

**TITLE # 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION # 33.**

**BUREAU OF AUTOMOTIVE REPAIR
DEPARTMENT OF CONSUMER AFFAIRS**

PROPOSED REGULATORY LANGUAGE:

Business Information Updates for Automotive Repair Dealers

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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Amend sections 3351, 3351.2, and 3371.2 of Division 33 of Title 16 of the California Code of Regulations to read as follows:

§ 3351. Registration of Automotive Repair Dealers.

(a) Any person or entity (“applicant”) seeking Bureau registration as an automotive repair dealer shall submit a completed application that includes all of the following:

(1) The nonrefundable application fee set forth in section 3351.1 for each location, or each vehicle consistent with section 3351.7.1 unless the applicant meets the requirements for waiver of the fee specified in subdivision (g).

(2) The following identifying information:

(A) The legal name of the applicant. An individual must apply using their full legal name: (Last Name) (First Name) (Middle Name) and/or (Suffix) and provide information from a government issued photo identification including issuing authority, document title, and number. A business entity must apply using the business' legal name.

(B) If the business is to be carried out under a fictitious or “doing business as” (DBA) name (i.e., the applicant intends to operate under a name other than their legal name), the fictitious or DBA name shall be provided.

(C) Form of business organization (sole proprietorship (individual), partnership, limited partnership, corporation, or limited liability company (LLC)).

(i) If the business is a corporation, the corporate number assigned by the California Secretary of State.

(ii) If the business is an LLC, the domestic or foreign LLC number assigned by the California Secretary of State.

(D) Federal employer identification number (FEIN), if the applicant is a partnership, or the applicant's Social Security Number, or individual taxpayer identification number (ITIN) for all other applicants. If the applicant is a corporation or LLC, the applicant shall submit the Social Security Numbers of its controlling individuals.

(E) If the applicant is a business entity, the full legal name, title, business address, telephone number, and information from a government issued photo identification including issuing authority, document title, and number for each controlling individual.

(F) Physical address of the location operated by the applicant ("location").

(G) Applicant's mailing address, if different than the physical address ("address of record").

(H) Applicant's Business telephone number, 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.

(I) Applicant's Business email address, at which the Responsible Managing Employee, as defined in section 3303(v) of this Chapter, can be reached.

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Note: Authority cited: Sections 9882, 9884.2 and 9884.4, Business and Professions Code. Reference: Sections 27, 30, 31, 114.5, 115.4, 135.4, 141, 142, 480, 490, 9884, 9884.1, 9884.2, 9884.4, 9884.7 and 9889.52, Business and Professions Code.

§ 3351.2. Renewal of Automotive Repair Dealer Registration.

(a) A new registration, issued on initial application, shall expire one year from the last day of the month in which the registration was issued unless renewed in compliance with this section.

(b) As a condition of renewal, the registrant shall, prior to the expiration date of their registration;

(1) Provide the Bureau with written notice of any material changes in information as specified in section 3351(e) to the extent it has not already been provided to the Bureau since the registrant's initial application, last renewal or in writing in accordance with section 3351(e), and submit the renewal fee provided in section 3351.1.

(2) Ensure all information required by section 3351(a) of this Article is up-to-date and has been provided to the Bureau.

Note: Authority cited: Section 9882, Business and Professions Code. Reference: Sections 152.5, 152.6, 9884.3 and 9884.4, Business and Professions Code.

§ 3371.2. Requirements for Advertising Automotive Repair.

(a) A person or entity engaged in the business of automotive repair shall clearly display in any print, vehicle, and Internet-based advertising the following:

(1) FirmBusiness Name. The dealer's ~~firm~~business or "doing business as" (DBA) name as it appears on the State registration certificate as an automotive repair dealer.

(2) Registration Number. The number issued by the Bureau to the dealer as proof of registration as an automotive repair dealer.

~~(3) Telephone Number. The telephone number shall be the same as that listed for the dealer's firm name in the Bureau's records.~~

(b) Internet-based advertising includes the following:

(1) Social media.

(2) Email.

(3) Website.

(c) 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.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference: Sections 9884.6, 9884.19 and 17505, Business and Professions Code.