Title 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
Division 33.

BUREAU OF AUTOMOTIVE REPAIR

DEPARTMENT OF CONSUMER AFFAIRS

NOTICE OF PROPOSED REGULATORY ACTION:

Towing Authorization Requirement

NOTICE IS HEREBY GIVEN that the Bureau of Automotive Repair (Bureau or BAR) is proposing to take the 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. The Bureau will, however, hold a hearing if it receives a written request for a public hearing from any interested person, or his or her 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 **December 14 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 137, 9882, and 9884.9, to implement, interpret, and make specific BPC sections 9884.8, 9884.9, 9889.50, and 9889.52, and Vehicle Code sections 12000, 12001, and 22651.07, the Bureau proposes amending sections 3353 and 3356 of Title 16, Division 33, Chapter 1 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Consumer Affairs (DCA), Bureau of Automotive Repair 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 and repair technicians. 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 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 [June 25, 2026].)

This proposal will amend sections 3353 and 3356 of Chapter 1 of Division 33 of Title 16 of the CCR as follows:

- If an ARD performs a towing service, or contracts with another party to perform a towing service, the amount of any towing fees the ARD will charge shall be disclosed to and authorized by the customer prior to the towing service being performed.

- An ARD that maintains a motor carrier permit pursuant to Vehicle Code section 34620 shall obtain any towing fee authorization from a customer on a document separate from any repair authorization.

- Invoices issued by the ARD shall list storage-related and towing-related charges as separate line items.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

The Bureau has determined this regulatory proposal will have the following benefits to the welfare of California residents:
1) Towing fees will be explicitly authorized by the customer prior to the towing service being performed—not merely before payment is received. This will promote transparency by ensuring consumers are fully informed and there is no surprise billing.
2) If the ARD has a motor carrier permit, the towing fee authorization shall be documented on a separate form from the repair authorization. This will prevent hidden or bundled charges inside a repair authorization and ensure the customer understands towing is a distinct service, not automatically included with repairs.
3) Invoices issued by the ARD shall list storage-related and towing-related charges as separate line items. This will promote transparency, as customers can see exactly what they are being charged for and makes it easier to identify overcharges.

This regulatory proposal does not affect the health of California residents, worker safety, or the state’s environment.

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: None. The regulations do not result in a fiscal impact to the state in the form of federal funding or any cost or savings to any state agency. The proposal is intended to amend authorization and invoicing requirements for towing services and does not result in additional workload or costs to the Bureau.

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:

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

This initial determination is based on the fact that the amendments are intended to provide additional clarity and promote transparency, consistent with current law and existing practice. The Bureau anticipates licensees will be able to comply with the proposed regulations within normal business operations and without incurring additional workload or costs.

Cost Impact on Representative Private Person or Business: None.

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 regulatory proposal will amend authorization and invoicing requirements for towing services and the Bureau anticipates licensees will be able to comply with the proposed regulations within normal business operations and without incurring additional workload or costs.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Bureau has determined this regulatory proposal will have the following benefits to the welfare of California residents:

1) Towing fees will be explicitly authorized by the customer prior to the towing service being performed—not merely before payment is received. This will promote transparency by ensuring there is no surprise billing.

2) If the ARD has a motor carrier permit, the towing fee authorization shall be documented

on a separate form from the repair authorization. This will prevent hidden or bundled charges inside a repair authorization and ensure the customer understands towing is a distinct service, not automatically included with repairs.

3) Invoices issued by the ARD shall list storage-related and/or towing-related charges as separate line items. This promotes transparency, as customers can see exactly what they are being charged for and makes it easier to identify overcharges.

This regulatory proposal does not affect the health of California residents, worker safety, or the state's environment.

Impact on Jobs / Businesses:

The Bureau has determined that this regulatory proposal will not have any impact on the following:

1) The creation or elimination of jobs within the state,

2) The creation of new businesses or the elimination of existing businesses within the state, or

3) The expansion of businesses currently doing business within the state.

The regulatory amendments will require that towing fees be explicitly authorized by the customer prior to a towing service being performed, towing fee and repair authorizations be on separate documents for ARDs that maintain a motor carrier permit, and storage-related and towing-related charges be listed separately on an invoice.

The Bureau anticipates licensees should be able to comply with the proposed regulations within normal business operations and without incurring additional workload or costs.

Benefits of Regulation:

The Bureau has determined this regulatory proposal will have the following benefits to the welfare of California residents:

1) Towing fees will be explicitly authorized by the customer prior to the towing service being performed—not merely before payment is received. This will promote transparency by ensuring there is no surprise billing.

2) If the ARD has a motor carrier permit, the towing fee authorization shall be documented on a separate form from the repair authorization. This will prevent hidden or bundled charges inside a repair authorization and ensure the customer understands towing is a distinct service, not automatically included with repairs.

3) Invoices issued by the ARD shall list storage-related and/or towing-related charges as separate line items. This promotes transparency, as customers can see exactly what they are being charged for and makes it easier to identify overcharges.

This regulatory proposal does not affect the health of California residents, worker safety, or the state's environment.

Business Reporting Requirements:

None.

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations will have no negative effect on small businesses.

This regulatory proposal will amend authorization and invoicing requirements for towing services. The Bureau anticipates licensees, including small businesses, will be able to comply with the proposed regulations within normal business operations and without incurring additional workload or costs.

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 present statements orally or in writing relevant to the above determinations 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 person 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) 970-8421
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 https://www.bar.ca.gov/regulatory-actions.