TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 33.
BUREAU OF AUTOMOTIVE REPAIR
DEPARTMENT OF CONSUMER AFFAIRS

INITIAL STATEMENT OF REASONS

Hearing Date: No hearing scheduled.

Subject Matter of Proposed Regulations: Business Information Updates for Automotive Repair Dealers

Section(s) Affected: Sections 3351, 3351.2, and 3351.7 of Division 33 of Title 16, California Code of Regulations (CCR).

BACKGROUND AND STATEMENT OF THE PROBLEM

Existing law provides that the Bureau is the state agency charged with licensing automotive repair dealers (ARDs), Smog Check stations, STAR 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 Business and Professions Code (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 October 12, 2026].)

This regulatory proposal will amend sections 3351, 3351.2, and 3371.2 specific to business information reporting and advertising, as follows:

Section 3351:

Require ARDs, as part of their registration application, to:

- List a “doing business as” (DBA) name, if applicable.
- Provide a telephone number at their business’ physical address and a business

email address, at which the Responsible Managing Employee (RME) can be reached during normal business hours.

Section 3351.2:

As a condition of ARD registration renewal, the registrant ARD shall ensure that all required application information is current and has been provided to the Bureau.

Section 3371.2:

- Require print, vehicle, and internet-based advertising to clearly display the business or DBA name. Also, allow this requirement to be satisfied by the internet-based advertising directing users to another internet-based advertising that has the required Business Name and Registration Number.
- Remove the requirement that advertising shall include a telephone number (the same number the ARD has registered with the Bureau).
- Clarify that internet-based advertising includes social media, email, and websites.

ANTICIPATED BENEFITS FROM THIS REGULATORY ACTION

The Bureau has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents, worker safety, and the state's environment: by implementing these regulatory changes, the Bureau will make specific what information is required on the ARD registration application and for registration renewal, ensuring ARD contact information is current and submitted to the Bureau; expand advertising rules to require that print, vehicle, and internet-based ads display the official business/DBA name while removing the requirement that advertising shall include a telephone number; and clarify that internet-based advertising includes social media, email, and websites. These changes promote transparency and consumer protection.

The regulations do not have an impact on the health of California residents, worker safety, or the state's environment because they solely update administrative requirements, specifically, business information reporting and advertising.

SPECIFIC PURPOSE OF, AND RATIONALE FOR, EACH ADOPTION, AMENDMENT, OR REPEAL:

1. Amend section 3351. Registration of Automotive Repair Dealers.

Subdivision (a)(2)(B)

The Bureau proposes adding "or "doing business as" (DBA)" name and "or DBA".

Purpose: To add “doing business as” as a required business name to be listed on an application for ARD registration if the business is to be carried out under that DBA name.

Necessity: Although “fictitious name” and “DBA name” refer to the same concept, “DBA” is a more commonly used and widely recognized term. Adding this language clarifies for the regulated public that if a business operates under a DBA name, that name must be disclosed on the application. This ensures transparency and helps consumers and the Bureau accurately identify the business.

Subdivision (a)(2)(H)

The Bureau proposes changing “Applicant’s” telephone number to “Business” telephone number, and adding “at the physical address listed in subdivision (a)(2)(F) of this section and at which the Responsible Managing Employee, as defined in section 3303(v) of this Chapter, can be reached during normal business hours.”

Purpose: Require that, on the ARD application, the applicant provide the business’ phone number, not the personal number of the person who filled out the application.

Necessity: This is necessary because the Bureau may need to contact the ARD during normal business hours, and in order to do that, the Bureau needs a number where the person responsible for the business is physically present and can be reached. In addition, there are various people that might fill out an application on behalf of the business and the Bureau is requiring the business phone number to be provided in order for the Bureau to be able to contact *the business*, not necessarily the individual filling out the application.

Subdivision (a)(2)(I)

The Bureau proposes changing “Applicant’s” email address to “Business” email address and adding “, at which the Responsible Managing Employee, as defined in section 3303(v) of this Chapter, can be reached”.

Purpose: Require that, on the ARD application, the applicant provide the business email address at which the RME can be reached.

Necessity: There are various people that might fill out an application on behalf of the business and the Bureau is requiring the business email address to be provided in order for the Bureau to be able to contact *the RME of the business*, not necessarily the individual filling out the application.

2. Amend section 3351.2. Renewal of Automotive Repair Dealer Registration.

Subdivision (b)

The Bureau proposes changing a comma to a semicolon, making part of subdivision (b) the new (b)(1), and capitalizing the “p” at the beginning of the new (b)(1).

Purpose: The purpose of this change is to accommodate the addition of new text being added to the section.

Necessity: These changes are nonsubstantive changes made for the purpose of “revising structure, syntax, cross-reference, grammar, or punctuation” within the meaning of Title 1, CCR section 100(a)(4) and “renumbering, reordering, or relocating a regulatory provision” within the meaning of Title 1, CCR section 100(a)(1). This change is necessary for clarity, and to ensure consistent lettering and formatting/structure throughout the entire section.

Subdivision (b)(2)

The Bureau proposes adding new subdivision (b)(2), to read “Ensure all information required by section 3351(a) of this Article is up-to-date and has been provided to the Bureau.”

Purpose: Ensure that the Bureau has up-to-date information for all ARDs.

Necessity: This is necessary so that the Bureau can maintain correct information regarding its registrants and licensees. This allows the Bureau to effectively carry out its responsibilities, including compliance and enforcement, regulatory communication, and updates.

3. Amend section 3371.2. Requirements for Advertising Automotive Repair.

Subdivisions (a), (b), and (c)

The Bureau proposes breaking up the current text into subdivisions (a) and (a)(1)-(3).

Purpose: The purpose of this change is to accommodate the addition of new text being added to this section.

Necessity: This is a nonsubstantive change made for the purpose of “renumbering, reordering, or relocating a regulatory provision” within the meaning of Title 1, CCR section 100(a)(1). This change is necessary for clarity and to ensure consistent lettering and formatting throughout the entire section.

Subdivision (a)

The Bureau proposes adding “print, vehicle, and”, and lowercasing the word “internet”.

Purpose: To ensure that the required information is not only displayed in internet-based advertising, but also in print and vehicle advertising.

Necessity: This is necessary to ensure consistency and transparency across all forms of advertising, so consumers can clearly identify and verify the registered business regardless of the advertising medium. Expanding the requirement beyond internet-based advertising helps prevent confusion, reduces the risk of misleading or untraceable advertisements, and supports enforcement by ensuring that accurate business information is readily available to the public and the Bureau.

The lowercasing is a nonsubstantive change made for the purpose of “revising structure, syntax, cross-reference, grammar, or punctuation” within the meaning of Title 1, CCR section 100(a)(4).

Subdivision (a)(1)

The Bureau proposes changing “firm” to “business” both times it appears and adding “or “doing business as” (DBA)”.

Purpose: To change the word “firm” to the more commonly used term “business” and allow the ARD to state either the business name or its DBA name on this advertising.

Necessity: This is necessary to use more inclusive and commonly understood terminology that applies to all entity types, rather than the narrower term “firm.” Adding “doing business as” (DBA) ensures that any alternate name under which the business operates is properly disclosed, improving transparency, helping consumers accurately identify the registered entity, and supporting effective regulatory oversight by the Bureau.

Subdivision (a)(3)

The Bureau proposes removing subdivision (a)(3), which states “Telephone Number. The telephone number shall be the same as that listed for the dealer's firm name in the Bureau's records.”

Purpose: Remove the requirement that an ARD display their phone number on their advertising.

Necessity: Requiring an ARD to publish its phone number in advertising imposes an unnecessary burden without providing meaningful public protection. Many ARDs prefer not to publicize their phone number for legitimate business reasons (e.g., routing inquiries through a website, online platform, or dedicated customer-service channel).

Eliminating the phone-number display requirement does not impede consumer access to information, as ARDs already maintain an active phone number with BAR and must make it available for regulatory or investigative purposes. Because consumers can still verify ARD licensure through BAR's website and contact the business through other publicly available channels, removing this advertising requirement maintains consumer safeguards while reducing compliance burden.

Subdivision (b)

The Bureau proposes adding subdivision (b), to read "Internet-based advertising includes the following: (1) Social media, (2) Email, (3) Website."

Purpose: To ensure these three mediums are clearly distinguished as "interned-based" for ARD advertising purposes.

Necessity: This is necessary to clarify the scope of "internet-based advertising" by explicitly identifying commonly used digital platforms, ensuring that ARDs understand their obligations across all relevant online channels. By specifying social media, email, and websites, the regulation reduces ambiguity, promotes consistent compliance, and helps prevent businesses from unintentionally omitting required disclosures in digital communications.

Subdivision (c)

The Bureau proposes adding new subdivision (c), to read "The requirement of displaying the Business Name and Registration Number in subdivision (a) of this section may be met if the internet-based advertising directs a user to another internet-based advertising that has the Business Name and Registration Number."

Purpose: Allow ARDs to provide a link to the business name and registration number as an alternative way of satisfying the requirement in (a).

Necessity: This is necessary to provide flexibility in how ARDs comply with advertising requirements in digital formats, where space or platform limitations may restrict full disclosures. Allowing a link to another internet-based advertising containing the required business name and registration number ensures that consumers still have access to the necessary information, while accommodating common online advertising practices and promoting practical, consistent compliance.

UNDERLYING DATA

None.

BUSINESS IMPACT

The Bureau has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based on the fact that this proposal will require ARDs to provide accurate and up-to-date business information and that all advertising clearly displays the official business or DBA name and registration details for transparency and consumer protection.

Businesses are anticipated to comply with the regulations within normal business operations and without incurring additional costs.

ECONOMIC IMPACT ASSESSMENT

The Bureau has determined that this regulatory proposal will have the following effects:

It will not create or eliminate jobs within the State of California because the amendments update administrative requirements, specifically, business information reporting and advertising;

It will not create new business or eliminate existing businesses within the State of California because the amendments update administrative requirements, specifically, business information reporting and advertising;

It will not affect the expansion of businesses currently doing business within the State of California because the amendments update administrative requirements, specifically, business information reporting and advertising; and

This regulatory proposal does not affect the health and welfare of California residents because the amendments update administrative requirements, specifically, business information reporting and advertising.

The regulatory amendments will: 1) require ARDs to provide a telephone number at their business' physical address and a business email address, at which the RME can be reached during normal business hours; 2) require that, as a condition of registration renewal, all required application information provided to the Bureau is current; 3) require that print, vehicle, and internet-based advertising clearly display the business name or DBA name, and registration number; and 4) specify that internet-based advertising includes social media, email, and websites.

Businesses are anticipated to comply with the regulations within normal business operations and without incurring additional costs.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulation does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected or accepted:

> **Alternative 1**: The Bureau considered taking no action. However, with no action, the regulations would not specify what business information must be reported, what constitutes internet-based advertising, and what must be displayed on print, vehicle, and internet-based advertising

DESCRIPTION OF REASONABLE ALTERNATIVES TO THE REGULATION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

No such alternatives have been proposed; however, the Bureau welcomes comments from the public.