adversely affect small businesses.

It is difficult to estimate the total cost impact resulting from the proposed regulations because the number of future non-compliant airbags being manufactured, imported, installed, reinstalled, distributed, sold, or offered for sale is unknown.

Additionally, the number or percentage of non-compliant airbags already installed in the state's fleet is also unknown, plus the cost of an OEM airbag or the component parts of an airbag system varies by vehicle make and model. As a result, BAR does not have a total economic cost estimate at this time.

However, sales cost data indicates OEM airbags of various popular automobiles, including automobiles from Toyota, Honda, Ford, and Tesla, range from \$500 to \$1,000 per unit (not including installation). BAR notes non-compliant airbags from these brands can be purchased on the internet at up to 50 percent lower costs and ARD's will be able to comply with the record keeping requirements within normal business operations.

BAR also notes that a non-compliant airbag failing to deploy properly and/or causing harm or death has no intrinsic value, and could result in significant healthcare costs, as well as unmeasurable pain and suffering to Californians.

This proposal is intended to help prevent substandard/unsafe airbag repair practices.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), BAR must determine that no reasonable alternative to this proposed regulatory action it considered, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments, relevant to the above determinations, to the Bureau in writing at 10949 North Mather Boulevard, Rancho Cordova, California 95670 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Bureau has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, any document incorporated by reference, the Initial Statement of Reasons, and all of the information upon which the

proposal is based, may be obtained upon request from the Bureau of Automotive Repair, 10949 North Mather Boulevard, Rancho Cordova, California 95670.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Bureau, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE RULEMAKING FILE AND THE FINAL STATEMENT OF REASONS

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the contact persons named below, or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed administrative action may be addressed to:

Holly Helsing
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, CA 95670
Telephone: (916) 403-8600
E-mail: Holly.Helsing@dca.ca.gov

The backup contact person is:

Tessa Miller
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, CA 95670
Telephone: (916) 403-8600
E-mail: Tessa.Miller@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Bureau's website at www.bar.ca.gov/regulatory-actions.