THE BUREAU OF AUTOMOTIVE REPAIR

SUNSET REVIEW REPORT 2022

PRESENTED TO THE SENATE COMMITTEE ON BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT AND THE ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

DEPARTMENT OF CONSUMER AFFAIRS

BAR

Bureau of Automotive Repair

Contents

Section 1: Background and Description of the Bureau and Regulated Profession 1
Brief History and Function of the Bureau 2
Makeup and Functions of Bureau Advisory Groups 3
Major Changes 4
Major Studies 7
National Associations 8
Section 2: Performance Measures and Customer Satisfaction Survey 9
Performance Measures 10
Customer Satisfaction Survey 10
Section 3: Fiscal and Staff 13
Fiscal Summary 14
Staffing Summary 16
Staff Development 18
Section 4: Licensing Program 19
Licensee Population 20
License Processing 21
Examinations 24
School Approvals 25
Continuing Education/Competency Requirements 25
Section 5: Enforcement Program 27
Performance Targets/Expectations 28
Enforcement Trends 29
Case Prioritization 30
Mandatory Reporting 30
Settlements 30
Statute of Limitations 31
Unlicensed Activity and the Underground Economy 31
Citation and Fine 31
Cost Recovery and Restitution 33
Section 6: Public Information Policies 35
Internet Use and Meeting Materials 36
Webcasts 36
Meeting Schedule 36
Complaint Disclosure Policy and Posting of Enforcement Actions 36
Public Information About Licensees 37
Consumer Outreach 38

Section 7: Online Practice Issues **39**
Section 8: Workforce Development and Job Creation **40**
Workforce Development 41
Licensing Delays 41
Informing Potential Licensees of Licensing Requirements and Licensing Process 41
Barriers to Licensure and/or Employment 42
Workforce Development Data 42
Section 9: Current Issues **43**
Uniform Standards for Substance Abusing Licensees 44
Consumer Protection Enforcement Initiative 44
BreEZe 44
Section 10: Bureau Actions and Responses to COVID-19 ..... **45**
Teleworking Policy 46
Use of State of Emergency Statutes 46
Waiver Requests 46
Policies Impacting Consumers or Licensees 46
Necessary Statutory Revisions, Updates, or Changes 47
Section 11: Bureau Action and Response to Prior Sunset Issues **48**
Issue 1: Status of the Long-Term Fund Condition 49
Issue 2: Bureau Licensing Exams 51
Issue 3: Enforcement Workloads 53
Issue 4: Use of Certificate Blocking to Deter Illegal Activity 54
Issue 5: Display of License Numbers in Advertising 55
Issue 6: Disciplinary Guidelines 56
Issue 7: BreEZe 56
Issue 8: Minor Services Exemption 58
Issue 9: Cleanup Amendments to Business and Professions Code 59
Issue 10: Continued Regulation by the Bureau of Automotive Repair 59
Section 12: New Issues **61**
Issues Raised Under Prior Sunset Review that Have Not Been Addressed 62
New Issues Identified by the Bureau in this Report 62
New Issues Not Previously Discussed in this Report 62
New Issues Raised by the Committees 65
Section 13: Appendices **66**
Appendix 1: Table 1a.1 – Bureau Advisory Group Membership 67
Appendix 2: Table 1a.2 – Bureau Advisory Group Member Meeting Attendance 68
Appendix 3: Table 1b.1 – Educational Advisory Group Membership 69
Appendix 4: Table 1b.2 – Educational Advisory Group Member Meeting Attendance 70

Appendix 5: Table 2 – Fund Condition....71
Appendix 6: Table 3 – Expenditures by Program Component....74
Appendix 7: Table 4 – Fee Schedule and Revenue....76
Appendix 8: Table 5 – Budget Change Proposals....77
Appendix 9: Table 6 – Licensee Population....78
Appendix 10: Table 7a – Licensing Data by Type....82
Appendix 11: Table 7b – License Denial....87
Appendix 12: Table 8 – Examination Data....88
Appendix 13: Table 9 – Enforcement Statistics....89
Appendix 14: Table 10 – Enforcement Aging....95
Appendix 15: Table 11 – Cost Recovery....96
Appendix 16: Table 12 – Restitution....97

Section 1

Background and Description of the Bureau and Regulated Profession

In This Section

- Brief History and Function of the Bureau
- Makeup and Functions of Bureau Advisory Groups
- Major Changes
- Major Studies
- National Associations

Related Appendices

- Appendix 1: Table 1a.1 – Bureau Advisory Group Membership
- Appendix 2: Table 1a.2 – Bureau Advisory Group Member Meeting Attendance
- Appendix 3: Table 1b.1 – Educational Advisory Group Membership
- Appendix 4: Table 1b.2 – Educational Advisory Group Member Meeting Attendance

Brief History and Function of the Bureau

In 1972, the Bureau of Automotive Repair (Bureau or BAR) was established within the California Department of Consumer Affairs (Department or DCA) following enactment of the Automotive Repair Act (Act) (Senate Bill (SB) 51, Beilenson, Chapter 1578, Statutes of 1971), Business and Professions Code (BPC), Chapter 20.3, Section 9880, et seq. The Act mandates a statewide automotive repair consumer protection program, including the requirement that automotive repair dealers[1] be registered and regulated by the Bureau. The Act also provides the Bureau authority to license and regulate stations and individuals who perform services in the areas of brake and lamp inspection and repair.

The Bureau mediates consumer complaints, investigates violations, and initiates disciplinary action against automotive repair dealers, and brake and lamp stations and adjusters, who fail to comply with the Act and/or its regulations. In accordance with the Act, a customer must be provided a written estimate for repair work, a detailed invoice of work performed and parts supplied, and any replaced parts, upon request.

In 1984, the Bureau implemented a vehicle emissions inspection and maintenance (Smog Check) program pursuant to SB 33 (Presley, Chapter 892, Statutes of 1982). Health and Safety Code (HSC), Chapter 5, Section 44000, et seq, authorizes the Bureau to implement, maintain, and enforce the program through licensure of Smog Check stations and technicians. The program is an interagency effort administered by the Bureau in cooperation with the Department of Motor Vehicles (DMV) and the California Air Resources Board (CARB). The program requires biennial inspection[2,3] (and any needed repairs) of gasoline-powered vehicles, hybrid vehicles, and alternative-fuel vehicles that are model-year 1976 and newer and diesel-powered vehicles that are model-year 1998 and newer with a gross vehicle weight rating of 14,000 pounds and less.

The Bureau also administers the Consumer Assistance Program (CAP) to help improve air quality by providing income-eligible consumers whose vehicles fail a Smog Check up to $1,200 in emissions-related repairs. CAP also provides income-eligible consumers $1,500, and all other consumers $1,000, to retire a vehicle that fails Smog Check. In 2010, CAP began administration of the retirement-only portion of the Enhanced Fleet Modernization Program (EFMP)[4], created by Assembly Bill (AB) 118 (Núñez, Chapter 750, Statutes of 2007), which offers income-eligible consumers $1,500 to retire a vehicle regardless of Smog Check history.

The Bureau is led by a chief, appointed by the Governor, and confirmed by the Senate. The chief serves at the pleasure of the Governor and under the direction and supervision of the Director of DCA. The Bureau partners with consumers, educators, the automotive repair industry, other government agencies, and its two voluntary, informal advisory bodies—the Bureau Advisory Group

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[1] An automotive repair dealer is a person or entity who, for compensation, engages in the business of diagnosing or repairing malfunctions of motor vehicles.

[2] An inspection is also required when a vehicle changes ownership or when it is registered for the first time in California.

[3] The following exceptions apply to gasoline-powered vehicles, hybrid vehicles, and alternative-fuel vehicles: (1) eight model years and newer do not require a biennial inspection, (2) four model years and newer do not require a change-of-ownership inspection. There are no model year exceptions for diesel-powered vehicles.

[4] CARB administers the scrap and replace portion of EFMP, which offers income-eligible consumers up to $4,500 to scrap a vehicle and purchase a cleaner, more fuel-efficient vehicle or $7,500 for mobility options (e.g., transit passes) in lieu of a replacement vehicle. Consumers residing in certain air districts may also be eligible to receive up to $9,500 toward the purchase of a newer, cleaner vehicle through CARB's Clean Cars 4 All program.

(BAG) and the Educational Advisory Group (EAG)—to develop and enhance programs necessary for consumer protection.

Makeup and Functions of Bureau Advisory Groups

The Bureau established the BAG in 2001 to increase the level of communication between the Bureau, the automotive repair industry, education providers, and consumers. The BAG is currently comprised of representatives from 14 member associations and organizations. The BAG meets quarterly to provide input to the chief on Bureau programs. Members of the BAG are appointed by the Bureau chief.

The Bureau established the EAG in 1997 to discuss and advise the Bureau on Smog Check inspector and Smog Check repair technician training requirements. The EAG is currently comprised of eight members: five educators, two shop owners, and one technician. The EAG meets one to two times per year based upon ongoing issues and needs of the Bureau. Members of the EAG are appointed by the Bureau chief.

BAG and EAG meetings are announced on the Bureau's website and are open to the public. A notice and agenda are sent to interested parties and posted with meeting materials at least 10 days prior to each meeting. Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, the Bureau conducted its public meetings via teleconference by webcast and WebEx during the COVID-19 pandemic. In 2022, following enactment of SB 189 (Chapter 48, Statutes of 2022), the Bureau began holding meetings both in-person and via teleconference by webcast and WebEx. Interested parties participating remotely may submit comments during a webcast by email or participate in public comment periods through the WebEx platform. Webcasts are recorded and are posted on the Bureau's website.

Appendices 1-4 contain tables documenting advisory group membership and meeting attendance.

- Table 1a.1 – Bureau Advisory Group Membership
- Table 1a.2 – Bureau Advisory Group Member Meeting Attendance
- Table 1b.1 – Educational Advisory Group Membership
- Table 1b.2 – Educational Advisory Group Member Meeting Attendance

Quorum

The Bureau has not canceled any meetings due to lack of quorum in the past five[5] fiscal years. The BAG and EAG are voluntary advisory groups not established by statute. Accordingly, these groups are not subject to the Bagley Keene Open Meeting Act, and do not decide or vote on any Bureau business functions or policies.

Due to COVID-19 restrictions, the Bureau canceled the April 23, 2020 BAG meeting. The April 20, 2022 BAG meeting was canceled due to scheduling challenges related to hybrid in-person and teleconference meetings. The most recent BAG meeting was held on October 20, 2022.

[5] SB 607 (Min, Chapter 367, Statutes of 2021) extends, by one year, the January 1, 2023 sunset review date of the Bureau to January 1, 2024. Accordingly, this report covers the past five fiscal years (2017-18 through 2021-22) instead of the typical four fiscal years.

The Bureau did not schedule an EAG meeting in 2020 due to COVID-19 restrictions. The most recent EAG meeting was held on January 13, 2022.

Major Changes

Changes in Leadership

Since the Bureau's last sunset review in 2018, there have been several leadership changes. In 2020, the Governor-appointed assistant chief retired. The Bureau's current executive leadership team consists of the following staff:

- Patrick Dorais, Chief
  Appointed November 8, 2013
- Vacant, Assistant Chief
- Linda Janssen, Deputy Chief
  Licensing, Administration, and Consumer Assistance Division
  Appointed August 2, 2021
- Bill Thomas, Deputy Chief
  Field Operations and Enforcement Division
  Appointed April 18, 2022
- Vacant, Deputy Chief
  Smog Check Engineering and Information Services Division
- Clay Leek, Information Technology Manager II
  Smog Check Engineering and Information Services Division
  Appointed August 1, 2018

Strategic Plan

The 2023-2027 Strategic Plan establishes goals and objectives aimed at furthering the Bureau's mission: protecting Californians through effective oversight of the automotive repair industry and administration of vehicle emissions reduction and safety programs. As part of the development process for the plan, the Bureau conducted an environmental scan survey of internal and external stakeholders to collect feedback on the Bureau's performance in strategic goal areas. The 2023-2027 plan is shared with Bureau stakeholders and posted on the Bureau's website.

Reorganization

The Bureau continually evaluates its operations and resources to identify opportunities for organizational efficiency and streamlined business processes. In fiscal year 2018-19, the Bureau restructured its Technology Services Branch within the Smog Check Engineering and Information Services Division. Staff were reallocated within three new units to clarify formal information technology (IT) domains, introduced as part of the California Department of Human Resources' IT classification consolidation efforts. The restructure improved internal client support services, standardized IT contracting and procurement activities, and enhanced IT strategic planning and project management.

Legislation

The Bureau has not sponsored any legislation since the last sunset review. Recently chaptered legislation related to the Bureau is listed below.

2018 Legislation

- AB 3141 (Low, Chapter 503, Statutes of 2018) extends the sunset date of the Bureau to January 1, 2023. The bill also deletes the statutory list of minor services that were previously exempt from registration with the Bureau. Additionally, the bill allows automotive repair dealers to perform preventative maintenance services, as defined, without a written estimate if the customer authorizes the service and specified requirements are met.

2019 Legislation

- AB 596 (Grayson, Chapter 490, Statutes of 2019) authorizes motor vehicle dealers to obtain electronic authorization from consumers to make recall repairs. It also updates consumer notices that motor vehicle dealers are required to display.
- AB 949 (Medina, Chapter 266, Statutes of 2019) prohibits an automotive repair dealer registered by the Bureau from installing an unsafe used tire, as defined, on a motor vehicle. The bill requires an automotive repair dealer to conduct a visual inspection prior to installation to determine if a used tire is unsafe.
- SB 210 (Leyva, Chapter 298, Statutes of 2019) requires CARB, in consultation with the Bureau and other state agencies, to adopt and implement a vehicle emissions inspection and maintenance (Smog Check) program for non-gasoline, heavy-duty, on-road motor vehicles with a gross vehicle weight rating of more than 14,000 pounds.

2020 Legislation

There was no enacted legislation solely related to the Bureau in 2020.

2021 Legislation

- AB 471 (Low, Chapter 372, Statutes of 2021) authorizes the DCA Director, on or after July 1, 2023, to include a process for informal review and recommendation on citations issued by the Bureau. If an informal review process is used, the bill requires that the review be performed by a three-member panel (BAR-consumer-repair industry representatives) appointed by the Bureau chief. The bill authorizes the DCA Director to establish, until July 1, 2026, a process for an automotive repair dealer to prevent disclosure of a citation on the internet upon successful remedial training and requires the Director to establish via regulation a program to certify providers of remedial training. It requires updates to the automotive repair dealer registration application to collect the applicant's telephone number, email address, and motor vehicle license plate number if the applicant is engaged in mobile automotive repairs. The bill also requires the Bureau to accept any applicable nationally recognized and industry accepted educational certifications and Bureau-approved educational certifications as part of the application. In addition, AB 471 requires the Director to adopt, by January 1, 2024, regulations to establish a safety systems inspection and certification program for salvage-titled vehicles. The new program will replace the existing lamp and brake programs, provide for licensure of stations and technicians conducting inspections and repairs of these vehicles, and establish inspection criteria and standards for vehicle certification.

  Development of draft regulations for all provisions of AB 471 is ongoing and prioritized in accordance with the prescribed implementation dates for the various provisions.

- SB 607 (Min, Chapter 367, Statutes of 2021) is a committee bill for the Senate Business, Professions, and Economic Development Committee. Among other provisions, the bill extends by one year the January 1, 2023 sunset date of specified DCA entities, including the Bureau, to January 1, 2024.

2022 Legislation

- AB 1740 (Muratsuchi, Chapter 513, Statutes of 2022) prohibits a core recycler from entering into a transaction to purchase or receive a catalytic converter from any person that is not a commercial enterprise, which includes an automotive repair dealer, or verifiable owner of the vehicle from which the catalytic converter was removed. The bill does not directly impact the Bureau.
- AB 2496 (Petrie-Norris, Chapter 595, Statutes of 2022) requires a court to notify DMV to place a hold on a vehicle found to have a noncompliant modified muffler installed with a whistle tip until the court has been presented with a certificate of compliance from a Referee authorized to test the decibel levels of a vehicle. This bill becomes operative in 2027.
- SB 1087 (Gonzalez, Chapter 514, Statutes of 2022) prohibits any person or core recycler from purchasing a catalytic converter from anybody other than certain specified sellers, including automobile dismantlers; core recyclers; motor vehicle manufacturers, dealers, or retailers; automotive repair dealers; or an individual possessing documentation that they are the lawful owner of the catalytic converter. This bill does not directly impact the Bureau.
- SB 1495 (Chapter 511, Statutes of 2022) is a committee bill for the Senate Business, Professions, and Economic Development Committee. Among other provisions, the bill repeals the requirement that certificate of compliance forms contain the name of the owner of the vehicle.

Regulations

Regulatory actions adopted since the last sunset review are identified below.

- **Smog Check Inspection Equipment, Procedures, and Reference Documents**
  Title 16, California Code of Regulations sections 3340.17, 3340.41, 3340.45

  Effective Date: August 2, 2018

- **Electronic Documents and Consumer Authorization**
  Title 16, California Code of Regulations sections 3303, 3352, 3353, 3353.1, 3353.2, 3354, 3355, 3356, 3356.1, 3357, 3358, 3359, 3371

  Effective Date: September 13, 2018

- **Correction of Cross References, Punctuation, Redundancy, and Adding Conformity with Statute (Section 100)**
  Title 16, California Code of Regulations sections 3303, 3352, 3353, 3356

  Effective Date: June 4, 2019

- **Consumer Assistance Program Updates (Emergency Regulations)**
  Title 16, California Code of Regulations sections 3394.3, 3394.4, 3394.6

  Effective Date: August 31, 2020

- **Mobile Automotive Repair and Automatic Transmissions (Section 100)**
  Title 16, California Code of Regulations sections 3351.7.3, 3361.1

  Effective Date: February 8, 2021

- **Rehabilitation and Substantial Relationship Criteria**
  Title 16, California Code of Regulations sections 3395, 3395.2

  Effective Date: February 18, 2021

- **Consumer Assistance Program Updates (Re-Adoption)**
  Title 16, California Code of Regulations sections 3394.3, 3394.4, 3394.6

  Effective Date: June 30, 2021

- **Consumer Assistance Program Updates (Certificate of Compliance)**
  Title 16, California Code of Regulations sections 3394.3, 3394.4, 3394.6

  Effective Date: January 20, 2022

- **Disciplinary Guidelines Amendments**
  Title 16, California Code of Regulations section 3395.4

  Effective Date: April 1, 2022

- **STAR Program Updates**
  Title 16, California Code of Regulations sections 3340.1, 3340.16, 3340.16.5, 3340.41, 3392.1, 3392.2, 3392.2.1, 3392.3, 3392.3.1, 3392.4, 3392.5, 3392.5.1, 3392.6, 3392.6.1

  Effective Date: July 1, 2022

- **Smog Check Equipment Security and Fraud Prevention**
  Title 16, California Code of Regulations sections 3340.15, 3340.41, 3340.45, 3394.26

  Effective Date: October 1, 2022

Major Studies

AB 2289 (Eng, Chapter 258, Statutes of 2010) requires, as part of several Smog Check reforms, the Bureau, in cooperation with CARB, to perform annual evaluations of the program.

In the most recent Smog Check Performance Report, published in July 2022, the Bureau analyzed roadside data collected during calendar years 2020 and 2021. Because of the diminishing population of pre-2000 model year vehicles in the fleet and the smaller than usual number of roadside tests conducted in 2020-21 due to the COVID-19 pandemic, sufficient data for older tailpipe tested vehicles[6] was not available. As such, analyses focused on model-year 2000 and newer On-Board Diagnostic (OBD) tested vehicles[7]. The 2022 report illustrates the continued success of the STAR program, implemented in January 2013, in reducing emissions in California.

[6] Pre-2000 model year vehicles receive an Acceleration Simulation Mode (ASM) or Two Speed Idle (TSI) exhaust emission (tailpipe) test.

[7] 2000 and newer model year vehicles equipped with OBD II receive an OBD inspection.

Additional discussion on this report is provided in Section 12.

National Associations

The Bureau belongs to the Inspection and Maintenance (I/M) Solutions Training Forum. This national association provides an annual forum for states to discuss the status, implementation, and enforcement strategies of vehicle emissions I/M programs, such as the California Smog Check Program. The forum also provides an opportunity for states to meet with United States Environmental Protection Agency (USEPA) representatives about compliance with federal rules and guidelines. There are no voting privileges associated with membership in this group.

The Bureau does not utilize a national exam. However, applicants for the Smog Check inspector and Smog Check repair technician licenses may elect to take nationally sponsored Automotive Service Excellence (ASE) courses. ASE certification is an option to meet skill, knowledge, and experience requirements for the California examination required for each license.

Section 2

Performance Measures and Customer Satisfaction Survey

In This Section

- Performance Measures
- Customer Satisfaction Survey

Performance Measures

Bureau quarterly and annual performance measures reports are available for review on the DCA Data Portal at www.dca.ca.gov.

Customer Satisfaction Survey

The Bureau collects data from a satisfaction survey on the handling of consumer complaints. Complainants may complete the survey online by visiting the Bureau's website or respond to a survey postcard included with each complaint closure letter. The Bureau received 3,084 survey responses over the last five fiscal years. The Bureau averaged 87 percent positive responses for the quality-of-service portion of the survey (Questions 1-5).

Results for the complainant satisfaction survey are summarized below.

Question 1: How well did we explain the complaint process to you?

Rating	FY 2017-18 Total	FY 2017-18 %	FY 2018-19 Total	FY 2018-19 %	FY 2019-20 Total	FY 2019-20 %	FY 2020-21 Total	FY 2020-21 %	FY 2021-22 Total	FY 2021-22 %
Very Poor	47	7%	55	7%	51	8%	27	8%	38	10%
Poor	29	5%	41	5%	25	4%	9	2%	16	4%
Good	77	11%	87	11%	75	12%	39	12%	44	11%
Very Good	528	77%	610	77%	499	76%	280	78%	328	75%
Total	681	100%	793	100%	650	100%	355	100%	426	100%

Question 2: How clearly was the outcome of your complaint explained to you?

Rating	FY 2017-18 Total	FY 2017-18 %	FY 2018-19 Total	FY 2018-19 %	FY 2019-20 Total	FY 2019-20 %	FY 2020-21 Total	FY 2020-21 %	FY 2021-22 Total	FY 2021-22 %
Very Poor	66	9%	84	11%	55	8%	39	11%	46	13%
Poor	37	5%	32	4%	35	5%	12	3%	15	3%
Good	78	12%	88	11%	68	11%	37	11%	45	10%
Very Good	501	74%	586	74%	489	76%	268	75%	321	74%
Total	682	100%	790	100%	647	100%	356	100%	427	100%

Question 3: How well did we meet the time frame provided to you?

Rating	FY 2017-18 Total	FY 2017-18 %	FY 2018-19 Total	FY 2018-19 %	FY 2019-20 Total	FY 2019-20 %	FY 2020-21 Total	FY 2020-21 %	FY 2021-22 Total	FY 2021-22 %
Very Poor	57	8%	63	8%	46	8%	30	8%	33	9%
Poor	26	4%	38	5%	38	6%	14	5%	24	7%
Good	97	14%	99	13%	95	14%	49	14%	55	13%
Very Good	501	74%	582	74%	468	72%	260	73%	312	71%
Total	681	100%	782	100%	647	100%	353	100%	424	100%

Question 4: How courteous and helpful was staff?

Rating	FY 2017-18 Total	FY 2017-18 %	FY 2018-19 Total	FY 2018-19 %	FY 2019-20 Total	FY 2019-20 %	FY 2020-21 Total	FY 2020-21 %	FY 2021-22 Total	FY 2021-22 %
Very Poor	47	6%	49	6%	32	4%	17	5%	27	8%
Poor	25	4%	33	4%	26	5%	9	3%	19	5%
Good	47	7%	68	9%	59	9%	33	9%	22	5%
Very Good	564	83%	641	81%	535	82%	296	83%	358	82%
Total	683	100%	791	100%	652	100%	355	100%	426	100%

Question 5: Overall, how well did we handle your complaint?

Rating	FY 2017-18 Total	FY 2017-18 %	FY 2018-19 Total	FY 2018-19 %	FY 2019-20 Total	FY 2019-20 %	FY 2020-21 Total	FY 2020-21 %	FY 2021-22 Total	FY 2021-22 %
Very Poor	80	12%	100	13%	57	9%	45	13%	50	13%
Poor	29	4%	30	4%	29	5%	11	3%	18	4%
Good	60	9%	78	10%	64	10%	33	10%	36	7%
Very Good	502	75%	570	73%	493	76%	261	74%	324	76%
Total	671	100%	778	100%	643	100%	350	100%	428	100%

Question 6: If we were unable to assist you, were alternatives provided to you?

Response	FY 2017-18 Total	FY 2017-18 %	FY 2018-19 Total	FY 2018-19 %	FY 2019-20 Total	FY 2019-20 %	FY 2020-21 Total	FY 2020-21 %	FY 2021-22 Total	FY 2021-22 %
Yes	146	59%	174	64%	148	63%	101	68%	114	65%
No	93	41%	110	39%	88	37%	46	32%	54	35%
Not Applicable	0	0%	0	0%	0	0%	0	0%	0	0%
Total	239	100%	284	100%	236	100%	147	100%	168	100%

Question 7: Did you verify the provider's license prior to service?

Response	FY 2017-18 Total	FY 2017-18 %	FY 2018-19 Total	FY 2018-19 %	FY 2019-20 Total	FY 2019-20 %	FY 2020-21 Total	FY 2020-21 %	FY 2021-22 Total	FY 2021-22 %
Yes	179	28%	203	27%	177	31%	93	29%	120	31%
No	261	42%	293	40%	232	37%	127	39%	170	42%
Not Applicable	191	30%	243	33%	191	32%	109	32%	115	27%
Total	631	100%	739	100%	600	100%	329	100%	405	100%

In 2021, the Bureau launched a second customer service survey aimed at gathering feedback from both external stakeholders and department employees to enhance and improve Bureau operations. A message to access the online customer feedback survey is included in Bureau employee signature blocks. Stakeholders may also access the survey on the Bureau's website. The Bureau received 733 survey responses in fiscal year 2021-22. Survey feedback is reported monthly to Bureau executive managers.

Section 3
Fiscal and Staff

In This Section

- Fiscal Summary
- Staffing Summary
- Staff Development

Related Appendices

- Appendix 5: Table 2 – Fund Condition
- Appendix 6: Table 3 – Expenditures by Program Component
- Appendix 7: Table 4 – Fee Schedule and Revenue
- Appendix 8: Table 5 – Budget Change Proposals

Fiscal Summary

Fund Appropriation

The Bureau's fund is not continuously appropriated. There are three special funds that, upon annual appropriation, support Bureau-administered programs. These funds are listed below.

- **Vehicle Inspection and Repair Fund (VIRF)**
  - SB 51, Beilenson, Chapter 1578, Statutes of 1971
  - Business and Professions Code section 9886
- **High Polluter Repair or Removal Account (HPRRA)**
  - SB 198, Kopp, Chapter 28, Statutes of 1994
  - Health and Safety Code section 44091
  - HPRRA is an account within the VIRF
- **Enhanced Fleet Modernization Subaccount (EFMS)**
  - AB 118, Núñez, Chapter 750, Statutes of 2007
  - Health and Safety Code section 44126
  - EFMS is a sub-account within the HPRRA

Reserve Level/Spending

Detailed fund conditions are provided in Appendix 5 (Table 2 – Fund Condition). Summary information is provided below.

Fund Balance

(Dollars in Thousands)

Fund	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22[8]	FY 2022-23[9]	FY 2023-24[10]
VIRF	$112,272	$115,550	$221,365	$190,118	$140,747	$117,100	$88,633
HPRRA	$54,635	$72,667	$81,757	$18,915	$28,733	$21,539	$12,893
EFMS	$27,962	$20,334	$15,800	$13,972	$25,438	$26,143	$26,024
Total	$201,636	$205,300	$213,106	$254,252	$244,289	$188,429	$156,017

Future Fee Changes

The EFMS fund is stable. However, the fund is supported by a $1 fee, which is only authorized through January 1, 2024. An extension of this fee is necessary to continue the EFMP vehicle retirement option past exhaustion of the current fund reserve. Any discussion on potential funding changes to EFMP should be done in collaboration with CARB, as required by statute. Additional information on this item is provided in Section 11 of this report.

AB 471 (Low, Chapter 372, Statutes of 2021) creates a new vehicle safety systems inspection and certification program for salvage-titled vehicles. The new program will combine the current brake

[8] FY 2021-22 amounts are projected from fiscal month 11.

[9] FY 2022-23 amounts are projected.

[10] FY 2023-24 amounts are projected.

and lamp inspection programs into one program and add other safety systems to the inspection process. License fees for the new program will be established in regulations to be adopted by January 1, 2024.

General Fund Loans

A history of general fund loans and repayments is provided below. Accrued interest from loans to the general fund is detailed in Appendix 5 (Table 2 – Fund Condition).

General Fund Loans

(Dollars in Thousands)

Fund	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	Total Loans to General Fund
VIRF	$0	$0	$0	$30,000	$0	$0	$0	$30,000
HPRRA	$0	$0	$0	$60,000	$0	$0	$0	$60,000
EFMS	$0	$0	$0	$3,400	$0	$0	$0	$3,400
Total	$0	$0	$0	$93,400	$30,000	$0	$0	$93,400

General Fund Repayments

(Dollars in Thousands)

Fund	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	Loan Balance
VIRF	$0	$0	$90,000	$0	$0	$0	$0	$30,000
HPRRA	$0	$0	$0	$0	$0	$0	$0	$60,000
EFMS	$0	$0	$0	$0	$0	$0	$0	$3,400
Total	$0	$0	$0	$0	$0	$0	$0	$93,400

Program Expenditures

Expenditures by program component are provided in Appendix 6 (Table 3 – Expenditures by Program Component).

BreEZe Contribution

From fiscal years 2009-10 through 2017-18, the Bureau contributed $1,633,478 to BreEZe program costs. As of 2018-19, the Bureau no longer pays any BreEZe-related costs.

License Renewal Cycles/Fee Changes in the Last 10 Years

The Bureau has not changed any regulatory fees for licenses or renewals in the last 10 years. Renewal cycles and authority for each license fee charged are provided below.

The Bureau's fee schedule is provided in Appendix 7 (Table 4 – Fee Schedule and Revenue).

Fee Authority and Renewal Cycle

License	Renewal Cycle	Business and Professions Code	Health and Safety Code	California Code of Regulations (Title 16)
Automotive Repair Dealer	Annually	9884.1, 9884.2, 9884.3, 9886.3	-	3351, 3351.1
Smog Check Test-and-Repair Station	Annually	-	44030, 44034	3340.10
Smog Check Test-Only Station	Annually	-	44030, 44034	3340.10
Smog Check Repair-Only Station	Annually	-	44030, 44034	3340.10
Brake Station	Annually	9887.2	-	3306
Lamp Station	Annually	9887.2	-	3306
Smog Check Inspector	Biennially	-	44031.5, 44034, 44034.1, 44045.5	3340.29
Smog Check Repair Technician	Biennially	-	44031.5, 44034, 44034.1, 44045.5	3340.29
Brake Adjuster	Every four years	9887.2	-	3310
Lamp Adjuster	Every four years	9887.2	-	3310

Budget Change Proposals

Appendix 8 (Table 5 – Budget Change Proposals) provides a summary of approved BCPs for the last five fiscal years. As indicated in the table, these BCPs were primarily for:

- Increase the HPRRA vehicle retirement schedule by $9.5 million and reduce the EMFS vehicle retirement schedule by $7.5 million, a net augmentation of $2 million that will better respond to consumer demand for two vehicle retirement options.
- Increase the HPRRA repair assistance schedule by $2.3 million in fiscal years 2021-22 and 2022-23 to help additional consumers whose vehicles fail a Smog Check inspection.

Staffing Summary

The Bureau's Personnel Office works with DCA's Office of Human Resources and the California Department of Human Resources (CalHR) to address, as necessary, any recruitment and retention challenges. The Bureau has approximately 610 authorized positions, including roughly 260 program representatives whose industry experience is essential to mediating consumer complaints, investigating violations of the Automotive Repair Act and Smog Check Program, and providing guidance training to licensees about compliance with Bureau laws and regulations. The Bureau's average annual vacancy rate is under 14 percent.

Efforts to Reclassify Positions

The Bureau has successfully reclassified positions to ensure appropriate civil service classifications are utilized to meet operational needs. In the Field Operations Branch, nine Office Assistant (OA) and Office Technician (OT) positions have been reclassified to Staff Services Analyst (SSA)/Associate Governmental Program Analyst (AGPA) positions. These field office analysts prepare reports and statistics on investigations, complaints, inspections, and industry/consumer outreach. In addition, four Program Representative (PR) I positions have been reclassified to PR II positions to achieve a more productive and successful ratio of PR I positions to PR II lead positions in Bureau field offices. In the Engineering and Research Branch, three Air Quality Engineer positions have been reclassified to PR III (Specialist) positions to provide industry-based knowledge related to specialized automotive technology and methods of testing for emissions.

Staff Turnover

The Bureau has identified key positions occupied by incumbents who are eligible for retirement within a two-year period. These incumbents are currently training staff to retain institutional knowledge that could be lost upon retirement from state service.

Historically, the Bureau does not experience high rates of staff turnover, other than entry-level clerical support classifications, primarily in CAP and the Licensing Program. However, the Bureau has experienced an increase in retirements within the PR series, which has resulted in increased vacancies.

Recruitment and Retention Efforts

The Bureau is successful in recruiting and retaining employees, primarily through continuous online testing for most classifications that the Bureau utilizes. However, limited candidate pools and other recruitment difficulties have increased since the beginning of the COVID-19 pandemic. Additionally, Southern California and Bay Area vacancies are disproportionately more challenging to fill, possibly due to the higher cost of living in those locations. To increase candidate pools, the Bureau attends recruitment events, such as job fairs and industry conferences, and advertises job opportunities on its website and various social media and advertising platforms.

Additionally, pursuant to the Bargaining Unit 7 Memorandum of Understanding, dated July 2, 2019, the Bureau established with DCA and the California Statewide Law Enforcement Association a Joint Labor Management Task Force to explore the creation of a deep class for the Bureau's PR series. In July 2022, DCA submitted to CalHR a deep class proposal updating the class specifications and salaries for both the PR series and the corresponding Program Manager series. If approved, the deep class will assist in attracting candidates to Bureau vacancies—especially in hard-to-recruit areas where industry compensation levels exceed current PR salary ranges.

Succession Planning

The Bureau utilizes DCA's Workforce and Succession Plan and maintains office desk procedure manuals as training tools for succession planning and knowledge transfer. The Bureau also participates in DCA's Employee Career Empowerment and Mentorship Pilot program, which assists staff in meeting career goals and preparing individuals for future leadership positions.

Staff Development

The Bureau encourages training to improve and enhance staff performance as well as promote learning and development. Over the last five fiscal years, the Bureau's Technical Training Unit and contracted vendors provided training at an average annual cost[11] of $126,000. Course topics included laws and regulations, enforcement procedures, bargaining unit mandates, automotive technical courses, professional development, accessibility, and other job-related training. In 2020, the Bureau established a computer skills training initiative aimed at identifying and improving future training needs for Program Representatives and other job classifications. To date, over 500 staff have completed a computer skills assessment.

In addition, the Bureau utilizes the services of DCA's SOLID Training Unit, which offers training on topics such as career development, communication, customer service, presentations, time management, technology, leadership, and workplace awareness. These training courses are offered at no cost to department employees.

[11] The average annual cost for training does not include any related travel costs.

Section 4
Licensing Program

In This Section

- Licensee Population
- License Processing
- Examinations
- School Approvals
- Continuing Education/Competency Requirements

Related Appendices

- Appendix 9: Table 6 – Licensee Population
- Appendix 10: Table 7a – Licensing Data by Type
- Appendix 11: Table 7b – License Denial
- Appendix 12: Table 8 – Examination Data

Licensee Population

The Bureau issues both business and individual licenses. A business must be registered as an automotive repair dealer and can hold separate station licenses[12] for the Smog Check, brake, and lamp programs. A licensed Smog Check station also may apply for certification within the STAR program. STAR stations must meet various performance standards established in regulation to inspect all vehicles, including the state's highest polluters, and to provide CAP repair assistance services for the Bureau. The Bureau also licenses individuals who perform inspections and repairs of vehicles for the Smog Check, brake, and lamp programs.

Information on the license types issued by the Bureau, including cited authority and a brief description, are provided below. Appendix 9 includes Table 6 – Licensee Population.

Business Licenses

License	Authority	Description
Automotive Repair Dealer (ARD)*	BPC 9884	A business registered by the Bureau who, for compensation, repairs and/or diagnoses malfunctions of motor vehicles.
Smog Check Test-and-Repair Station	HSC 44030	A registered ARD that is licensed to inspect, diagnose, and repair vehicles in the Smog Check Program.
Smog Check Test-Only Station	HSC 44030	A registered ARD that is licensed to inspect vehicles in the Smog Check Program.
Smog Check Repair-Only Station	HSC 44030	A registered ARD that is licensed to diagnose and repair vehicles in the Smog Check Program.
Brake Station	BPC 9887.1	A registered ARD that is licensed to test, inspect, adjust, and repair all brakes and brake systems on vehicles.
Lamp Station	BPC 9887.1	A registered ARD that is licensed to test, inspect, adjust, and repair all lamps and related electrical systems on vehicles.
STAR Station**	HSC 44014.2	A licensed Smog Check test-and-repair station or test-only station that meets established performance standards for the inspection of directed vehicles in the Smog Check Program.

* Registration

** Certification

[12] The term "license" in this report includes a license or registration.

Individual Licenses

License	Authority	Description
Smog Check Inspector	HSC 44031.5	An individual licensed by the Bureau to inspect and certify the emissions control systems on vehicles subject to the Smog Check Program.
Smog Check Repair Technician	HSC 44031.5	An individual licensed by the Bureau to diagnose and repair the emissions control systems on vehicles subject to the Smog Check Program.
Brake Adjuster	BPC 9887.1	An individual licensed by the Bureau to test, inspect, adjust, and repair the brakes and brake systems on vehicles.
Lamp Adjuster	BPC 9887.1	An individual licensed by the Bureau to test, inspect, adjust, and repair the lamps and related electrical systems on vehicles.

License Processing

Bureau license processing times are defined by California Code of Regulations, Title 16, section 3303.2, and Bureau-established processing goals. Processing times of applications for initial licensure are provided below. The Bureau's license processing goal is 30 days from receipt of a *complete* application. Applicants for automotive repair dealer registration, individual and station licenses, and STAR station certification are notified of any deficiencies within 14 days of Bureau receipt of the application.

Processing Times – Applications for Initial Licensure

License	Maximum Processing Time (CCR 3303.2)	Bureau Goal
Automotive Repair Dealer	97 days	30 days
Smog Check Station	120 days	30 days
Brake Station	29 days	30 days
Lamp Station	44 days	30 days
STAR Station	72 days	30 days
Smog Check Inspector	112 days	30 days
Smog Check Repair Technician	120 days	30 days
Brake Adjuster	103 days	30 days
Lamp Adjuster	101 days	30 days

License processing times are reported on DCA's website in accordance with reporting requirements per Business and Professions Code section 139.5 (SB 878, Jones, Chapter 131, Statutes of 2020). At the end of fiscal year 2021-22, the Bureau's average processing time for all license types was 31 days. The Bureau recently implemented new electronic processes to streamline application processing and initiated a comprehensive modernization project to further improve processing times.

Appendix 10 includes Table 7a – Licensing Data by Type.

There have been no changes in average application processing times since the last sunset review. The Bureau currently processes complete applications well below the maximum times established in regulation. The Bureau does not have a backlog and has no performance issues.

Application Denials – Criminal History

Over the past five fiscal years, the Bureau denied seven applications based on the applicant's criminal history, pursuant to Business and Professions Code section 480. Below is a summary of each denied application, including the conviction(s) for which they were denied.

- In October 2018, the Bureau denied applications for an automotive repair dealer registration and Smog Check test-only station for convictions of violating Penal Code sections 530.5(a) and 496(a)—using another person's identity while operating a stolen vehicle; Welfare and Institutions Code section 10980(c)(2) and Penal Code section 118—using fraudulent means to obtain public social services; Penal Code sections 484(a) and 148.9(a)—providing false identification to a peace officer when detained for grand theft, and Vehicle Code section 10851(a)—arrested while operating a stolen vehicle.
- In January 2021, the Bureau denied an application for an automotive repair dealer registration for conviction of violating Vehicle Code sections 10801 and 10851, and Penal Code section 496(d) related to a "title washing" scheme.
- In February 2021, the Bureau denied an application for a mobile automotive repair dealer registration for conviction of violating Penal Code section 261(a)(2)—forcible rape[13].
- In March 2021, the Bureau denied an application for a Smog Check inspector license for conviction of violating Penal Code section 487(d)(1) and Vehicle Code section 2800.1(a)—evading a peace officer while operating a stolen vehicle.
- In July 2021, the Bureau denied an application for a Smog Check inspector license for conviction of violating Penal Code section 314(1)—indecent exposure with a prior conviction.
- In February 2022, the Bureau denied an application for an automotive repair dealer registration for conviction of violating Penal Code section 459—burglary in the first degree.
- In June 2022, the Bureau denied an application for an automotive repair dealer registration for conviction of violating Penal Code section 550(a)(1)—insurance fraud and Penal Code section 136.1(b)(2)—intimidating a witness.

Appendix 11 includes Table 7b – License Denial.

Application Review Processes

Under Business and Professions Code section 480(f) and Health and Safety Code section 44072.1(f), applicants are requested to disclose all prior criminal convictions and administrative discipline, including Smog Check citations, as part of the application process. If the application indicates a criminal conviction, the Bureau's Licensing Program requests additional details before referring the application to the Bureau's Enforcement Operations Branch (EOB). EOB reviews prior disciplinary and/or criminal history provided by the applicant to determine if the initial or renewal license should

[13] Mobile automotive repair dealer registrants travel to consumers' homes, places of business, and other locations to perform automotive repairs. Although this conviction occurred more than seven years from the date of application, the Bureau determined the circumstances of the conviction warranted denial of the application in the interest of public protection.

be granted. In making its determination, and pursuant to AB 2138 (Chiu, Chapter 995, Statutes of 2018), EOB, in consultation with the Office of the Attorney General, considers criteria to determine rehabilitation of the applicant and whether the crime is substantially related to the qualifications, functions, or duties of a licensee.

The Bureau does not have statutory authority to fingerprint applicants, making it difficult to obtain their criminal history information. However, the Bureau verifies other facts provided on the application and may identify situations in which an applicant fails to disclose criminal history information. Over the last five years, the Bureau denied one application based on the applicant's failure to disclose criminal history information on the application. A summary of the applicant's convictions is provided below.

- In October 2018, the Bureau denied applications for an automotive repair dealer registration and Smog Check test-only station due to the applicant's convictions for violating Penal Code sections 530.5(a) and 496(a)—using another person's identity while operating a stolen vehicle; Welfare and Institutions Code section 10980(c)(2) and Penal Code section 118—using fraudulent means to obtain public social services; Penal Code sections 484(a) and 148.9(a)—providing false identification to a peace officer when detained for grand theft, and Vehicle Code section 10851(a)—arrested while operating a stolen vehicle.

Currently, the Bureau is not statutorily authorized to fingerprint applicants and therefore does not send No Longer Interested notifications to DOJ. The Bureau also does not check a national databank prior to licensure because there is no national databank relating to disciplinary actions for automotive repair professionals. In addition, the Bureau does not require primary source documentation. Documentation is not necessary as applicants disclose all prior criminal convictions and administrative discipline information on the application.

The Bureau's licensing requirements and application processes for out-of-state and out-of-country applicants are the same as for in-state applicants.

Military Applicants

The Bureau identifies and tracks application requests submitted by U.S. military members and their families. The Bureau is in compliance with Business and Professions Code section 114.5. In the past five fiscal years, the Bureau received and accepted 38 applicant requests to apply military education, training, or experience towards licensing requirements.

The Bureau has a dedicated web page providing information on the licensing application process for military members and their families. The Bureau also shares military information in newsletter articles, social media messages, and informational inserts included with mailed renewal notices to licensees. In addition, Bureau licensing applications include information on military resources and documentation requirements for military applicants.

In the past five fiscal years, the Bureau has not received any requests from licensees to waive their renewal fees or requirements, pursuant to Business and Professions Code section 114.3. Also, in the past five fiscal years, the Bureau has not received any requests from licensees that qualify for expedited review pursuant to Business and Professions Code section 115.5.

Examinations

Examinations Required for Licensure

Examinations are required for the following licenses:

- Smog Check Inspector – evaluates a candidate's knowledge of Smog Check Program inspection requirements.
- Smog Check Repair Technician – evaluates a candidate's knowledge of diagnoses and repairs.
- Brake Adjuster (Class A) – evaluates a candidate's knowledge of brake inspection requirements, as well as adjustment and diagnoses, on all vehicles.
- Brake Adjuster (Class B) – evaluates a candidate's knowledge of brake inspection requirements, as well as adjustment and diagnoses, on trucks over 10,000 pounds Gross Vehicle Weight Rating (GVWR), and trailers with air brakes.
- Brake Adjuster (Class C) – evaluates a candidate's knowledge of brake inspection requirements, as well as adjustment and diagnoses, on vehicles under 10,000 GVWR, and trailers without air brakes.
- Lamp Adjuster – evaluates a candidate's knowledge of lamp inspection requirements, as well as adjustment and diagnoses, on all vehicles, including motorcycles.

License examinations are developed by the Bureau in cooperation with DCA's Office of Professional Examination Services (OPES) and paid subject matter experts. The examinations, which are administered by DCA's contracted vendor, Psychological Services Incorporated (PSI), are multiple choice and are only offered in English. A national examination is not used. However, Smog Check inspector and Smog Check repair technician license applicants may elect to take nationally sponsored Automotive Service Excellence (ASE) courses as one option to meet skill, knowledge, and experience requirements for the California examination.

Pass Rates for First Time vs. Retakes

Examination statistics do not report first-time versus retest pass rates. Pass rates are not collected for examinations offered in other languages, as license examinations are only offered in English.

Exam performance for the past five fiscal years is detailed in Appendix 12 (Table 8 – Examination Data).

Computer-Based Testing

The Bureau uses computer-based testing for all license examinations. Qualified applicants schedule their examination(s) directly with PSI. Examinations are administered throughout California, Monday through Saturday, excluding major holidays. Examinations are offered to candidates as requested.

Statutes Impacting Application Processing

The Bureau does not have any existing statutes that hinder the efficient and effective processing of applications or examinations Applicants for automotive repair dealer registration, individual and station licenses for the Smog Check, brake, and lamp programs, and STAR station certification are notified of application approval, deficiency, or denial within 14 days of Bureau receipt of the application. Candidates can typically take an examination within two business days of the request.

School Approvals

California Code of Regulations, Title 16, section 3340.32 establishes requirements for training institutions to obtain Bureau certification. Bureau for Private Postsecondary Education (BPPE) approval (or exemption) is required. The Bureau reviews and approves all other certification requirements, including course content, instructor qualifications, and equipment.

Currently, there are 89 schools approved by the Bureau to provide Smog Check inspector training. Schools are required to re-certify annually with the Bureau. The Bureau performs biennial on-site school audits to ensure the necessary equipment and records are available and current. The Bureau has authority to deny a school's re-certification, as well as suspend approval pending a school's compliance with certification requirements. The Bureau has no legal requirements regarding approval of international schools.

Continuing Education/Competency Requirements

Requirements for continuing education (CE)/competency requirements are described in the table below. Training topics include changes in automotive technology, new and revised inspection procedures and/or repair practices, and updates to the laws and regulations impacting the specific license type.

There have been no changes in this area since the last sunset review.

License	CE/Competency Requirement	Provider	Renewal Cycle
Smog Check Inspector	4-hour online training	BAR	2 years
Smog Check Repair Technician	16 hours of training	BAR-certified schools	2 years
Brake Adjuster	Examination retest	PSI	4 years
Lamp Adjuster	Examination retest	PSI	4 years

Course completion for both Smog Check inspector and Smog Check repair technician training is entered by a Bureau-certified instructor into the California Automotive Resource Center (CalARC) database at www.californiaarc.org. Brake and lamp adjusters do not have CE requirements; they are required to demonstrate continuing competency by passing an examination every four years. The Bureau uses the DCA cloud for verification of CE completion.

Audits are not necessary as the Bureau confirms each applicant's completion of required training through the CalARC database as part of the license renewal process for Smog Check inspectors and Smog Check repair technicians, which is mandated every two years. Licensees are notified of any deficiency, and the license is not renewed until all requirements are met.

Bureau-certified Smog Check instructors submit course content for approval by the Bureau working in partnership with industry subject matter experts. The Bureau certifies both Smog Check training institutions and instructors. Prior to Bureau certification of an institution, BPPE approval (or exemption) is required. The Bureau certifies instructors with the assistance of contracted subject matter experts.

The Bureau approves training courses with the assistance of contracted subject matter experts. Bureau-certified instructors submit the proposed course to the Bureau. The Bureau then assigns assessment responsibilities to contracted subject matter experts to verify the course content and material meet industry standards. The Bureau certifies the course after any identified deficiencies are resolved.

Over the last five fiscal years, the Bureau received 12 Smog Check training institution applications, of which 8 were approved. During the same time, the Bureau received 194 Smog Check training instructor applications, of which 111 were approved. In addition, the Bureau received instructor requests for approval of 12 courses, of which eight were approved, with another two that are pending approval.

The Bureau conducts biennial audits of certified schools. Audits include a review of tool and equipment inventory, exam security inspection, and classroom reviews.

The Bureau periodically refines training policies and utilizes course examinations to evaluate a licensee's continuing competency. Additionally, the STAR program evaluates the performance of licensed Smog Check inspectors employed by STAR-certified stations.

Section 5
Enforcement Program

In This Section

- Performance Targets/Expectations
- Enforcement Trends
- Case Prioritization
- Mandatory Reporting
- Settlements
- Statute of Limitations
- Unlicensed Activity and the Underground Economy
- Citation and Fine
- Cost Recovery and Restitution

Related Appendices

- Appendix 13: Table 9 – Enforcement Statistics
- Appendix 14: Table 10 – Enforcement Aging
- Appendix 15: Table 11 – Cost Recovery
- Appendix 16: Table 12 – Restitution

Performance Targets/Expectations

Bureau performance measures are defined by both DCA's Enforcement Performance Measures (EPM) and Bureau-established performance expectations. These goals focus on timely response to consumers and the pursuit of prompt disciplinary action against licensees in violation of Bureau laws and regulations.

Performance Measure – Intake Cycle Time

Intake cycle time reflects the average number of days from receipt of a complaint to the date the complaint was assigned for investigation or closed. The EPM target is 10 days. Over the past five fiscal years, the Bureau has consistently assigned investigations within three days.

Fiscal Year	EPM Target	Actual
2017-18	10 days	3 days
2018-19	10 days	3 days
2019-20	10 days	3 days
2020-21	10 days	2 days
2021-22	10 days	2 days

Performance Measure – Investigation Cycle Time

Investigation cycle time reflects the average number of days from the date the matter was received to the date the case was closed. It is only for investigations that were not referred to the Office of the Attorney General for disciplinary action. The EPM target is 60 days. Over the past five fiscal years, the Bureau closed these investigations within an average of 42 days.

Fiscal Year	EPM Target	Actual
2017-18	60 days	49 days
2018-19	60 days	40 days
2019-20	60 days	41 days
2020-21	60 days	40 days
2021-22	60 days	42 days

Performance Measure – Formal Discipline Cycle Time

Formal discipline includes the following actions: the Bureau's investigation of a licensee's acts, the Office of the Attorney General preparing an accusation against the licensee, the Office of Administrative Hearings scheduling an administrative hearing on the matter, an Administrative Law Judge (ALJ) holding a hearing and rendering a proposed decision, DCA reviewing the ALJ's proposed decision, and DCA issuing an order with an effective date. (In some cases, a settlement is reached between the Bureau and licensee without going to hearing. DCA still must approve the agreement and issue an order with an effective date. Additional information on settlements is provided in the response below.) The Bureau has taken steps to improve the efficiency of this process and reduce the overall time to complete the formal discipline process. For example, the Bureau has established an organizational goal to complete each investigation within 180 days to allow partner agencies sufficient time to complete their portions of the formal discipline process. In fiscal year 2017-

18, the Bureau closed its formal discipline investigations within an average of 160 days; in 2018-19 the average was 130 days; in 2019-20 the average was 113 days; in 2020-21 the average was 128 days; and in 2021-22 the average was 94 days.

In addition, the Bureau established a process for the electronic transmittal of cases to the Office of the Attorney General. The Bureau also has analysts assigned to monitor the progress of each case and follow up with the assigned Deputy Attorney General after 90 days on any pending accusation. These improvements have resulted in the accusation preparation time decreasing from an average of 200 days in 2017-18 to an average of 100 days in 2021-22.

Fiscal Year	EPM Target	Actual
2017-18	540 days	808 days
2018-19	540 days	709 days
2019-20	540 days	721 days
2020-21	540 days	658 days
2021-22	540 days	509 days

Enforcement Trends

Bureau enforcement statistics for the past five fiscal years are provided in Appendix 13 (Table 9 – Enforcement Statistics). Enforcement case aging is detailed in Appendix 14 (Table 10 – Enforcement Aging). Overall, the data shows a decrease in the Bureau's enforcement volume and timeframes.

During the last sunset review, the Bureau identified an increase in both the number of citations issued and cases referred to the Office of the Attorney General (AG cases) following the March 2015 implementation of Smog Check testing using the BAR On-Board Diagnostic Inspection System[14] (BAR-OIS). This inspection provides the Bureau a wealth of data to identify improper inspections performed on the wrong emissions testing platform (BAR-97 EIS[15] instead of BAR-OIS). The Bureau also uses the data to block the certification of vehicles getting a fraudulent inspection through clean plugging[16] and capture enough evidence to support an accusation against licensees engaging in this illegal activity. BAR-OIS test data provided an increased level of enforcement that dramatically improved compliance with equipment and inspection requirements. As a result, the number of citations issued decreased from 2,243 in fiscal year 2017-18 to 943 in 2021-22. Similarly, the number of new AG cases decreased from 823 in 2017-18 to 221 in 2021-22. In addition, the number of pending AG cases decreased from 1,314 in 2017-18 to 367 in 2021-22.

[14] Pursuant to AB 2289 (Eng, Chapter 258, Statutes of 2010) and California Code of Regulations, Title 16, section 3340.42, BAR-OIS testing is required for most model year 2000 and newer gasoline-powered vehicles, most model year 1998 and newer diesel-powered vehicles, and all hybrid-powered vehicles.

[15] BAR-97 Emissions Inspection System

[16] Clean plugging is a method by which another vehicle's properly functioning OBD system, or another source, is used to generate passing data readings or diagnostic information to fraudulently issue smog certificates to vehicles that are not smog compliant and/or not present for testing.

Since the Bureau's last sunset review, there has been an increase in the number of disciplinary actions, most significantly actions resulting in revocation or probation[17]. This increase was an expected outcome of the increased number of accusations filed related to the Bureau's use of BAR-OIS test data and certificate blocking[18]. The number of disciplinary actions resulting in revocation and probation increased from 317 and 170, respectively, in fiscal year 2016-17 to 1,424 and 272, respectively, in 2018-19. The number of probation orders increased to 500 in 2019-20. As of 2021-22, these numbers have normalized to levels consistent with numbers prior to the March 2015 implementation of BAR-OIS testing.

Case Prioritization

The Bureau prioritizes investigations based on the egregiousness of the act (e.g., fraud) and the threat to public health, safety, and welfare. In Smog Check cases where the threat is imminent and pervasive, such as what occurs in acts of clean plugging or clean piping[19], the Bureau utilizes Interim Suspension Orders and Smog Check certificate blocking to protect the public.

The Bureau assigns complaints on average within three days of receipt. The Bureau's expectation is to complete its investigation and close the complaint within 60 days. A mediated complaint may prompt further investigation and, if a violation of the Act is established, disciplinary action may be pursued by the Bureau.

DCA's Complaint Prioritization Guidelines for Health Care Agencies are specific to healing arts programs and therefore does not apply to the Bureau.

Mandatory Reporting

External law enforcement and other entities are not statutorily required to notify the Bureau of violations related to its licensees.

Settlements

The Bureau and licensee (respondent to an accusation) may reach agreement to settle a case. Settlement terms often contain a stipulated revocation of the registration and/or license. When appropriate, and if consumer protection can be achieved, the Bureau may stipulate to a stayed revocation and place the registration and/or license on probation for a period with specific terms and conditions. However, Bureau cases cannot be settled prior to filing an accusation.

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[17] Includes orders of probation and probation with suspension.

[18] Implemented in 2017 pursuant to HSC section 44036(b)(3)(k), certificate blocking enables the Bureau to block the certification of vehicles getting a fraudulent inspection immediately upon the capture of sufficient evidence to support an accusation against stations and technicians engaging in clean plugging activities.

[19] Clean piping is a method by which another vehicle's properly functioning exhaust system, or another source, is used to generate passing data readings to fraudulently issue smog certificates to vehicles that are not smog compliant and/or not present for testing.

Disciplinary Actions	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Proposed Decisions	88	285	400	107	121
Default Decisions	145	424	257	146	86
Stipulations	392	594	621	292	140
Stipulated Settlement Percentage	63%	46%	49%	54%	40%

Over the past five years, nearly half the Bureau's cases have been settled without an administrative hearing.

Statute of Limitations

Pursuant to Business and Professions Code section 9884.20, the Bureau has three years from the occurrence of fraud, or two years from becoming aware of a fraudulent act, to file an accusation against a licensee. Additionally, Business and Professions Code section 9889.8 limits the filing of any accusation to three years from the date of the act or omission alleged, except where the alleged act or omission is fraud or misrepresentation. In those cases, the Bureau has two years from discovery of the act or omission to file an accusation.

The Bureau has not lost any cases due to the statute of limitations. However, in fiscal year 2020-21, the Bureau settled a case involving Smog Check fraud wherein some of the illegal activity fell beyond the statute of limitations.

Unlicensed Activity and the Underground Economy

The Bureau is an active participant in the Governor's Joint Enforcement Strike Force (JESF) and partners with other agencies in the JESF to perform compliance sweeps. The Bureau also continuously monitors online listings and advertisements such as Facebook, Craigslist, Angie's List, Penny Saver, and other forums to identify and target potential unlicensed activity. The Bureau sets up covert sting operations to engage these operators and take appropriate action, including referral to the local District Attorney or Office of the Attorney General.

The number of citations issued has increased since the October 2011 adoption of regulations establishing a citation program for unlicensed automotive repair activity. In November 2017, the Bureau also adopted regulations to help consumers more easily identify and verify the license of a mobile automotive repair provider prior to enlisting their services. The regulations require mobile automotive repair dealers to include this identifying information in all forms of advertisements, both online and on the vehicle.

Citation and Fine

The Bureau utilizes cite and fine authority to enforce the provisions of the Smog Check Program and to address unlicensed activity. In July 2012, regulations were updated to expand the list of citable

Smog Check violations for which a citation and fine are now authorized. Additionally, these regulations increased the maximum fine to the $5,000 statutory limit.

Since January 2020, the Bureau has been working with industry stakeholders to expand the citation program to address automotive repair dealer violations of the Automotive Repair Act and associated regulations. The objective of the proposed program is to give the Bureau an additional enforcement option for violations that do not warrant revocation of an automotive repair dealer registration. The program also will provide consumers with information about violations so that they can make an informed decision when choosing a repair shop.

Pursuant to AB 471 (Low, Chapter 372, Statutes of 2021), the proposed program will include an informal appeal process for automotive repair dealer citations and a three-member panel (composed of one representative each from the Bureau, the public, and the automotive repair industry) to review informal appeals. In addition, the program will, until July 1, 2026, allow an automotive repair dealer to, once every 18 months, prevent the disclosure of a citation for a violation deemed minor in nature upon successful remedial training.

The Bureau presented the proposal at the October 2020 BAG meeting and sought public input during public workshops in April 2021, July 2021, and January 2022. Proposed regulations were submitted to the Office of Administrative Law in October 2022 and are currently under review.

The Bureau issues citations and fines to licensed Smog Check stations and inspectors for violations of the Health and Safety Code and Title 16 of the California Code of Regulations. Citations and orders of abatement, which in some cases may include monetary fines, are also issued to individuals engaged in unlicensed activity. See the table below for the most common violations.

A licensee who has been issued a citation may request an informal conference for Bureau review of the citation by the chief or a designee of the chief. Additionally, a respondent may appeal a citation by requesting a formal hearing before an Administrative Law Judge pursuant to the Administrative Procedure Act. The table below details the appeals received for the last five fiscal years. The number of appeals has decreased over the past three fiscal years due to updates to the citation program for Smog Check stations and a decrease in the number of citations issued during the COVID-19 pandemic.

There was a sizeable decrease in appeals over the past few fiscal years, attributed mostly to the COVID-19 pandemic. As the pandemic progressed, it was difficult for the Bureau to retain the services of contracted undercover operators willing to interact with businesses for the purposes of conducting a covert undercover vehicle operation at Smog Check stations. Historically, these operations have been the source of the bulk of the citations issued by the Bureau (See Appendix 13: Table 9, Citations Issued). In addition to a marked decrease in the number of citations issued, the Bureau also recognized the fact that the primary purpose for appealing a Smog Check citation was to delay the impact on the Smog Check stations' STAR certification. A citation issued for specified violations that has become final and effective is cause for suspension (formerly invalidation) of the STAR certification. To address this, the Bureau began providing notice with the issuance of certain citations that the Bureau has determined the specific citation in question is not cause for suspension of STAR certification. Such citations include those with no monetary fine or no other citations issued to the same station in the preceding three years. This determination has dissuaded many licensees from appealing the citation.

Citation Appeal Type	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Informal Conference	292	344	117	37	41
Administrative Hearing	288	391	136	44	48

Most Common Violations

Code/Section	Description
1. Health and Safety Code section 44012	Improper test procedures (station)
2. Health and Safety Code section 44032	Improper test procedures (inspector)
3. Business and Professions Code section 9884.6	Requirement to register to perform automotive repairs for compensation (station)
4. Title 16, California Code of Regulations section 3340.15(a)	Approved work area for Smog Check inspections (station)
5. Health and Safety Code section 44036.5(b)	Unapproved calibration gases (station)

Average Citation Fines Pre- and Post-Appeal

Citation Appeal Status	FY 2017-18 Average Fine	FY 2018-19 Average Fine	FY 2019-20 Average Fine	FY 2020-21 Average Fine	FY 2021-22 Average Fine
Pre-Appeal	$1,177	$1,284	$1,244	$1,184	$1,128
Post-Appeal	$946	$1,248	$1,206	$1,111	$1,080

Franchise Tax Board Intercept Program

Effective January 1, 2011, Health and Safety Code section 44050(d) established unpaid citations as grounds for a civil judgment, enabling the Bureau to collect unpaid citations through the Franchise Tax Board (FTB) Intercept Program, and the contracted debt collection service used for cost recovery purposes. The Bureau pursues collection of fines through all available means, including referral to the FTB Intercept Program as appropriate. It is important to note that most fines are assessed in the form of citations pursuant to the Smog Check Program. Collection of fines for Smog Check Program violations is usually successful without having to use the FTB Intercept Program because the Smog Check station or inspector's failure to pay these fines may result in suspension or revocation of the applicable license. Additionally, as directed by Health and Safety Code section 44055(a), the Bureau blocks the issuance of certificates of compliance by any licensee who has failed to pay a fine and will not renew the license until the fine is paid.

Cost Recovery and Restitution

The Bureau successfully secures orders for cost recovery in approximately 60 percent of its formal administrative cases. The Bureau maintains a contract with an outside agency when debt collection is necessary. However, very few accounts require such collection as cost recovery is a standard term

included in orders of probation. Failure to meet this term constitutes a violation of probation and may result in revocation of the registration and/or license.

In the past five fiscal years, cost recovery has been ordered in approximately 1,237 cases, amounting to approximately $10.78 million due to the Bureau. Of that amount, $4.74 million was ordered to be paid upon the effective date of the decision or during probation. The remaining $6.04 million is due upon reapplication and will only be recovered if the respondent chooses to reapply for registration or licensure. The Bureau reports this amount as uncollectable because it is not currently due. The Bureau collected $3.65 million since the last sunset review.

Cost recovery information for the past five fiscal years is provided in Appendix 15 (Table 11 – Cost Recovery).

The Bureau seeks cost recovery in all formal discipline cases. During settlement of cases, the Bureau and the respondent may agree that these costs are due upon the effective date of the decision, or only due if the respondent later applies for a Bureau-issued registration or license.

In disciplinary orders where costs are ordered due immediately upon the decision effective date and not as a term of probation, the Bureau attempts to collect investigative costs by sending collection notices to the respondent. If all reasonable efforts prove unsuccessful, the Bureau will send any outstanding accounts to the FTB Intercept Program.

Over the past five fiscal years, the Bureau's consumer complaint mediation efforts have resulted in over $27 million in direct refunds, rework of vehicle repairs, and adjustments to a consumer's final bill. Restitution for a harmed consumer(s) may be sought and included in an accusation for improper, illegal, or incompetent business practices by a licensee.

Court-ordered restitution may also be sought by local District Attorneys as part of a civil or criminal filing. Because this process is outside the Bureau's administrative jurisdiction, restitution collected by courts is unavailable to the Bureau.

Restitution information for the past five fiscal years is provided in Appendix 16 (Table 12 – Restitution).

Section 6

Public Information Policies

In This Section

- Internet Use and Meeting Materials
- Webcasts
- Meeting Schedule
- Complaint Disclosure Policy and Posting of Enforcement Actions
- Public Information About Licensees
- Consumer Outreach

Internet Use and Meeting Materials

The Bureau uses the internet as its primary means of communication with consumers, the automotive repair industry, and other interested parties. All activities, announcements, resources, and public records of importance to stakeholders—including meetings, forms and publications, reports, rulemakings, laws and regulations, and enforcement actions—are available on the Bureau's website. Mobile-friendly online services allow consumers to locate an automotive repair shop and/or Smog Check station, verify the status and disciplinary history of licenses, file a complaint, and learn more about the Bureau's programs. Industry web pages include information on licensing, training, equipment, and program updates. The Bureau posts announcements of advisory group meetings, public workshops, and regulatory hearings on its website, at least 10 days prior to these events. Meeting materials, including notices, agendas, and presentation slides, are also made available in advance of the meeting. Meeting materials are posted for at least four years[20]. The Bureau does not produce meeting minutes as its advisory groups are not subject to the Bagley-Keene Open Meeting Act and do not vote on any Bureau business functions or polices. However, webcast recordings of all meetings, workshops, and hearings are available on the Bureau's website.

In addition, interested parties can sign up to receive email listserv notifications of Bureau activities and meetings. Interested parties may subscribe or unsubscribe at any time on the Bureau's website.

Webcasts

The Bureau webcasts all public meetings. Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, the Bureau conducted its public meetings via teleconference by webcast and WebEx during the COVID-19 pandemic. In 2022, following enactment of SB 189 (Chapter 48, Statutes of 2022), the Bureau began holding public meetings both in-person and via teleconference by webcast and WebEx. Interested parties participating remotely may submit comments during a webcast by email or participate in public comment periods through the WebEx platform. Webcasts are recorded and are posted on the Bureau's website. Webcasts are archived for five years on DCA's YouTube page.

Meeting Schedule

The Bureau establishes an annual meeting calendar for its advisory groups and posts on its website the meeting dates/times and locations, as well as dates/times and locations for public workshops and regulatory hearings.

Complaint Disclosure Policy and Posting of Enforcement Actions

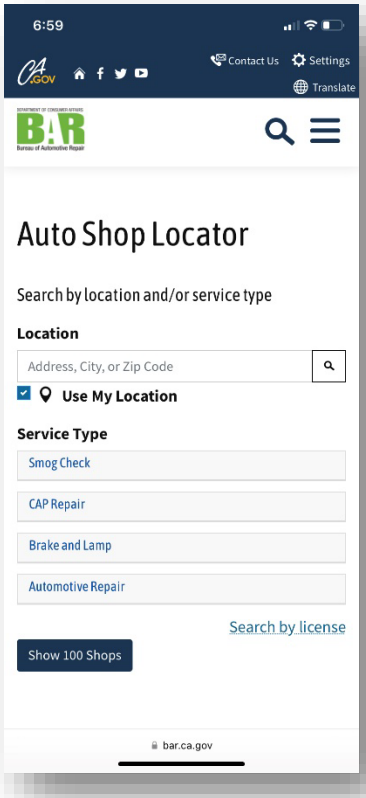
The Bureau's complaint disclosure policy is consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*. Accusations and disciplinary actions are posted on the Bureau's

[20] In 2021, the Bureau updated its website in compliance with accessibility guidelines and Government Code section 11546.7. The updated website includes meeting materials dated 2019 and newer.

website consistent with DCA's Website Posting of Accusations and Disciplinary Actions, dated May 21, 2010.

Public Information About Licensees

The Bureau's website offers several features—including the Auto Shop Locator, License Search feature, and Enforcement Action search page—providing interested parties access to licensee information. This information includes, but is not limited to, licensee name and location, license status and type, and disciplinary actions. Launched in August 2020, the Auto Shop Locator is a mobile-friendly web application that allows consumers to perform location-based searches of licensed automotive repair shops. Consumers can filter their search results by the type of services needed, including Smog Check, brake and lamp inspections, and categories of automotive repair such as auto body and transmission repairs. The locator also clearly identifies licensees that are on probation or the subject of a pending disciplinary action by the Bureau.



In accordance with changes made to Business and Professions Code section 9884, following enactment of AB 471 (Low, Chapter 372, Statutes of 2021), the Bureau is working to establish a process for automotive repair dealer applicants to provide to the Bureau educational certification information for the business and its employees. Licensee certification information will be made available to the public on the Bureau's website through the Auto Shop Locator. Implementation is anticipated by late 2023.

Consumer Outreach

The Bureau's website is the most comprehensive source of information for consumers. In March 2021, the Bureau released an enhanced website featuring a new accessible design and mobile-friendly features that allow consumers to easily access information on programs and topics of interest, such as maintenance, warranties, and safety recalls. The website includes printable brochures in both English and Spanish and offers a variety of online services to assist consumers in filing complaints and locating an auto shop or verifying the status of a license. Website content is developed in compliance with accessibility guidelines and certified biennially, as required by Government Code section 11546.7. The Bureau's website was last certified by the DCA chief information officer and Bureau chief on July 1, 2021.

Additional methods of consumer outreach are provided in partnership with DMV (e.g., registration renewal notices, field office posters, and brochures), through DCA's Consumer Information Center, letters to community-based organizations, consumer fairs and industry-sponsored events, some of which are accomplished in partnership with members of the Legislature (e.g., Senior Scam Stopper Seminars), local news stories, social media, and email listserv notifications. In addition, automotive repair dealers are required, per Business and Professions Code section 9884.17, to display, or provide a copy of, a Bureau-approved sign. The sign includes information on consumer rights and how to contact the Bureau if an issue with a shop cannot be resolved, and the consumer needs Bureau assistance. Smog Check stations also are required to post a Bureau-provided sign that provides consumers helpful information on various Smog Check assistance programs and ways to help deter catalytic converter theft.

In January 2020, the Bureau joined other states in a nationwide consumer outreach effort—led by the National Highway Traffic Safety Administration—to notify consumers impacted by air bag safety recalls. Participating auto manufacturers mailed a Bureau-approved letter to over 1.2 million California consumers informing them of important steps to follow to ensure their recalled vehicle got repaired. To further influence compliance rates in California, the Bureau partnered with CARFAX and the Alliance for Automotive Innovation to incorporate vehicle safety recall information into the Smog Check Program in April 2020. Consumers are notified when their vehicle has open recalls at the time of inspection; recall details are printed on the vehicle inspection report provided to consumers after each Smog Check.

The Bureau participates in training and outreach forums aimed at furthering the advancement of national and international vehicle emissions inspection programs. The Bureau belongs to the Inspection and Maintenance (I/M) Solutions Training Forum. This national association provides an annual forum for states to discuss the status, implementation, and enforcement strategies of vehicle emissions I/M programs, such as the California Smog Check Program. The forum also provides an opportunity for states to meet with United States Environmental Protection Agency (USEPA) representatives about compliance with federal rules and guidelines. Over the course of the past five fiscal years, the Bureau met with representatives from several countries, including Mexico (Nuevo Leon and Baja California), Japan, Korea, and Taiwan, to share California's successes in consumer and air quality protection. In July 2021, the Bureau presented at the Forum of Analysis of Air Contamination hosted by the state of Baja California, Mexico. Following the presentation, the Bureau sent a letter of support to Baja California recommending the restart of its emissions inspection program. The Bureau also promotes Bureau-certified Smog Check equipment vendors seeking partnerships with international programs.

Section 7

Online Practice Issues

In 2017, the Bureau adopted regulations to address online advertisement of automotive repair by unlicensed individuals and businesses, particularly by those that offer mobile automotive repair services. The regulations require mobile automotive repair dealers to include their registration number and other identifying information in all forms of advertisements, including online and vehicle advertisements. The regulations help consumers more easily identify, and verify, the license of a mobile automotive repair provider prior to enlisting their services. The regulations also assist the Bureau in proactively identifying unlicensed activity. The Bureau conducted an outreach campaign to educate the automotive repair industry on the requirements and inform consumers on how to verify the registration and check for any disciplinary history of a mobile business.

While the regulations have been successful in addressing repairs by unlicensed individuals and businesses, online advertising by unlicensed auto repair referral businesses is an emerging challenge. Referral businesses solicit auto repair customers through online advertisements and refer the work to a licensed automotive repair dealer. The referral business collects a portion of the repair cost as payment for the referral. This activity often creates confusion for consumers who are unaware with whom they are doing business and authorizing to perform repairs on their vehicle. Expanding the Bureau's regulatory oversight over the advertisement of automotive repair work may be necessary to enhance transparency and ensure consumer protection in this area.

Additional information on this item is provided in Section 12 of this report.

Section 8

Workforce Development and Job Creation

In This Section

- Workforce Development
- Licensing Delays
- Informing Potential Licensees of Licensing Requirements and Licensing Process
- Barriers to Licensure and/or Employment
- Workforce Development Data

Workforce Development

The Bureau monitors various industry demographics and collaborates with industry representatives to evaluate experience and skill level requirements for prospective licensees. The information gathered is relayed to Bureau-certified training institutions to ensure training programs coincide with legitimate marketplace trends and best practices of the industry. The Bureau also participates in various educational and industry-sponsored workshops and training forums. These include the California Automotive Teachers Association, Automotive Service Councils of California, California community colleges and high schools, and private educational institutions.

In 2019, the Bureau established the Cars for Schools program, which provides retired vehicles to public high schools, community colleges, and regional occupation programs throughout the state to enhance hands-on training for students preparing for careers in the automotive repair industry. The Bureau's Smog Check Referee Program[21] also offers practical training at a Referee facility to automotive students through the Student Technician Training Program.

Scholarship opportunities offered by automotive associations and organizations to both automotive students and professionals are promoted on the Bureau's website and through stakeholder notifications. The Bureau also promotes organizations seeking grants and funding for programs that foster a skilled automotive workforce.

Licensing Delays

The Bureau's overall license processing timeframes are well below the maximum times defined in regulation and Bureau-established processing goals. As such, there are currently no licensing delays, so no assessments have been necessary.

Informing Potential Licensees of Licensing Requirements and Licensing Process

The Bureau collaborates with public and private training institutions and various organizations to ensure the requirements for licensure are communicated to prospective licensees. The Bureau also participates in various educational and industry-sponsored workshops and training forums. These include the California Automotive Teachers Association, Automotive Service Councils of California, California community colleges and high schools, and private educational institutions.

In addition, information on licensing requirements and processes are available on the Bureau's website and through the online Bureau-sponsored California Automotive Resource Center.

[21] Pursuant to Health and Safety Code section 44036 and California Code of Regulations section 3340.4, the Smog Check Referee Program assists consumers with Smog Check services such as inspection disputes, inspections of unusual vehicles, and locating hard-to-find emissions parts.

Barriers to Licensure and/or Employment

The Bureau has not identified any significant barriers to licensure or employment since August 2012 when the Smog Check technician license was separated into two license types: Smog Check inspector and Smog Check repair technician. The current time and expense of education required for licensure is appropriate and minimal in comparison to other licensed professions.

Workforce Development Data

The Bureau monitors several industry and marketplace metrics on the automotive repair workforce, including technician salary, inspection costs, and industry-sponsored web forums. To help support the automotive workforce, the Bureau educates the industry on licensure options and requirements, conducts outreach on training and industry initiatives, and promotes organizations seeking grants and funding for programs that foster a skilled automotive workforce.

The Bureau conducts ongoing data collection processes to evaluate and help ensure training programs offered by Bureau-certified Smog Check institutions meet Bureau-prescribed course specifications.

Section 9
Current Issues

In This Section

- Uniform Standards for Substance Abusing Licensees
- Consumer Protection Enforcement Initiative
- BreEZe

Uniform Standards for Substance Abusing Licensees

The Uniform Standards for Substance Abusing Licensees is specific to healing arts programs and therefore does not apply to the Bureau.

Consumer Protection Enforcement Initiative

The Consumer Protection Enforcement Initiative (CPEI) is specific to healing arts programs and therefore does not apply to the Bureau. However, the Bureau remains committed to the intent of CPEI and continues to identify and address barriers to timely investigations.

The Bureau strives to achieve the DCA-established enforcement performance measures (see EPM data under Section 5) and reports the data to DCA on a quarterly basis. Reports on Bureau quarterly and annual performance measures are available for review on the DCA Data Portal at www.dca.ca.gov.

BreEZe

The Bureau is not utilizing BreEZe. In 2015, the Administration notified the Legislature that the BreEZe contract would be canceled after Release 2. The Bureau was originally scheduled for Release 3. Therefore, the Bureau has no BreEZe-related change requests.

In consultation with DCA and the California Department of Technology (CDT), the Bureau initiated the Enforcement and Licensing Modernization (ELM) project. This multi-phase project aims to replace the Bureau's legacy database systems, the Consumer Affairs System (CAS) and the Applicant Tracking System (ATS), with modern information management technology systems. After the project was approved by the Business, Consumer Services and Housing Agency, the Bureau awarded a contract in April 2022 for system implementation services. The Bureau is currently working with the contractor on development activities and to establish project management processes. System implementation is anticipated by late 2023.

ELM is consistent with DCA's Business Modernization Strategic Plan for all non-BreEZe clients. Additionally, the Bureau is working with DCA to satisfy legislative reporting requirements per SB 547 (Hill, Chapter 429, Statutes of 2017). Although no "bridge system" is being utilized, several workarounds are currently being used to satisfy program requirements or needs that cannot be met by the current legacy systems.

Section 10

Bureau Actions and Responses to COVID-19

In This Section

- Teleworking Policy
- Use of State of Emergency Statutes
- Waiver Requests
- Policies Impacting Consumers or Licensees
- Necessary Statutory Revisions, Updates, or Changes

Teleworking Policy

In March 2020, the Bureau implemented a flexible telework program for the health and safety of staff. In accordance with state and departmental policy, the Bureau encourages remote-centered telework for employees in positions where telework can promote effective and efficient business operations.

The shift to a telework environment has created opportunities to update and streamline business processes. The Bureau continues to leverage technology—including the DCA virtual desktop and new electronic procedures—for the efficient processing of applications, licenses, investigations, and other essential functions. Remote meeting tools such as Microsoft Teams and WebEx are utilized to enhance organizational communication and promote collaboration and operational consistency across Bureau offices throughout the state. The Bureau is also considering a hoteling strategy to help decrease office space, reduce operating costs, and support employee hybrid work schedules.

Use of State of Emergency Statutes

Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, the Bureau conducted its public meetings and workshops via teleconferencing. In 2022, following enactment of SB 189 (Chapter 48, Statutes of 2022), the Bureau began holding public meetings both in-person and via teleconference through webcast and WebEx. Interested parties participating remotely may submit comments during a webcast by email or participate in public comment periods through the WebEx platform. To provide advance notice of public meetings, a notice and agenda are sent to interested parties and posted with meeting materials at least 10 days prior to each meeting.

In addition, Executive Order N-40-20 and N-66-20 authorized a 60-calendar-day extension for the readoption of the Bureau's Consumer Assistance Program Update emergency regulations, originally approved by the Office of Administrative Law on August 31, 2020. The extension allowed the Bureau to continue providing income-eligible consumers, especially those impacted by the COVID-19 pandemic, increased financial assistance with emissions-related (Smog Check) repairs to their vehicles. The extension also provided the Bureau additional time to complete the regular rulemaking process and ensure permanent adoption of these regulation changes.

Waiver Requests

The Bureau did not request any waivers through DCA. However, the Bureau issued several extensions impacting examination requirements. A summary of these extensions is provided below.

Policies Impacting Consumers or Licensees

During the COVID-19 pandemic, the Bureau implemented the following actions and policies impacting consumers or licensees:

- Adopted emergency regulations to increase the state's contribution toward emissions-related repairs under the Consumer Assistance Program from a maximum of $500 to $1,200 for eligible

consumers. The regulations improve access to required repairs and ensure critical workers and individuals reentering the workforce have reliable and safe transportation.

- Extended Consumer Assistance Program eligibility dates to allow participants additional time to retire their vehicle at a Bureau-contracted auto dismantler.
- Transitioned public meetings and workshops to virtual teleconferencing platforms.
- Transitioned face-to-face meetings involving Bureau representatives and licensees, such as educational presentations and disciplinary conferences, to virtual teleconferencing platforms.
- Deferred cost recovery payments for respondents experiencing financial hardship.
- Extended the training course completion date for respondents impacted by the closure of Bureau-certified training institutions.
- Extended the 90-day license examination window for brake and lamp adjuster applicants impacted by testing center closures.
- Postponed the July 2020 Bureau Certified Instructor Update training to October 2020.

Necessary Statutory Revisions, Updates, or Changes

Although the Bureau's advisory groups are not subject to the Bagley-Keene Open Meeting Act, the Bureau closely follows requirements for open meetings. Pursuant to the provisions of Governor Gavin Newsom's Executive Order N-29-20, the Bureau conducted its public meetings via teleconference by webcast and WebEx during the COVID-19 pandemic. In 2022, following enactment of SB 189 (Chapter 48, Statutes of 2022), the Bureau began holding public meetings both in-person and via teleconference by webcast and WebEx. The provisions of SB 189 permit this hybrid meeting model until July 1, 2023. Since the Bureau endeavors to adhere with open meeting laws, an extension, or permanent statutory change, for these provisions would ensure the Bureau can continue to provide the public multiple forums to access its meetings.

Additionally, during the State of Emergency, state and local stay at home orders impacted business operations and the ability of consumers to complete Smog Check requirements. As a result, the Bureau received requests from consumers to waive biennial Smog Checks to complete the vehicle registration process. Consumers facing a hardship due to the State of Emergency were provided an opportunity to schedule a no-cost Smog Check at a Referee[22] facility.

Health and Safety Code sections 44017 and 44017.1 provide for the issuance of a one-time repair cost waiver by a Smog Check Referee. The Bureau will evaluate opportunities to permit a similar process for the issuance of a Smog Check inspection waiver during a State of Emergency.

[22] Pursuant to Health and Safety Code section 44036 and California Code of Regulations section 3340.4, the Smog Check Referee Program assists consumers with Smog Check services such as inspection disputes, inspections of unusual vehicles, and locating hard-to-find emissions parts.

Section 11

Bureau Action and Response to Prior Sunset Issues

In This Section

- Issue 1: Status of the Long-Term Fund Condition
- Issue 2: Bureau Licensing Exams
- Issue 3: Enforcement Workloads
- Issue 4: Use of Certificate Blocking to Deter Illegal Activity
- Issue 5: Display of License Numbers in Advertising
- Issue 6: Disciplinary Guidelines
- Issue 7: BreEZe
- Issue 8: Minor Services Exemption
- Issue 9: Cleanup Amendments to Business and Professions Code
- Issue 10: Continued Regulation by the Bureau of Automotive Repair

Prior Sunset Issues

During its last sunset review, the Bureau was asked to respond to 10 issues covering areas of operations, including administration and budget issues, enforcement issues, regulatory efforts, and technical changes. Below is a brief summary and update on each of the issues raised by the Committees.

Issue 1: Status of the Long-Term Fund Condition

Background*:* The Bureau is funded by three special funds comprised of the Vehicle Inspection and Repair Fund (VIRF), High Polluter Repair or Removal Account (HPRRA), and the Enhanced Fleet Modernization Subaccount (EFMS). Of these funds, VIRF and HPRRA have been stable or increased for the three most recent financial years and only EFMS projections show a significant decrease in reserve balance, from six to four months. The Bureau indicates that the current spending authorization for EFMS exceeds the annual revenue and that the current $1 fee must be increased or spending reduced. Despite this, overall, the Bureau does not predict any deficits in the next four fiscal years.

Committee Recommendation: The Bureau should advise the Committees of its current fund conditions and indicate whether it is feasible to decrease EFMS spending or if fees must need to be increased to support operations.

Bureau's 2018 Response to the Recommendation: The Bureau's fund conditions, as reflected in the Governor's 2018-19 Proposed Budget, are provided in the following tables.

Vehicle Inspection and Repair Fund

Fiscal Year	Revenue[1]	Expenditures[2]	Current Reserve	Months in Reserve
2016-17	$241,207,000	$122,168,000	$119,039,000	10.4
2017-18	$249,668,000	$137,457,000	$112,211,000	9.7
2018-19	$245,439,000	$138,751,000	$106,688,000	9.4
2019-20	$241,181,000	$135,725,000	$105,456,000	9.2
2020-21[3]	$331,284,000	$138,059,000	$193,225,000	16.5
2021-22	$330,668,000	$140,443,000	$190,226,000	15.8

[1] Revenue includes adjusted beginning balance, total revenues, transfers, and loan repayments from General Fund.

[2] Expenditures include Pro Rata and direct appropriations from the California State Controller's Office (SCO), Financial Information System for California (Fi$Cal), and CARB.

[3] $90,000,000 loan repayment from General Fund scheduled for FY 2020/21.

High Polluter Repair or Removal Account

Fiscal Year	Revenue[1]	Expenditures[2]	Current Reserve	Months in Reserve
2016-17	$85,297,000	$37,417,000	$47,880,000	14.1
2017-18	$95,447,000	$40,812,000	$54,635,000	15.9
2018-19	$102,464,000	$41,250,000	$61,214,000	17.4
2019-20	$109,057,000	$42,110,000	$66,947,000	18.7
2020-21	$114,805,000	$42,938,000	$71,867,000	19.7
2021-22	$119,737,000	$43,782,000	$75,955,000	20.5

[1] Revenue includes adjusted beginning balance, total revenues, transfers, and loan repayments from General Fund.
[2] Expenditures include Pro Rata and direct appropriations from SCO, Fi$Cal, and CARB.

Enhanced Fleet Modernization Subaccount

Fiscal Year	Revenue[1]	Expenditures[2]	Current Reserve	Months in Reserve
2016-17	$74,484,000	$45,049,000	$29,435,000	8.7
2017-18	$63,110,000	$40,763,000	$22,348,000	6.6
2018-19	$56,342,000	$40,704,000	$15,638,000	4.5
2019-20	$49,943,000	$41,773,000	$8,170,000	2.3
2020-21	$42,797,000	$42,233,000	$563,000	0.2
2021-22	$35,534,000	$43,021,000	$(7,487,000)	-2.1

[1] Revenue includes adjusted beginning balance, total revenues, transfers, and loan repayments from General Fund.
[2] Expenditures include Pro Rata and direct appropriations from SCO, Fi$Cal, and CARB.

Due to high consumer demand for vehicle retirement under both the Consumer Assistance Program and the Enhanced Fleet Modernization Program (EFMP), appropriated funds from both the HPRRA and EFMS for the last three fiscal years have depleted in late March. Each year, the vehicle retirement programs must be suspended until more funds become available for both accounts on July 1.

HPRRA is stable and currently maintains a healthy reserve to continue the Bureau's operation of the repair assistance and vehicle retirement programs. However, the EFMS reserve is depleting and will become insolvent at the current program expenditure rate by 2021-22. Also, it is important to note that the $1 fee is only authorized through January 1, 2024. Additional funding or further scaling back the program will be required to continue the EFMP vehicle retirement option 2023-24. Any discussion about further scaling back the program or other potential changes to EFMP should be done in collaboration with CARB, as required by statute.

In addition, AB 630 (Cooper, Chapter 636, Statutes of 2017) allows for the redirection of VIRF, HPRRA, and EFMS funds to CARB's Clean Cars 4 All Program, as needed. Therefore, the Bureau is unable to determine the future impact of this program on each of these funds.

Current Response 2022: The Bureau's fund condition is reported in Section 3 of this report. The HPRRA reserve has a structural deficit as full appropriation expenditure would exceed annual revenue. In fiscal year 2020-21, the fund schedule was augmented by $2.3 million to increase repair assistance to consumers when vehicles fail a Smog Check inspection. In addition, $60 million was borrowed by the general fund during the COVID-related economic crisis. However, actual expenditures have decreased over the past two years due to declining vehicle retirement volume caused, in part, from the increase in used vehicle prices. As a result, actual expenditures may not exceed revenue in 2022-23. The fund can sustain the structural deficit for several years without impacting the Bureau's operation of the repair assistance and vehicle retirement programs.

The EFMS fund is stable. However, it is important to note that the $1 fee is only authorized through January 1, 2024. Additional funding or further scaling back the program will be required to continue the EFMP vehicle retirement option into 2023-24. Any discussion about further scaling back the program or other potential changes to EFMP should be done in collaboration with CARB, as required by statute.

In addition, AB 630 (Cooper, Chapter 636, Statutes of 2017) allows for the redirection of VIRF, HPRRA, and EFMS funds to CARB's Clean Cars 4 All Program, as needed. Therefore, the Bureau is unable to determine the future impact of this program on each of these funds.

Issue 2: Bureau Licensing Exams

Background: The Bureau utilizes six different exams for licensing, these include: Smog Check inspector, Smog Check repair technician, brake adjuster (A), brake adjuster (B), brake adjuster (C), and lamp adjuster. These examinations are developed by the Bureau in consultation with DCA's Office of Professional Examination Services (OPES). The Bureau does not use a national exam and offers its examinations via computer in English. There are no other languages available for testing. It is common for other boards and bureaus under DCA to report first time vs. retake pass rates. Without this data readily available, it is unclear how the Bureau and OPES evaluate the efficacy of its exams. Additionally, it is unclear whether offering these exams solely in English is sufficient for maintaining access to the professions, especially in light of the diverse licensing population in California.

Committee Recommendation: The Bureau should advise the Committees of whether it feels that access is being limited to the auto repair profession by the sole availability of testing in English. Does the Bureau feel that the exams continue to be an accurate assessment of the skills and knowledge necessary to practice in this field? Additionally, without pass data, how does the Bureau track the utility of the exams?

Bureau's 2018 Response to Recommendation: The Bureau does not license automotive repair mechanics; only the business is registered with the Bureau as an automotive repair dealer. There are no examination requirements for automotive repair dealer registration.

For exams to license specialists in the areas of brake, lamp, and smog inspections and/or repairs, the Bureau has not received any queries or complaints from prospective licensees concerning the availability of licensing exams in languages other than English. Additionally, this issue has not been raised with either of the Bureau's two advisory groups. However, should there be a need to do so, the Bureau will work with OPES and the examination contractor (PSI) to offer examinations in other languages.

The Bureau, in coordination with OPES, continues to follow industry best practices in technical assessment and examination development using industry occupational analysis tools and subject matter experts to ensure exams are valid and accurate assessments of the skills and knowledge required for licensure.

In addition, ongoing statistical analysis and evaluation of examination and question performance is conducted to ensure examinations are statistically reliable. Examination statistics do not currently report first-time versus retest pass rates. However, the Bureau is working with OPES and PSI to discuss the feasibility of adding this reporting functionality.

Current Response 2022: Except as noted below, the Bureau does not license automotive repair technicians; only the business is registered with the Bureau as an automotive repair dealer. There are no examination requirements for automotive repair dealer registration.

The Bureau currently only requires exams for licensing specialists in the areas of brake, lamp, and Smog Check inspections and/or repairs. The Bureau has not received any queries or complaints from prospective licensees concerning the availability of the licensing exams for these three programs in languages other than English. Additionally, this issue has not been raised with either of the Bureau's two advisory groups. However, the Bureau is committed to fostering equitable and inclusive strategies to ensure licensure opportunities are available to California's diverse workforce. The Bureau will collaborate with applicants, industry representatives, and its advisory groups to further evaluate this issue and ensure applicant needs are supported.

The Bureau, in coordination with OPES, continues to follow industry best practices in technical assessment and examination development using industry occupational analysis tools and subject matter experts to ensure the exams are valid and accurately assess the skills and knowledge required for licensure.

In addition, ongoing statistical analysis and evaluation of examination and question performance is conducted to ensure examinations are statistically reliable. Examination statistics do not report first-time versus retest pass rates.

The Bureau will continue to work with OPES and PSI to ensure licensing exams meet best practices and accurately assess the skills and knowledge required for licensure.

Issue 3: Enforcement Workloads

Background: In 2015 the Bureau began requiring BAR-OIS testing for most model year 2000 and newer gasoline vehicles, most model year 1998 and newer diesel vehicles, and all hybrids. This shift led to a spike in citations and cases initiated with the office of the Attorney General. After the initial switch, the Bureau found that several hundred inspections a month were being conducted using the improper testing equipment and issued a large quantity of citations to correct the improper inspections. Additionally, the Bureau has been able to utilize the BAR-OIS testing to identify fraudulent testing activity conducted via "clean-plugging," a technique that involves mimicking a passing vehicle using software or hardware and issuing a false certificate. These two shifts in enforcement have led to a tremendous increase in both citations and cases referred to the Attorney General. In the case of the latter, total cases referred increased from 342 cases in fiscal year 2015-16 to 737 in 2016-17. The Bureau believes that workload will decrease now that it has addressed the bulk of inappropriate testing procedures resulting from the transition to BAR-OIS testing.

Committee Recommendation: The Bureau should advise the Committees of any other potential enforcement case increases and if so, what steps are being taken to prevent future surges in workload. Additionally, the Bureau should report the current caseload of cases still being pursued by the Attorney General and the timeliness of investigation completion in such cases.

Bureau's 2018 Response to Recommendation: The Bureau has no new programs or program changes planned that would increase enforcement workload, as was the case following implementation of BAR-OIS testing in 2015. However, as vehicles continue to advance technologically, and if the automotive repair industry is unable to keep pace with these advancements, an additional, unexpected workload could be generated. The Bureau remains prepared to shift resources as necessary to address changes in workload.

Please note that the actual number of cases referred to the Attorney General's Office in fiscal year 2016-17 is 437, not 737. Of these 437 cases, 103 have already been adjudicated and the remaining cases are proceeding through the accusation and adjudication process. In 2017-18 (through January), BAR has referred another 333 cases. Overall, there are currently 1,100 matters pending at the Attorney General's Office. The Bureau is not able to quantify the timeliness of these cases as they are still in process. The Bureau will continue to work with the Attorney General's Office to manage and expedite the resolution of these cases.

Of the 437 cases referred to the Attorney General's Office in 2016-17, 121 (or 28 percent) are data-based clean-plugging cases. Of the 333 cases referred in 2017-18, 164 (or 49 percent) are also of this nature. These cases were made possible through the implementation of BAR-OIS testing in March 2015 and did not require extensive investigation using undercover vehicles and/or video surveillance. Because of the compelling evidence collected from the BAR-OIS data, many of these cases have resulted in a default decision or stipulated revocation, which will reduce the overall case-processing times of the Attorney General's Office.

Further, to mitigate and manage enforcement workload, the Bureau implemented "certificate blocking" in spring 2017. This enables the Bureau to block the certification of vehicles getting a fraudulent inspection immediately upon the capture of sufficient evidence to support an accusation against licensed stations and technicians engaged in clean-plugging activities. Certificate blocking redirects any vehicles that receive an illegal BAR-OIS inspection to a state-authorized Referee facility for certification. The new program has reduced a significant workload of the Attorney General's Office by eliminating the need for Interim Suspension Orders (ISOs) through an administrative hearing.

Current Response 2022: During the last sunset review, the Bureau identified an increase in workload following the March 2015 implementation of Smog Check testing using the BAR-OIS. To mitigate and manage enforcement workload, the Bureau implemented certificate blocking in spring 2017, pursuant to Health and Safety Code section 44036(b)(3)(k). This increased level of enforcement dramatically improved compliance with equipment and inspection requirements. As a result, the Bureau's workload has normalized.

The Bureau continues to monitor its workload and remains prepared to shift resources as necessary to address changes.

Issue 4: Use of Certificate Blocking to Deter Illegal Activity

Background: In Spring 2017, the Bureau implemented "certificate blocking" to immediately stop the issuing of certificates by an inspection station engaged in "clean plugging" activities. This electronic intervention is only taken upon the collection of sufficient information to support an action against the stations and technicians involved. Notably, certificate blocking does not prevent the conducting of proper and accurate Smog inspections and only prevents fraudulent testing. The Bureau writes that the implementation of certificate blocking will result in a significant decrease in workload at the Office of the Attorney General, a positive development since implementation of BAR-OIS testing has resulted in an 88 percent increase in total cases since the last sunset review.

Committee Recommendation: The Bureau should advise the Committees if certificate blocking has been determined to be a sufficient and reliable tool for countering illegal Smog activity or whether additional tools are necessary to effectively address this issue.

Bureau's 2018 Response to Recommendation: Certificate blocking has been effective in deterring certain fraudulent Smog Check activity involving On-Board Diagnostic (OBD) equipped vehicles. From February 2017 to December 2017, 359 Smog Check stations had certificates blocked and approximately 2,300 vehicles were directed to the Referee for inspection.

However, current certificate blocking software requires more analysis to detect the next generation of "clean-plugging" devices currently being used to perform some of these inspections. In response, the Bureau is in the conceptual phase of designing enhanced certificate blocking software to improve detection of these devices. As part of this effort, the Bureau also plans to upgrade the OBD inspection devices manufactured by BAR-certified equipment vendors.

Current Response 2022: Certificate blocking has been effective in deterring certain fraudulent Smog Check activity involving OBD II- equipped vehicles. Since implementation of this procedure in February 2017, over 32,000 vehicles have had their certificates blocked because of potential fraud.

However, current certificate-blocking measures, even when coupled with administrative action and license revocations, have been inadequate to deter all fraud. Fraudulent inspections are often performed by many unlicensed persons working in concert with licensees. Current certificate blocking software requires more analysis to detect the next generation of "clean-plugging" devices currently being used by these bad actors to perform fraudulent inspections. In response, the Bureau initiated two rulemakings to combat this fraudulent activity. The first rulemaking, which was adopted and took effect October 1, 2022, adds biometric security enhancements to authentication of licensees and prevents unauthorized use of Smog Check inspection equipment. The new regulations also require Smog Check stations to provide the Bureau access to the station whenever inspections are being performed; and requires inspectors to allow the Bureau remote access (using a web camera) to the inspection process via the internet when prompted by the inspection equipment

software. The second rulemaking, which is currently under development, replaces the current OBD equipment specifications with a more comprehensive and updated version providing the ability to detect newer and more sophisticated OBD-simulator devices.

The Bureau has no further recommendations on this issue and will reevaluate after implementation of these regulations.

Issue 5: Display of License Numbers in Advertising

Background: According to the Bureau, the online advertisement of unlicensed auto repair is a persistent issue, particularly by those that offer mobile repair services. This is particularly concerning in that consumers may unwittingly contract with an unlicensed individual who in addition to visiting their home, may cause harm to their vehicle. Without the appropriate oversight by the Bureau, these repair services may put consumers at risk without any checks and balances and the easy availability of online advertising makes it challenging for the Bureau to track and intervene in these circumstances. To address this, the Bureau implemented regulations that require mobile automotive repair dealers to display their license number in all forms of advertising. The Bureau believes that this will allow them to more easily identify unlicensed activity as well.

Committee Recommendation: The Bureau should advise the Committees if regulations have proven sufficient to address the problem of unlicensed mobile repairs. Additionally, the Bureau should advise whether it is necessary to apply this provision across all licensees and if a statutory fix is necessary to permanently address the issue.

Bureau's 2018 Response to Recommendation: As the new regulations were recently adopted on November 16, 2017, sufficient data is not yet available to determine their impact on unlicensed mobile repairs. As data becomes available, it is the commitment of the Bureau to follow up with the Committees on this issue.

In the meantime, the Bureau continues to educate registered automotive repair dealers and consumers on the new requirements. For unregistered activities, the Bureau will continue its efforts to inform persons or entities performing mobile automotive repair about the need for registration, as well as the new advertising requirements. The Bureau also will continue to review online advertisements and consumer complaints to determine mobile automotive repair dealer compliance with the new regulations.

Brick-and-mortar repair facilities are required to post their automotive repair dealer registrations in their shop. The Bureau considers this requirement equivalent to the new requirement for a mobile automotive repair dealer to post the registration on their vehicle. In addition, mobile automotive repair dealers typically advertise their services online, which is why online advertising was a focal point of the new regulations. As data continues to be compiled on the effectiveness of the advertising regulation, the Bureau will determine if further changes are necessary.

Current Response 2022: The regulations adopted in November 2017 require a mobile automotive repair dealer to provide identifying information—including the registration number—in all forms of advertisement, both online and on the vehicle. The regulations help consumers more easily identify and verify the license of a mobile automotive repair provider prior to enlisting their services.

Brick-and-mortar repair facilities are required to post their automotive repair dealer registrations in their shop, so a statutory fix is unnecessary. In addition, unlike brick-and-mortar operations, mobile

automotive repair dealers typically advertise their services online, which was a focal point of the regulations.

The Bureau continually monitors online advertisements and consumer complaints to address compliance issues. The regulations have proven effective in addressing unlicensed activity and educating persons or entities performing mobile automotive repairs about registration requirements. The number of citations issued for unlicensed activity decreased from 871 in fiscal year 2017-18 to 484 in 2020-21. The number of automotive repair dealers performing mobile repairs as their primary business service category increased from 1,003 in 2017-18 to 1,862 in 2021-22.

Issue 6: Disciplinary Guidelines

Background: In July 2016, the Bureau adopted new disciplinary guidelines through the regulatory process. However, it is not clear from the report if these guidelines have been sufficient or require further development before the next sunset review.

Committee Recommendation: The Bureau should advise the Committees if the new disciplinary guidelines adopted in 2016 are working effectively and if there will be need for additional updates in the near future.

Bureau's 2018 Response to Recommendation: The new disciplinary guidelines have proven effective in promoting consistent enforcement actions and penalties against licensees. The guidelines assist administrative law judges in determining appropriate penalties for violations of Bureau laws and regulations and are intended as a resource for others involved in and affected by the disciplinary process, including registrants, licensees, and Bureau enforcement staff. The updated guidelines address legislative and regulatory changes that have occurred since their last revision in May 1997, ensure consistent use of titles and terms, remove outdated and unnecessary terms and conditions of probation, and adopt a new probationary registration process.

The Bureau is currently developing a rulemaking package that includes a minor change to the disciplinary guidelines to provide for training on Bureau laws and regulations in disciplinary orders, stipulated settlement agreements, and other administrative resolutions to its cases.

Current Response 2022: In February 2022, the Bureau adopted additional regulations amending, effective April 1, 2022, the disciplinary guidelines to establish laws and regulations training as a rehabilitative option for respondents who have demonstrated an insufficient understanding of either the laws and regulations protecting consumers in repair transactions, or the technical aspects of automotive repair. Administrative law judges and the Bureau have the option to require, as a condition of probation or license renewal, training in compliance with the Automotive Repair Act and related laws and regulations.

Issue 7: BreEZe

Background: In 2009, the Department of Consumer Affairs (DCA) began an IT project to replace multiple antiquated standalone information technology systems used by the boards, bureaus, and committees within its jurisdiction, with one fully integrated system. In 2011, the DCA awarded a contract to Accenture LLC to develop and implement the IT system, commonly referred to as BreEZe. The original project plan called for the BreEZe system to be implemented into three releases

beginning in July of 2012. The Bureau was scheduled to be a part of the third release, along with 19 other boards and bureaus. However, numerous technical delays and problems with the project forced the delay of both the first and second releases of the system; and subsequently eliminated the project for those boards and bureaus scheduled for release three, including BAR. Instead, DCA reported its intentions to conduct a cost-benefit analysis for Release 3 boards after the completion of release two in early 2016. Despite not receiving or utilizing the BreEZe system, BAR contributes annually to BreEZe costs, including a projected $317,000 in fiscal year 2017-18.

Committee Recommendation: The Bureau should update the Committees about the current status of its implementation of alternative IT solutions to BreEZe and whether current technology solutions are sufficient to fulfill the role of the Bureau. Is the cost of BreEZe consistent with what the Bureau was told the project would cost? How will the Bureau pursue technology solutions to fill the role of BreEZe in the future?

Bureau's 2018 Response to Recommendation: DCA, in consultation with the Bureau, has developed a Business Modernization Plan that was submitted to the Legislature in December 2017. Consistent with this plan, the Bureau has begun work on several "business readiness" activities to prepare for the challenges associated with a large technology transformation. On March 6, 2018, the Bureau announced its intent to award a Request for Offer to obtain professional services to help define and optimize existing licensing and enforcement business processes. These services will include the development and management of functional requirements for the California Department of Technology's Project Approval Lifecycle (PAL).

Outputs from business readiness activities will be critical inputs to the PAL process that will guide the Bureau through the process of evaluating and selecting the best technology solution to meet its business needs. BreEZe will be one of the platforms evaluated through this process. The Bureau will continue to use DCA's legacy database systems, the Consumer Affairs System (CAS) and the Applicant Tracking System (ATS), to meet its core business needs until an alternative is selected, approved, developed, and deployed.

DCA has kept Bureau leadership apprised of BreEZe costs and has worked with the Bureau to ensure BreEZe costs do not negatively impact the condition of the Bureau's three funds. Beginning in 2018-19, the Bureau will no longer pay any BreEZe-related cost.

Current Response 2022: DCA, in consultation with the Bureau, developed a Business Modernization Plan that was submitted to the Legislature in December 2017. Consistent with this plan, and in consultation with DCA and CDT, the Bureau initiated the ELM project. This multi-phase project aims to replace the Bureau's legacy database systems, CAS and ATS, with modern information management technology systems. After the project was approved by the Business, Consumer Services and Housing Agency, the Bureau awarded a contract in April 2022 for system implementation services. The Bureau is currently working with the contractor on development activities and to establish project management processes. System implementation is anticipated by late 2023.

The Bureau continues to use DCA's CAS and ATS to meet its core business needs until ELM is deployed. Although no "bridge system" is being utilized, several workarounds are currently being used to satisfy program requirements or needs that cannot be met by these legacy systems.

DCA has kept Bureau leadership apprised of BreEZe costs and has worked with the Bureau to ensure BreEZe costs do not negatively impact the condition of the Bureau's three funds. As of 2018-19, the Bureau no longer pays any BreEZe-related cost.

Issue 8: Minor Services Exemption

Background: According to Business and Professions Code section 9880.1(e) "repair of motor vehicles" excludes "minor services," those that do not require mechanical expertise or do not affect a part of the vehicle necessary for its safe operation. Historically this exemption allowed for quick, mostly non-mechanical service like tire, oil, and battery changes to be done without requiring oversight and licensing. The statute also provides the Director with the regulatory authority to expand the list of exempted services based on a standard that the services are "customarily performed by gasoline service stations." As the gasoline service station model has gradually been replaced by gasoline station convenience stores, it would seem that the statute requires some modernization. Additionally, as cars have increased in technological sophistication, some services that traditionally fell under the "minor services" exemption now require specialized training. Since the previous sunset review BAR worked along with the legislature to address this issue. During the 2015-16 legislative session, AB 873 (Jones) and SB 778 (Allen) were introduced to impose oil change notification requirements and revise the definition of "repair of motor vehicles" by deleting the list of services exempt from the definition and enabled the Director, through regulation, to determine any exempted services. AB 873 was signed by Governor Brown but failed to take effect as SB 778, conjoined with AB 873, was vetoed, citing the creation of a new registration category and urging "more comprehensive review." The Bureau has also taken action to address this issue through regulation and on July 20, 2017, proposed regulatory changes to provide clarification to "minor services," including its non-application to technologically sophisticated services that may have been previously interpreted as exempted, like the swapping of hybrid battery packs or tire changes involving electronic sensor packages. The proposed regulatory package also expands the list of other minor services. The Bureau has been holding public workshops on this topic.

Committee Recommendation: The Bureau should advise the Committees of the current status of its regulatory package related to the "minor services exemption." The Bureau should also advise whether current statutory authority is sufficient to address this issue or if it requires an expansion of authority to address emerging technologies between sunset reviews.

Bureau's 2018 Response to Recommendation: Due to a lack of industry consensus at the public workshop held on July 20, 2017, the Bureau scaled back the exempted minor services portion of the regulatory proposal and held another public workshop on February 12, 2018. The Bureau is currently in the process of reviewing comments received at this second workshop.

Current statute lists specific services that are exempt from the definition of "repair of motor vehicles," and therefore do not require registration with the Bureau. The statute further provides the Bureau with regulatory authority to expand the statutory list of exempted minor services if the service is customarily performed by gasoline service stations. The Bureau can only do so provided the service to be exempted does not require mechanical expertise, has not given rise to a high incidence of fraud or deceptive practices, and does not involve a part of the vehicle essential to its safe operation. This was done in 1997, when Bureau regulations added transmission fluid changes to the list of services that are exempt from the definition of automotive repair. The regulation requires that the transmission fluid change be done without removing the transmission pan or changing the transmission filter.

However, current statute does not allow the Bureau to modify the list of exempted services. This already has become necessary for some services where mechanical expertise is required, or a safety feature of the vehicle is impacted, to work on newer vehicles due to advances in automotive technology, making a once simple procedure more complex, especially for certain makes and models of vehicles.

Current Response 2022: AB 3141 (Low, Chapter 503, Statutes of 2018) deletes the statutory list of services that were previously exempt from registration with the Bureau. Additionally, the new law allows automotive repair dealers to perform preventative maintenance services, as defined, without a written estimate, if the customer authorizes the services and specified requirements are met. No regulations were required to implement the new law.

Issue 9: Cleanup Amendments to Business and Professions Code

Background: The Bureau has indicated in its 2017 Sunset Review Report that there may be a number of changes to its statutory authority that would assist in the better implementation of its mandate.

Committee Recommendation: The Bureau should recommend cleanup amendments for Business and Professions Code section 9880 et seq. to the Committees.

Bureau's 2018 Response to Recommendation: The Bureau is not requesting any cleanup amendments to Business and Professions Code section 9880 et seq. However, a change to the Vehicle Code to authorize Bureau access to Department of Motor Vehicle (DMV) driver license information would enhance the Bureau's enforcement of statutory and regulatory requirements. The Bureau has had informal discussions with DMV on this proposal.

The identification of subjects under investigation by the Bureau is critical to the enforcement of the Automotive Repair Act, the administration of a motor vehicle inspection program, and the protection of the public. A way to enhance the Bureau's ability to accurately identify subjects of an investigation is using DMV driver license and identification card information and corresponding photographs of individuals.

In the past, the Bureau was provided access to DMV driver license information, including full-face photographs, which were used by enforcement representatives during field investigations. However, access to this information was restricted in 2010 after it was determined Bureau staff no longer had appropriate qualifications as required by statute. Similar determinations were made regarding other state agencies, including the Department of Real Estate, which has since been restored via legislation due to these technical deficiencies.

Current Response 2022: AB 3141 (Low, Chapter 503, Statutes of 2018) authorized the Bureau to receive full-face engraved photographs from the Department of Motor Vehicles for purposes of enforcing existing laws and regulations.

The Bureau welcomes the opportunity to discuss other potential amendments to the Business and Professions Code, as well as several Bureau program references in the Vehicle Code and Health and Safety Code, which are discussed in Section 12 of this report.

Issue 10: Continued Regulation by the Bureau of Automotive Repair

Background: The health, safety and welfare of consumers are protected by the presence of a strong licensing and regulatory Bureau with oversight over the automobile repair industry. The Bureau has demonstrated a commitment to preventing illegal activity within its jurisdiction and working collaboratively with the legislature and stakeholders to do so. The Bureau should be continued with a 4-year extension of its sunset date so that the Legislature may once again review whether the issues and recommendations in this Background Paper have been addressed.

Committee Recommendation: Recommend that the licensing and regulation of the automotive repair industry continue to be regulated by the California Bureau of Automotive Repair in order to protect the interests of the public and be reviewed once again in four years.

Bureau's 2018 Response to Recommendation: The Bureau agrees with the staff recommendation and is committed to protecting the health, safety, and welfare of California consumers by ensuring strong licensing and regulatory oversight of the automotive repair industry.

The Bureau appreciates the opportunity to work with the Legislature, the Administration, and our stakeholders to continue to evaluate the regulatory effectiveness of Bureau programs and the consumer protection and environmental services we provide.

Current Response 2022: The Bureau continues to fulfill its consumer protection mission through effective licensing and regulatory oversight of the automotive repair industry. The Bureau looks forward to working with the Committees during the sunset review process to address ways to improve the Bureau's continued regulation of the automotive repair industry.

Section 12
New Issues

In This Section

- Issues Raised Under Prior Sunset Review that Have Not Been Addressed
- New Issues Identified by the Bureau in this Report
- New Issues Not Previously Discussed in this Report
- New issues Raised by the Committees

Issues Raised Under Prior Sunset Review that Have Not Been Addressed

The Bureau believes it has responded to all issues identified during the prior sunset review.

New Issues Identified by the Bureau in this Report

Online Automotive Repair Referral Businesses

As discussed in Section 7 of this report, the Bureau adopted regulations in 2017 to address online advertisement of automotive repair by unlicensed individuals/businesses, particularly by those that offer mobile automotive repair services. While the regulations have been successful in addressing repairs by unlicensed individuals/businesses, online advertising by unlicensed auto repair referral businesses is an emerging challenge. Referral businesses solicit auto repair customers through online advertisements and refer the work to a licensed automotive repair dealer. The referral business collects a portion of the repair cost as payment for the referral. This activity often creates confusion for consumers who may be unaware with whom they are doing business and are authorizing to perform repairs on their vehicle.

Bureau Recommendation: To enhance transparency and ensure consumer protection, it may be appropriate to expand the Bureau's regulatory oversight over the advertisement of automotive repair work in this area.

New Issues Not Previously Discussed in this Report

Issue #1: Centralized Inspection of Model Year 1976-1995 Vehicles

The California Smog Check Program utilizes two emissions testing platforms. The BAR-97 EIS is primarily used to measure tailpipe emissions on model year 1999 and older vehicles. The BAR-OIS is primarily used to collect electronic emissions control system data from model year 2000 and newer vehicles.

Although only seven percent of the roughly 10 million inspections conducted each year are performed on model year 1995 and older vehicles using the BAR-97 EIS, approximately 20 percent of the excess emissions produced annually are a result of this older population of vehicles. Further, the cost of an inspection and maintaining the statewide network of BAR-97 EIS equipment continues to increase relative to the number of statewide inspections being performed. Currently, 92 percent of STAR stations perform less than one inspection per day using the BAR-97 EIS. By 2026, this rate is anticipated to increase to 95 percent.

Bureau Recommendation: The Bureau proposes to enhance consumer protection and improve air quality by creating a centralized testing network (possibly expanding the existing Referee system) to inspect model year 1995 and older vehicles. This proposal would result in substantial air quality benefits and improve the overall cost-effectiveness of the Smog Check Program by: (1) providing lower-cost inspections for consumers with older vehicles; (2) virtually eliminating fraudulent testing of the older-vehicle fleet and thereby improving the emission reduction potential of the program; and (3) eliminating the increasing expense to support BAR-97 EIS equipment that is becoming more

difficult to support and is rarely used at many Smog Check stations due to the rapidly declining population of older vehicles.

Issue #2: Smog Check Performance Reporting

AB 2289 (Eng, Chapter 258, Statutes of 2010) requires the Bureau, in cooperation with CARB, to perform evaluations of the Smog Check Program and report the results annually to the public. The evaluation is based primarily on data collected during roadside inspections and the results are released in the Smog Check Performance Report, published by the Bureau in July of each year.

There are several challenges to meeting this annual reporting requirement. First, the Smog Check Program is a biennial program requiring the inspection of vehicles' emission control components and systems every other year. Accordingly, the program test cycle for the entire fleet is two calendar years. Evaluation of a complete test cycle is critical to properly assess and demonstrate the effectiveness of program updates and enhancements implemented since the last report. Second, while roadside data provides the best measure of Smog Check Program performance, it is laborious and time-intensive to collect. Further, two years of roadside data is required to provide a statistically significant sample size from which to generate the report. As a result, half of the data for each annually generated report overlaps with the prior report.

Bureau Recommendation: The Bureau proposes changing the current annual reporting requirement to a biennial frequency. This change would ensure each Smog Check Performance Report provides a complete and unique evaluation of each program test cycle.

Issue #3: Confidential Investigative Information

Undercover investigative operations are critical in the Bureau's enforcement of the Automotive Repair Act and related laws and regulations. The Bureau uses various investigative techniques, including use of undercover vehicles and operators, to gather evidence in the investigation of alleged violations and to take disciplinary action against businesses that defraud consumers. The Bureau has identified several organized parties using social media outlets to distribute confidential and/or sensitive Bureau investigative information, including undercover vehicle license plate and vehicle identification numbers and photos of Bureau undercover operators. When this information becomes compromised, its usefulness in gathering evidence during an investigation is diminished or completely lost, and the safety of undercover operators is at risk.

Bureau Recommendation: The Bureau welcomes the opportunity to work with the Committees on potential solutions to this challenge.

Issue #4: Storage Fees and Insurer Referrals

Effective January 1, 2019, AB 2392 (Santiago, Chapter 434, Statutes of 2018) modified Vehicle Code (VC) section 22524.5 regarding reasonableness of storage rates and presumptively unreasonable charges when those fees are a result of an accident or recovery of a stolen vehicle. VC section 22524.5(c)(2)(A) states that towing and storage charges are deemed reasonable if they do not exceed the amount charged to a public agency such as the California Highway Patrol or local police department. This would apply to an automotive repair dealer if, in addition to performing automotive repair, they engage in the storage of vehicles for a public agency. VC section 22524.5(c)(2)(B) states that storage charges are reasonable if they are comparable to those charged by other facilities in the same area. This applies to automotive repair dealers and sets the reasonableness of the storage charges based upon other similar facilities in the same geographic/demographic area. VC section 22524.5(c)(3) states that administrative or filing fees,

security fees, dolly fees, load and unload fees, pull-out fees, and gate fees are presumptively unreasonable, which means they are presumed to be unreasonable unless rebutted with evidence.

Although storage fees do not fall directly under the jurisdiction of the Bureau, the issues are often included in complaint investigations. To provide guidance to the automotive collision industry on reasonable storage fees, the Bureau shared information in newsletter articles and at several public meetings and workshops. Additionally, in an effort to monitor industry practices, the Bureau established a dedicated email account for insurance companies to submit referrals to alert the Bureau of transactions where the insurer believes an automotive repair dealer is charging unreasonable or excessive storage rates and fees.

The dedicated email was created in January 2022 and since then the Bureau has received over 80 referrals from insurance company representatives. The majority of these referrals have involved a dispute or disagreement between the insurer, automotive repair dealer, and/or the customer due to a misunderstanding or lack of communication. With these referrals, the Bureau has worked to mediate an equitable resolution between the parties as quickly as possible.

Bureau Recommendation: The Bureau welcomes the opportunity to work with the Committees on this issue. It may be appropriate to establish new oversight to expand consumer protections in this area.

Issue #5: Automotive Repair Shop Management Software

In 2018, the Bureau adopted regulations to allow for electronic estimates and authorizations in automotive repair transactions between automotive repair dealers and consumers. The regulations also clarify related documentation language and reorganize estimate, work order, and invoice provisions to better align with real-world automotive repair transactions. Since this regulatory change, numerous vendors have marketed estimating and invoicing software to automotive repair dealers to streamline repair transaction documentation. These vendors are not subject to Bureau jurisdiction and, as such, the Bureau does not review, recommend, or approve the software. However, in the process of investigating and mediating consumer complaints, industry and Bureau representatives have identified certain issues with some software applications that inadvertently put the automotive repair dealer at risk of violating estimate, authorization, and invoice disclosure requirements.

The Bureau presented information and guidance on this issue, including potential solutions to common software issues, at the October 2022 BAG meeting and in a fall 2022 newsletter article. The Bureau continues to advise automotive repair dealers and automotive industry associations that licensees choosing to use software solutions to increase business efficiency are responsible for providing employee training on the use of the software and verifying its compliance with the Automotive Repair Act and associated laws and regulations. Further, in situations where a software issue or deficiency is identified, the licensee may override, overwrite, or otherwise correct the issue or deficiency in order to ensure the documentation is compliant.

Bureau Recommendation: The Bureau welcomes the opportunity to work with industry representatives and the Committees on potential solutions to support licensees and ensure consumer protections in this area.

Issue #6: Cleanup Amendments are Necessary

There are several technical, non-substantive amendments necessary to the Business and Professions Code, Health and Safety Code, and Vehicle Code. These are listed below:

Vehicle Safety Systems Inspection Program

- Amend Business and Professions Code section 27(c) to delete "lamp and brake stations" and add "safety systems inspection stations and vehicle safety systems technicians."
- Amend Business and Professions Code sections 9887.5, 9888.4.1, 9888.5(d), and 9889.19.1 to allow the corresponding lamp and brake adjustment programs (Articles 5, 6, and 8) and licenses to remain operative for six months after the effective date of Article 6.5 (vehicle safety systems inspection program). This will allow all three programs to run concurrently for a period of six months, easing transition from the sunset of the existing lamp and brake programs to the new vehicle safety systems inspection program.
- Amend Vehicle Code section 2525.4(b) to delete "the adjustment of lamps and or brakes" and add "vehicle safety systems."
- Amend Vehicle Code section 11519(a)(3) to update the official lamp and brake adjustment certificate required for the registration of a total loss salvage vehicle or dismantled vehicle to a certificate of compliance issued pursuant to Article 6.5 (commencing with Section 9888.5) of Chapter 20.3 of Division 3 of the Business and Profession Code.
- Amend Vehicle Code section 40616(a) to update the statutory reference to Article 6.5 (commencing with Section 9888.5) of Chapter 20.3 of Division 3 of the Business and Professions Code and Section 27150.2.

Smog Check

- Amend Vehicle Code section 27150.2(b) to update the referenced version of the Society of Automotive Engineers Standard from "J1492 October 2008" to "J1492 October 2021, or a later adopted replacement of this standard by the Society of Automotive Engineers."
- Amend Health and Safety Code section 44032 to clarify a person (i.e., Smog Check technician) qualified to perform, for compensation, tests of emission control devices or systems of motor vehicles includes both a qualified Smog Check repair technician and Smog Check inspector.
- Amend Health and Safety Code section 44072.10(c) to include clean plugging, clean glassing, clean tanking, or any other fraudulent inspection practice.

New Issues Raised by the Committees

The Bureau looks forward to working with the Committees on new items identified during the sunset review process.

Section 13
Appendices

Appendix 1: Table 1a.1 – Bureau Advisory Group Membership

Appendix 2: Table 1a.2 – Bureau Advisory Group Member Meeting Attendance

Appendix 3: Table 1b.1 – Educational Advisory Group Membership

Appendix 4: Table 1b.2 – Educational Advisory Group Member Meeting Attendance

Appendix 5: Table 2 – Fund Condition

Appendix 6: Table 3 – Expenditures by Program Component

Appendix 7: Table 4 – Fee Schedule and Revenue

Appendix 8: Table 5 – Budget Change Proposals

Appendix 9: Table 6 – Licensee Population

Appendix 10: Table 7a – Licensing Data by Type

Appendix 11: Table 7b – License Denial

Appendix 12: Table 8 – Examination Data

Appendix 13: Table 9 – Enforcement Statistics

Appendix 14: Table 10 – Enforcement Aging

Appendix 15: Table 11 – Cost Recovery

Appendix 16: Table 12 – Restitution

Appendix 1: Table 1a.1 – Bureau Advisory Group Membership

Association/Organization[1]	Current Representative(s) Name	Membership Type
AAA Northern California	Jason Mangels	Consumer
Automobile Club of Southern California	Megan McKernan	Consumer
Automotive Maintenance and Repair Association/ Motorist Assurance Program	Jeff Cox	Consumer/Repair Industry
Automotive Oil Change Association	Mathew Webb	Repair Industry
Automotive Service Councils of California	David Kusa	Repair Industry
California Auto Body Association	Jack Molodanof	Repair Industry
California Automotive Business Coalition	Johan Gallo	Repair Industry
California Automotive Teachers	Andrew McGee Ruben Parra	Education
California Automotive Wholesalers' Association	Gary Conover	Parts Industry
California New Car Dealers Association	Brian Maas	Repair Industry
Independent Automotive Professionals Association	Nikki Ayers	Repair Industry
Inter-Industry Conference on Auto Collision Repair	David Robinette	Education
Knox, Lemmon & Anapolsky, LLP	Louis J. Anapolsky	Repair Industry
Personal Insurance Federation of California	Seren Taylor	Insurance Industry

[1] BAG member associations/organizations are represented by a designated representative(s). The designated representative(s) and/or assigned alternate represents the member association/organization in BAG activities and meetings.

Appendix 2: Table 1a.2 – Bureau Advisory Group Member Meeting Attendance

Meeting Date	AAA Northern California	Automobile Club of Southern California	Automotive Maintenance and Repair Association/Motorist Assurance Program	Automotive Oil Change Association	Automotive Service Councils of California	California Auto Body Association	California Automotive Business Coalition	California Automotive Teachers	California Automotive Wholesalers' Association[1]	California New Car Dealers Association	Independent Automotive Professionals Association	Inter-Industry Conference on Auto Collision Repair	Knox, Lemmon & Anapolsky, LLP	Personal Insurance Federation of California[2]
07/20/2017	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	N/A
10/19/2017	Yes	Yes	No	No	No	Yes	Yes	Yes	N/A	No	Yes	No	No	N/A
01/18/2018	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	No	Yes	Yes	Yes	N/A
04/18/2018	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
07/12/2018	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	N/A
10/18/2018	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
01/17/2019	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	N/A
04/18/2019	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
07/18/2019	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
10/17/2019	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	N/A
01/23/2020	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
04/23/2020[3]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
07/16/2020	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	N/A
10/22/2020	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	N/A
01/28/2021	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
04/22/2021	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
07/15/2021	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
10/21/2021	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A
01/27/2022	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
04/20/2022[3]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

[1] The California Automotive Wholesalers' Association joined BAG in February 2018.

[2] The Personal Insurance Federation of California joined BAG in January 2022.

[3] The Bureau canceled the April 23, 2020 and April 20, 2022 meetings.

Appendix 3: Table 1b.1 – Educational Advisory Group Membership

Member Name	Membership Type
Phil Fournier	Educator
Gary Houseman	Technician
Craig Johnson	Station Owner
Mike Morse	Educator
Ruben Parra	Educator
Bud Rice	Station Owner
Kevin Rogers	Educator
Steve Tomory	Educator

Appendix 4: Table 1b.2 – Educational Advisory Group Member Meeting Attendance

Member Name	12/08/2018	12/06/2019	06/03/2021	01/13/2022
Phil Fournier	Yes	Yes	Yes	Yes
Gary Houseman	No	Yes	No	No
Craig Johnson	Yes	No	No	Yes
Mike Morse	Yes	Yes	No	No
Ruben Parra	Yes	Yes	Yes	No
Bud Rice	Yes	Yes	Yes	Yes
Kevin Rogers	Yes	Yes	Yes	Yes
Steve Tomory	Yes	No	Yes	Yes

Appendix 5: Table 2 – Fund Condition (1 of 3)

Vehicle Inspection and Repair Fund (VIRF)[1]

(Dollars in Thousands)

Item	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22[2]	FY 2022-23[3]	FY 2023-24[4]
Beginning Balance[5]	$119,039	$121,252	$115,856	$227,284	$190,118	$140,747	$117,100
Revenues and Transfers	$130,629	$128,282	$256,333	$135,626	$129,133	$135,181	$134,783
Total Resources	$249,668	$249,534	$372,189	$332,910	$298,251	$275,928	$251,883
Budget Authority	$0	$0	$0	$0	$0	$0	$0
Expenditures[6]	$137,396	$133,984	$150,824	$142,792	$148,504	$158,828	$163,250
Loans to General Fund	$0	$0	$0	-$30,000	$0	$0	$0
Accrued Interest, Loans to General Fund[7]	$0	$0	$38,179	$0	$0	$0	$0
Loans Repaid from General Fund	$0	$0	$90,000	$0	$0	$0	$0
Fund Balance	$112,272	$115,550	$221,365	$190,118	$140,747	$117,100	$88,633
Months in Reserve	9.9	9.2	18.5	15.4	10.6	8.6	6.3

[1] Figures reflected in this table are from final year-end financial statements that are provided to the State Controller's Office. Due to transitional challenges with FI$Cal, final year-end statements may not match figures displayed in the Governor's budget.

[2] FY 2021-22 amounts are projected.

[3] FY 2022-23 amounts are projected based on full expenditure appropriation.

[4] FY 2023-24 amounts are projected based on full expenditure appropriation.

[5] Beginning balance includes prior year adjustments.

[6] Expenditures include direct appropriations to State Controller's Office, FI$Cal, and CARB.

[7] Accrued interest from loans to general fund is included in revenues and transfers.

Appendix 5 – Table 2. Fund Condition (2 of 3)

High Polluter Repair or Removal Account (HPRRA)[8]

(Dollars in Thousands)

Item	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22[9]	FY 2022-23[10]	FY 2023-24[11]
Beginning Balance[12]	$47,880	$59,932	$71,334	$81,501	$18,915	$28,733	$21,539
Revenues and Transfers	$47,567	$49,142	$48,168	-$14,132	$41,832	$47,016	$47,165
Total Resources	$95,447	$109,074	$119,502	$67,369	$60,747	$75,749	$68,704
Budget Authority	$0	$0	$0	$0	$0	$0	$0
Expenditures[13]	$38,960	$37,657	$37,745	$42,855	$32,014	$54,210	$55,811
Loans to General Fund	$0	$0	$0	-$60,000	$0	$0	$0
Accrued Interest, Loans to General Fund[14]	$0	$0	$0	$0	$0	$0	$0
Loans Repaid from General Fund	$0	$0	$0	$0	$0	$0	$0
Fund Balance	$54,635	$72,667	$81,757	$18,915	$28,733	$21,539	$12,893
Months in Reserve	18.0	23.1	19.7	7.1	6.4	4.6	2.7

[8] Figures reflected in this table are from final year-end financial statements that are provided to the State Controller's Office. Due to transitional challenges with FI$Cal, final year-end statements may not match figures displayed in the Governor's budget.

[9] FY 2021-22 amounts are projected.

[10] FY 2022-23 amounts are projected based on full expenditure appropriation. This projection may be high if recent increases in used car prices continue.

[11] FY 2023-24 amounts are projected based on full expenditure appropriation. This projection may be high if recent increases in used car prices continue.

[12] Beginning balance includes prior year adjustments.

[13] Expenditures include direct appropriations to State Controller's Office, FI$Cal, and CARB. FY 2020-21 expenditures include prior year adjustment based on decrease to previously included encumbrances.

[14] Accrued interest from loans to general fund is included in revenues and transfers.

Appendix 5 – Table 2. Fund Condition (3 of 3)

Enhanced Fleet Modernization Subaccount (EFMS)[15]

(Dollars in Thousands)

Item	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22[16]	FY 2022-23[17]	FY 2023-24[18]
Beginning Balance[19]	$29,625	$25,746	$21,181	$15,774	$13,972	$25,438	$26,143
Revenues and Transfers	$33,672	$33,724	$33,672	$31,129	$33,591	$34,115	$34,290
Total Resources	$63,297	$59,470	$54,853	$46,903	$47,563	$59,553	$60,433
Budget Authority	$0	$0	$0	$0	$0	$0	$0
Expenditures[20]	$35,335	$39,136	$39,053	$32,931	$22,125	$34,410	$34,409
Loans to General Fund	$0	$0	$0	-$3,400	$0	$0	$0
Accrued Interest, Loans to General Fund[21]	$0	$0	$0	$0	$0	$0	$0
Loans Repaid from General Fund	$0	$0	$0	$0	$0	$0	$0
Fund Balance	$27,962	$20,334	$15,800	$13,972	$25,438	$26,143	$26,024
Months in Reserve	8.6	6.2	5.8	7.6	9.1	9.1	8.8

[15] Figures reflected in this table are from final year-end financial statements that are provided to the State Controller's Office. Due to transitional challenges with FI$Cal, final year-end statements may not match figures displayed in the Governor's budget.

[16] FY 2021-22 amounts are projected.

[17] FY 2022-23 amounts are projected based on full expenditure appropriation. This projection may be high if recent increases in used car prices continue.

[18] FY 2023-24 amounts are projected based on full expenditure appropriation. This projection may be high if recent increases in used car prices continue.

[19] Beginning balance includes prior year adjustments.

[20] Expenditures include direct appropriations to State Controller's Office, FI$Cal, and CARB.

[21] Accrued interest from loans to general fund is included in revenues and transfers.

Appendix 6: Table 3 – Expenditures by Program Component (1 of 2)

Vehicle Inspection and Repair Fund (VIRF)

(Dollars in Thousands)

Unit	FY 2017-18 Personnel Services	FY 2017-18 OE&E	FY 2018-19 Personnel Services	FY 2018-19 OE&E	FY 2019-20 Personnel Services	FY 2019-20 OE&E	FY 2020-21 Personnel Services	FY 2020-21 OE&E	FY 2021-22 Personnel Services	FY 2021-22 OE&E[1]
Administration[2]	$17,064	$11,261	$20,445	$13,801	$21,277	$16,907	$18,845	$17,016	$20,735	$15,336
Licensing	$2,628	$1,762	$3,589	$2,456	$3,747	$3,010	$3,330	$3,029	$3,663	$2,730
Enforcement	$35,284	$23,642	$33,367	$22,831	$34,823	$27,972	$30,950	$28,153	$34,044	$25,373
DCA Pro Rata[3]	$0	$13,357	$0	$14,989	$0	$15,745	$0	$15,111	$0	$17,472
Total PS & OE&E	$0	$104,998	$0	$111,478	$0	$123,480	$0	$116,434	$0	$119,353
TOTALS[4]	$54,976	$50,022	$57,401	$54,077	$59,846	$6,3,634	$53,125	$63,309	$58,417	$60,911

High Polluter Repair or Removal Account (HPRRA)

(Dollars in Thousands)

Unit	FY 2017-18 Personnel Services	FY 2017-18 OE&E	FY 2018-19 Personnel Services	FY 2018-19 OE&E	FY 2019-20 Personnel Services	FY 2019-20 OE&E	FY 2020-21 Personnel Services	FY 2020-21 OE&E	FY 2021-22 Personnel Services	FY 2021-22 OE&E[4]
Program	$5,265	$30,194	$5,598	$28,574	$5,914	$29,593	$5,353	$37,502	$6,217	$23,271
DCA Pro Rata[2]	$0	$1,306	$0	$1,585	$0	$1,569	$0	$1,508	$0	$1,772
Total PS & OE&E	$0	$36,765	$0	$35,757	$0	$37,076	$0	$42,855	$0	$31,260
TOTALS[3]	$5,265	$31,500	$5,598	$30,159	$5,914	$31,162	$5,353	$37,502	$6,217	$25,043

[1] FY 2021-22 amounts are projected from fiscal month 11.

[2] Administration includes costs for executive staff, Bureau, administrative support, and fiscal services.

[3] DCA Pro Rata included in OE&E (Operating Expense and Equipment).

[4] Collected reimbursements are not included in expenditures.

Appendix 6: Table 3 – Expenditures by Program Component (2 of 2)

Enhanced Fleet Modernization Subaccount (EFMS)

(Dollars in Thousands)

Unit	FY 2017-18 Personnel Services	FY 2017-18 OE&E	FY 2018-19 Personnel Services	FY 2018-19 OE&E	FY 2019-20 Personnel Services	FY 2019-20 OE&E	FY 2020-21 Personnel Services	FY 2020-21 OE&E	FY 2021-22 Personnel Services	FY 2021-22 OE&E[5]
Program	$496	$34,521	$560	$35,517	$510	$35,437	$556	$29,269	$694	$18,278
DCA Pro Rata[6]	$0	$181	$0	$210	$0	$245	$0	$235	$0	$269
Total PS & OE&E	$0	$35,198	$0	$36,287	$0	$36,192	$0	30,060	$0	$19,241
TOTALS[7]	$496	$34,702	$560	$35,727	$510	$35,682	$556	$29,504	$694	$18,547

[5] FY 2021-22 amounts are projected from fiscal month 11.

[6] DCA Pro Rata included in OE&E (Operating Expense and Equipment).

[7] Collected reimbursements are not included in expenditures.

Appendix 7: Table 4 – Fee Schedule and Revenue

Fee	Current Fee Amount	Statutory Limit	FY 2017/18 Revenue	FY 2018/19 Revenue	FY 2019/20 Revenue	FY 2020/21 Revenue	FY 2021/22 Revenue[1]	% of Total Revenue
Automotive Repair Dealer[2] (Initial)	$200	$200	$855,800	$764,800	$636,142	$686,800	$660,296	7.99%
Automotive Repair Dealer (Renewal)	$200	$200	$6,777,274	$6,964,125	$6,658,069	$6,807,125	$6,695,315	81.04%
Smog Check Station[3] (Initial)	$100	$100	$97,250	$86,000	$76,010	$66,100	$40,110	.49%
Smog Check Station (Renewal)	$100	$100	$686,405	$681,895	$638,050	$638,800	$630,565	7.63%
Brake and Lamp Station (Initial)	$10	$10	$3,600	$3,705	$2,760	$1,990	$1,440	.02%
Brake and Lamp Station (Renewal)	$5	$5	$9,465	$9,545	$8,880	$8,700	$7,925	0.10%
Smog Check Inspector and Repair Technician (Initial)	$20	$20	$50,080	$47,720	$34,660	$39,180	$41,110	0.50%
Smog Check Inspector and Repair Technician (Renewal)	$20	$20	$209,212	$205,495	$189,000	$187,520	$172,710	2.09 %
Brake and Lamp Adjuster (Initial)[4]	$10	$10	$13,752	$12,682	$10,710	$12,337	$12,284	0.15%

[1] FY 2021-22 amounts are projected from fiscal month 11.

[2] Registration

[3] Test-and-repair, test-only, and repair-only stations

[4] Licenses for brake and lamp adjusters are valid for four years.

Appendix 8: Table 5 – Budget Change Proposals (BCPs)

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services # Staff Requested	Personnel Services # Staff Approved	Personnel Services $ Requested	Personnel Services $ Approved	OE&E $ Requested	OE&E $ Approved
1111-01	2020-21	Increase the HPRRA vehicle retirement schedule by $9,500,000 and reduce by $7,500,000 the off-cycle vehicle retirement schedule of the EFMS, a net augmentation of $2,000,000, to allow the Bureau to meet the annual consumer demand to retire high-polluting vehicles.	N/A	N/A	N/A	N/A	$9,500,000	$9,500,000
1111-01	2021-22	Augment the HPRRA repair assistance schedule by $2,300,000 in 2021-22 and 2022-23 to increase repair assistance to consumers when vehicles fail a Smog Check inspection.	N/A	N/A	N/A	N/A	$2,300,000	$2,300,000

Appendix 9: Table 6 – Licensee Population (1 of 4)

License Type/Status	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Automotive Repair Dealer[1] – Active[2]	36,893	36,304	35,186	35,468	34,093
Automotive Repair Dealer – Active-Out of State[3]	N/A	N/A	N/A	N/A	N/A
Automotive Repair Dealer – Active-Out of Country[3]	N/A	N/A	N/A	N/A	N/A
Automotive Repair Dealer – Delinquent/Expired	4,981	5,676	6,529	6,423	7,261
Automotive Repair Dealer – Retired Status	N/A	N/A	N/A	N/A	N/A
Automotive Repair Dealer – Inactive	143	142	148	151	149
Automotive Repair Dealer – Other[4]	956	835	690	419	434
Smog Check Test-and-Repair Station – Active	5,109	4,901	4,683	4,616	4,425
Smog Check Test-and-Repair Station – Active-Out of State	N/A	N/A	N/A	N/A	N/A
Smog Check Test-and-Repair Station – Active-Out of Country	N/A	N/A	N/A	N/A	N/A
Smog Check Test-and-Repair Station – Delinquent/Expired	507	528	566	564	603
Smog Check Test-and-Repair Station – Retired Status	N/A	N/A	N/A	N/A	N/A
Smog Check Test-and-Repair Station – Inactive	413	443	471	517	565
Smog Check Test-and-Repair Station – Other	360	391	184	127	135
Smog Check Test-Only Station – Active	2,114	2,042	1,987	1,971	1,937
Smog Check Test-Only Station – Active-Out of State	N/A	N/A	N/A	N/A	N/A
Smog Check Test-Only Station – Active-Out of Country	N/A	N/A	N/A	N/A	N/A
Smog Check Test-Only Station – Delinquent/Expired	229	192	178	174	204
Smog Check Test-Only Station – Retired Status	N/A	N/A	N/A	N/A	N/A
Smog Check Test-Only Station – Inactive	192	187	201	202	230
Smog Check Test-Only Station – Other	659	462	195	169	167

[1] Registration

[2] Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

[3] A business must be located and conducting business in California to be licensed by the Bureau.

[4] Other is defined as a status type that does not allow practice in California, other than inactive.

Appendix 9: Table 6 – Licensee Population (2 of 4)

License Type/Status	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Smog Check Repair-Only Station – Active	42	42	38	41	35
Smog Check Repair-Only Station – Active-Out of State	N/A	N/A	N/A	N/A	N/A
Smog Check Repair-Only Station – Active-Out of Country	N/A	N/A	N/A	N/A	N/A
Smog Check Repair-Only Station – Delinquent/Expired	7	6	6	2	4
Smog Check Repair-Only Station – Retired Status	N/A	N/A	N/A	N/A	N/A
Smog Check Repair-Only Station – Inactive	35	34	37	37	38
Smog Check Repair-Only Station – Other	0	0	0	0	0
Brake Station – Active	1,063	1,004	954	891	790
Brake Station – Active-Out of State	N/A	N/A	N/A	N/A	N/A
Brake Station – Active-Out of Country	N/A	N/A	N/A	N/A	N/A
Brake Station – Delinquent/Expired	148	130	132	122	121
Brake Station – Retired Status	N/A	N/A	N/A	N/A	N/A
Brake Station – Inactive	428	456	498	533	559
Brake Station – Other	101	119	92	46	52
Lamp Station – Active	1,002	964	881	836	787
Lamp Station – Active-Out of State	N/A	N/A	N/A	N/A	N/A
Lamp Station – Active-Out of Country	N/A	N/A	N/A	N/A	N/A
Lamp Station – Delinquent/Expired	139	125	122	114	120
Lamp Station – Retired Status	N/A	N/A	N/A	N/A	N/A
Lamp Station – Inactive	403	438	460	500	522
Lamp Station – Other	101	123	83	47	56

Appendix 9: Table 6 – Licensee Population (3 of 4)

License Type/Status	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Smog Check Inspector – Active	15,200	14,866	13,883	13,685	13,244
Smog Check Inspector – Active-Out of State	0	0	0	0	0
Smog Check Inspector – Active-Out of Country	0	0	0	0	0
Smog Check Inspector – Delinquent/Expired	4,527	5,386	6,613	7,291	8,216
Smog Check Inspector – Retired Status	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – Inactive	0	1	0	0	0
Smog Check Inspector – Other	1013	899	387	301	312
Smog Check Repair Technician – Active	8,542	8,054	7,059	6,786	6,030
Smog Check Repair Technician – Active-Out of State	0	0	0	0	0
Smog Check Repair Technician – Active-Out of Country	0	0	0	0	0
Smog Check Repair Technician – Delinquent/Expired	5,026	5,620	6,676	7,104	7,960
Smog Check Repair Technician – Retired Status	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – Inactive	0	0	0	0	0
Smog Check Repair Technician – Other	462	481	224	166	146
Brake Adjuster – Active	1,563	1,527	1,228	1,048	809
Brake Adjuster – Active-Out of State	0	0	0	0	0
Brake Adjuster – Active-Out of Country	0	0	0	0	0
Brake Adjuster – Delinquent/Expired	991	954	965	1,028	1,051
Brake Adjuster – Retired Status	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – Inactive	15	15	14	15	15
Brake Adjuster – Other	89	104	87	29	44

Appendix 9: Table 6 – Licensee Population (4 of 4)

License Type/Status	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Lamp Adjuster – Active	1,414	1,355	1,156	930	690
Lamp Adjuster – Active-Out of State	0	0	0	0	0
Lamp Adjuster – Active-Out of Country	0	0	0	0	0
Lamp Adjuster – Delinquent/Expired	896	847	909	912	932
Lamp Adjuster – Retired Status	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – Inactive	14	13	14	13	13
Lamp Adjuster – Other	85	96	87	30	42
STAR Station[5] – Active	4,453	4,035	3,832	3,832	3,744
STAR Station – Active-Out of State	N/A	N/A	N/A	N/A	N/A
STAR Station – Active-Out of Country	N/A	N/A	N/A	N/A	N/A
STAR Station – Delinquent/Expired	N/A	N/A	N/A	N/A	N/A
STAR Station – Retired Status	N/A	N/A	N/A	N/A	N/A
STAR Station – Inactive	N/A	N/A	N/A	N/A	N/A
STAR Station – Other	692	898	909	823	549

[5] Certification

Appendix 10: Table 7a – Licensing Data by Type (1 of 5)

Fiscal Year 2017-18 Licensing Data by Type

Application Type	Received	Approved/ Issued	Closed	Pending Applications - Total (Close of FY)	Pending Applications - Complete (within Bureau control)	Pending Applications - Incomplete (outside Bureau control)	Cycle Times- Complete Applications	Cycle Times- Incomplete Applications
Automotive Repair Dealer[1] – License	3,673	3,578	3,578	N/A	N/A	N/A	N/A	N/A
Automotive Repair Dealer – Renewal	34,148	34,148	34,148	N/A	N/A	N/A	N/A	N/A
Smog Check Test-and-Repair Station – License	473	428	428	N/A	N/A	N/A	N/A	N/A
Smog Check Test-and-Repair Station – Renewal	4,879	4,879	4,879	N/A	N/A	N/A	N/A	N/A
Smog Check Test-Only Station – License	464	380	380	N/A	N/A	N/A	N/A	N/A
Smog Check Test-Only Station – Renewal	1,787	1,905	1,905	N/A	N/A	N/A	N/A	N/A
Smog Check Repair-Only Station – License	14	9	9	N/A	N/A	N/A	N/A	N/A
Smog Check Repair-Only Station – Renewal	37	37	37	N/A	N/A	N/A	N/A	N/A
Brake Station – License	167	151	151	N/A	N/A	N/A	N/A	N/A
Brake Station – Renewal	969	969	969	N/A	N/A	N/A	N/A	N/A
Lamp Station – License	156	142	142	N/A	N/A	N/A	N/A	N/A
Lamp Station – Renewal	915	915	915	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – License	1,388	839	839	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – Renewal	6,409	6,409	6,409	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – License	598	287	287	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – Renewal	3,534	3,534	3,534	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – License	456	140	140	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – Renewal	265	265	265	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – License	444	119	119	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – Renewal	259	259	259	N/A	N/A	N/A	N/A	N/A
STAR Station[2]	929	292	292	N/A	N/A	N/A	N/A	N/A

[1] Registration

[2] Certification

Appendix 10: Table 7a – Licensing Data by Type (2 of 5)

Fiscal Year 2018-19 Licensing Data by Type

Application Type	Received	Approved/ Issued	Closed	Pending Applications - Total (Close of FY)	Pending Applications - Complete (within Bureau control)	Pending Applications - Incomplete (outside Bureau control)	Cycle Times- Complete Applications	Cycle Times- Incomplete Applications
Automotive Repair Dealer[3] – License	3,731	3,116	3,116	973	N/A	N/A	28	76
Automotive Repair Dealer – Renewal	33,431	32,535	32,535	0	0	0	N/A	N/A
Smog Check Test-and-Repair Station – License	418	379	379	103	N/A	N/A	67	201
Smog Check Test-and-Repair Station – Renewal	4,654	4,548	4,548	0	0	0	N/A	N/A
Smog Check Test-Only Station – License	430	339	339	121	N/A	N/A	64	169
Smog Check Test-Only Station – Renewal	1,820	1,780	1,780	0	0	0	N/A	N/A
Smog Check Repair-Only Station – License	18	6	6	3	N/A	N/A	39	197
Smog Check Repair-Only Station – Renewal	40	36	36	0	0	0	N/A	N/A
Brake Station – License	153	116	116	48	N/A	N/A	58	241
Brake Station – Renewal	913	913	913	0	0	0	N/A	N/A
Lamp Station – License	147	113	113	46	N/A	N/A	57	202
Lamp Station – Renewal	877	877	877	0	0	0	N/A	N/A
Smog Check Inspector – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – License	1,935	856	856	675	N/A	N/A	N/A	N/A
Smog Check Inspector – Renewal	6,243	6,284	6,284	0	0	0	N/A	N/A
Smog Check Repair Technician – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – License	879	247	247	409	N/A	N/A	19	185
Smog Check Repair Technician – Renewal	3,301	3,318	3,318	0	0	0	N/A	N/A
Brake Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – License	620	398	398	277	N/A	N/A	13	N/A
Brake Adjuster – Renewal	266	354	354	0	0	0	13	N/A
Lamp Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – License	599	321	321	319	N/A	N/A	11	N/A
Lamp Adjuster – Renewal	221	378	378	0	0	0	11	N/A
STAR Station[4]	712	394	394	59	N/A	N/A	40	49

[3] Registration

[4] Certification

Appendix 10: Table 7a – Licensing Data by Type (3 of 5)

Fiscal Year 2019-20 Licensing Data by Type

Application Type	Received	Approved/ Issued	Closed	Pending Applications - Total (Close of FY)	Pending Applications - Complete (within Bureau control)	Pending Applications - Incomplete (outside Bureau control)	Cycle Times- Complete Applications	Cycle Times- Incomplete Applications
Automotive Repair Dealer[5] – License	3,099	2,784	2,784	778	N/A	N/A	24	66
Automotive Repair Dealer – Renewal	33,580	32,001	32,001	0	0	0	N/A	N/A
Smog Check Test-and-Repair Station – License	373	380	380	78	N/A	N/A	49	96
Smog Check Test-and-Repair Station – Renewal	4,543	4,360	4,360	0	0	0	N/A	N/A
Smog Check Test-Only Station – License	303	283	283	77	N/A	N/A	44	136
Smog Check Test-Only Station – Renewal	1,870	1,785	1,785	0	0	0	N/A	N/A
Smog Check Repair-Only Station – License	10	6	6	3	N/A	N/A	26	80
Smog Check Repair-Only Station – Renewal	38	36	36	0	0	0	N/A	N/A
Brake Station – License	123	102	102	29	N/A	N/A	44	113
Brake Station – Renewal	921	921	921	0	0	0	5	N/A
Lamp Station – License	114	94	94	28	N/A	N/A	50	132
Lamp Station – Renewal	851	851	851	0	0	0	N/A	N/A
Smog Check Inspector – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – License	1,317	523	523	672	N/A	N/A	23	55
Smog Check Inspector – Renewal	6,084	6,360	6,360	0	0	0	N/A	N/A
Smog Check Repair Technician – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – License	717	209	209	420	N/A	N/A	22	111
Smog Check Repair Technician – Renewal	2,912	3,265	3,265	0	0	0	N/A	N/A
Brake Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – License	446	157	157	333	N/A	N/A	17	N/A
Brake Adjuster – Renewal	124	322	322	0	0	0	17	N/A
Lamp Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – License	437	138	138	337	N/A	N/A	14	0
Lamp Adjuster – Renewal	109	328	328	0	0	0	14	N/A
STAR Station[6]	710	380	380	48	N/A	N/A	22	47

[5] Registration

[6] Certification

Appendix 10: Table 7a – Licensing Data by Type (4 of 5)

Fiscal Year 2020-21 Licensing Data by Type

Application Type	Received	Approved/ Issued	Closed	Pending Applications - Total (Close of FY)	Pending Applications - Complete (within Bureau control)	Pending Applications - Incomplete (outside Bureau control)	Cycle Times- Complete Applications	Cycle Times- Incomplete Applications
Automotive Repair Dealer[7] – License	3,233	2,729	2,729	772	N/A	N/A	27	87
Automotive Repair Dealer – Renewal	32,077	32,077	32,077	0	0	0	N/A	N/A
Smog Check Test-and-Repair Station – License	351	312	312	70	N/A	N/A	41	137
Smog Check Test-and-Repair Station – Renewal	4,269	4,269	4,269	0	0	0	N/A	N/A
Smog Check Test-Only Station – License	240	209	209	51	N/A	N/A	37	184
Smog Check Test-Only Station – Renewal	1,792	1,792	1,792	0	0	0	N/A	N/A
Smog Check Repair-Only Station – License	5	4	4	2	N/A	N/A	46	214
Smog Check Repair-Only Station – Renewal	37	37	37	0	0	0	N/A	N/A
Brake Station – License	94	76	76	26	N/A	N/A	28	200
Brake Station – Renewal	847	847	847	0	0	0	N/A	N/A
Lamp Station – License	88	74	74	0	0	0	36	154
Lamp Station – Renewal	794	794	794	0	0	0	N/A	N/A
Smog Check Inspector – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – License	1,327	633	633	828	N/A	N/A	28	149
Smog Check Inspector – Renewal	5,931	6,570	6,570	0	0	0	N/A	N/A
Smog Check Repair Technician – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – License	613	254	254	419	N/A	N/A	29	217
Smog Check Repair Technician – Renewal	2,706	6,570	6,570	0	0	0	N/A	N/A
Brake Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – License	614	162	162	471	N/A	N/A	17	N/A
Brake Adjuster – Renewal	143	471	471	0	0	0	17	N/A
Lamp Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – License	621	127	127	512	N/A	N/A	19	N/A
Lamp Adjuster – Renewal	114	507	507	0	0	0	19	N/A
STAR Station[8]	495	250	250	16	N/A	N/A	16	50

[7] Registration

[8] Certification

Appendix 10: Table 7a – Licensing Data by Type (5 of 5)

Fiscal Year 2021-22 Licensing Data by Type

Application Type	Received	Approved/ Issued	Closed	Pending Applications - Total (Close of FY)	Pending Applications - Complete (within Bureau control)	Pending Applications - Incomplete (outside Bureau control)	Cycle Times- Complete Applications	Cycle Times- Incomplete Applications
Automotive Repair Dealer[9] – License	3,476	2,630	2,630	1,041	358	683	17	55
Automotive Repair Dealer – Renewal	31,981	31,981	31,981	0	0	0	N/A	N/A
Smog Check Test-and-Repair Station – License	385	316	316	141	27	114	20	47
Smog Check Test-and-Repair Station – Renewal	4,233	4,233	4,233	0	0	0	N/A	N/A
Smog Check Test-Only Station – License	248	205	205	46	26	20	28	51
Smog Check Test-Only Station – Renewal	1,831	1,831	1,831	0	0	0	N/A	N/A
Smog Check Repair-Only Station – License	6	2	2	3	2	1	28	40
Smog Check Repair-Only Station – Renewal	36	36	36	0	0	0	N/A	N/A
Brake Station – License	65	60	60	15	9	6	23	47
Brake Station – Renewal	769	769	769	0	0	0	N/A	N/A
Lamp Station – License	68	53	53	20	11	9	31	46
Lamp Station – Renewal	762	762	762	0	0	0	N/A	N/A
Smog Check Inspector – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Inspector – License	1,413	587	587	506	0	506	50	81
Smog Check Inspector – Renewal	5,798	5,798	5,798	0	0	0	N/A	N/A
Smog Check Repair Technician – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Smog Check Repair Technician – License	632	170	170	269	0	269	67	100
Smog Check Repair Technician – Renewal	2,738	2,738	2,738	0	0	0	N/A	N/A
Brake Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Brake Adjuster – License	662	20	20	199	0	199	54	59
Brake Adjuster – Renewal	170	170	170	0	0	0	54	59
Lamp Adjuster – Exam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lamp Adjuster – License	664	18	18	208	0	208	47	70
Lamp Adjuster – Renewal	159	158	158	0	0	0	47	70
STAR Station[10]	363	266	266	42	26	16	19	45

[9] Registration

[10] Certification

Appendix 11: Table 7b – License Denial

License Denial Activity	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
License Applications Denied (no hearing requested)	174	168	113	117	126
Statement of Issues Filed	35	41	41	34	52
Average Days to File Statement of Issues (from request for hearing to Statement of Issues filed)	152	169	105	108	129
Statement of Issues Declined	0	0	0	0	0
Statement of Issues Withdrawn	11	11	11	11	3
Statement of Issues Dismissed (license granted)	0	0	0	0	0
License Issued with Probation/Probationary License Issued	10	6	7	9	6
Average Days to Complete from Statement of Issues Filing to Outcome	452	250	281	297	228

Appendix 12: Table 8 – Examination Data

California Examination[1]	Smog Check Inspector Exam	Smog Check Repair Technician Exam	Brake Adjuster Exam	Lamp Adjuster Exam
FY 2017-18 – Number of First Time Candidates	2,273	792	580	711
FY 2017-18 – Overall Pass Rate	42%	43%	76%	55%
FY 2017-18 – Overall Fail Rate	58%	57%	24%	45%
FY 2018-19 – Number of First Time Candidates	2,168	801	571	652
FY 2018-19 – Overall Pass Rate	41%	38%	72%	51%
FY 2018-19 – Overall Fail Rate	59%	62%	28%	49%
FY 2019-20 – Number of First Time Candidates	1,348	608	453	552
FY 2019-20 – Overall Pass Rate	42%	46%	78%	53%
FY 2019-20 – Overall Fail Rate	58%	54%	22%	47%
FY 2020-21 – Number of First Time Candidates	1,693	558	564	595
FY 2020-21 – Overall Pass Rate	43%	47%	30%	23%
FY 2020-21 – Overall Fail Rate	58%	53%	70%	77%
FY 2021-22 – Number of First Time Candidates	1660	534	648	696
FY 2021-22 – Overall Pass Rate	38%	46%	46%	32%
FY 2021-22 – Overall Fail Rate	62%	54%	54%	68%
Date of Last OA[2]	2022	2021	2018	2018
Name of OA Developer	OPES[3]	OPES	OPES	OPES
Target OA Date	2027	2026	2023	2023

[1] The Bureau does not administer any national examinations. However, Smog Check inspector and Smog Check repair technician license applicants may elect to take nationally sponsored Automotive Service Excellence (ASE) courses as one option to meet skill, knowledge, and experience requirements for the California examination.

[2] Occupational Analysis

[3] DCA Office of Professional Examination Services

Appendix 13: Table 9 – Enforcement Statistics (1 of 6)

Complaints[1]	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Intake – Received	18,986	18,230	14,592	14,797	16,303
Intake – Closed without Referral for Investigation	86	65	41	91	75
Intake – Referred to Investigation	19,000	18,147	14,567	14,686	16,242
Intake – Pending (close of FY)	93	101	74	94	78
Conviction/Arrest – Conviction Received	0	0	0	0	0
Conviction/Arrest – Conviction Closed Without Referral for Investigation	0	0	0	0	0
Conviction/Arrest – Referred to Investigation	0	0	0	0	0
Conviction/Arrest – Conviction Pending (close of FY)	0	0	0	0	0
Source of Complaint – Public	13,620	13,127	12,100	12,783	14,086
Source of Complaint – Licensee/Professional Groups	12	9	5	2	0
Source of Complaint – Governmental Agencies	11	8	7	2	1
Source of Complaint – Internal	5,333	5,077	2,479	2,003	2,206
Source of Complaint – Other	0	0	0	0	0
Source of Complaint – Anonymous	10	9	1	7	10
Average Time to Refer for Investigation (from receipt of complaint/conviction to referral for investigation)	3	3	3	2	2
Average Time to Closure (from receipt of complaint/conviction to closure at intake)	49	40	41	40	42
Average Time at Intake (from receipt of complaint/conviction to closure or referral for investigation)	3	3	3	2	2

[1] Due to limitations of the Bureau's legacy database system, the Consumer Affairs System, Complaints represents all cases opened, including formal investigations initiated by the Bureau for possible disciplinary action. However, the Bureau expects to resolve this issue through business modernization efforts.

Appendix 13: Table 9 – Enforcement Statistics (2 of 6)

Investigations[2]	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Desk Investigations[3] – Opened	N/A	N/A	N/A	N/A	N/A
Desk Investigations – Closed	N/A	N/A	N/A	N/A	N/A
Desk Investigations – Average Days to Close (from assignment to investigation closure)	N/A	N/A	N/A	N/A	N/A
Desk Investigations – Pending (close of FY)	N/A	N/A	N/A	N/A	N/A
Non-Sworn Investigations – Opened	7,294	6,781	4,289	3,347	3,422
Non-Sworn Investigations – Closed	7,394	6,858	4,562	3,357	3,708
Non-Sworn Investigations – Average Days to Close (from assignment to investigation closure)	45	32	40	32	36
Non-Sworn Investigations – Pending (close of FY)	825	748	475	465	179
Sworn Investigations – Opened	N/A	N/A	N/A	N/A	N/A
Sworn Investigations – Closed	N/A	N/A	N/A	N/A	N/A
Sworn Investigations – Average Days to Close (from assignment to investigation closure)	N/A	N/A	N/A	N/A	N/A
Sworn Investigations – Pending (close of FY)	N/A	N/A	N/A	N/A	N/A
All Investigations – Opened	7,294	6,781	4,289	3,347	3,422
All Investigations – Closed	7,394	6,858	4,562	3,357	3,708
All Investigations – Average Days for All Investigation Outcomes (from start investigation to referral for prosecution or case closure without referral for prosecution)	45	32	40	32	36
All Investigations – Average Days for Investigation Cases Not Referred for Prosecution (from start investigation to case closure without referral for prosecution)	26	23	30	23	29
All Investigations – Average Days for Investigation When Referring for Prosecution (from start investigation to referral for prosecution)	179	141	110	106	124
All Investigations – Average Days from Receipt of Complaint to Referral for Prosecution or Case Closure Without Referral for Prosecution	45	32	40	32	36
All Investigations – Pending (close of FY)	503	418	103	116	261

[2] Investigations represents only formal investigations initiated by the Bureau for possible disciplinary action. Complaints are not included.

[3] The Bureau does not conduct desk investigations. All Bureau investigations are conducted by non-sworn program representatives.

Appendix 13: Table 9 – Enforcement Statistics (3 of 6)

Citations and Fines	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Citations Issued	2,243	2,326	1,368	781	943
Average Days to Complete (from complaint receipt/inspection conducted to citation issued)	22	17	12	6	6
Amount of Fines Assessed	$738,088	$925,500	$291,000	$135,500	$141,000.00
Amount of Fines Reduced, Withdrawn, Dismissed	$144,700	$25,500	$8,900	$8,400	$5,950.00
Amount Collected	$848,128	$742,695	$482,075	$273,467	$158,569.00

Criminal Actions	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Referred for Criminal Prosecution	193	96	70	31	34

Accusations	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Accusations Filed[4]	453	419	249	174	161
Accusations Declined	17	5	1	4	2
Accusations Withdrawn	9	13	13	9	3
Accusations Dismissed	5	1	4	1	1
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	200	136	115	96	100

Interim Actions	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Interim Suspension Orders and Temporary Restraining Orders Issued	28	4	4	3	7
PC 23 Orders Issued	0	1	0	0	0
Other Suspension/Restriction Orders Issued	0	0	0	0	0
Referred for Diversion	N/A	N/A	N/A	N/A	N/A
Petitions to Compel Examination Ordered	N/A	N/A	N/A	N/A	N/A

[4] Accusations Filed represents cases where an accusation has been drafted by the Office of the Attorney General and served on the licensee.

Appendix 13: Table 9 – Enforcement Statistics (4 of 6)

Discipline	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
AG Cases Initiated (cases referred to the AG in that year)	823	428	416	309	221
AG Cases Pending Pre-Accusation (close of FY)	221	70	60	49	39
AG Cases Pending Post-Accusation (close of FY)	471	422	332	223	140

Disciplinary Outcomes	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Revocation	619	1,410	1,108	510	327
Surrender	0	0	0	0	0
Suspension Only	0	0	1	0	0
Probation with Suspension	80	95	133	169	114
Probation Only	91	174	356	155	70
Public Reprimand/Public Reproval/Public Letter of Reprimand	1	8	0	0	0
Other	0	22	26	24	8

Disciplinary Actions	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Proposed Decisions	88	285	400	107	121
Default Decisions	145	424	257	146	86
Stipulations	392	594	621	292	140
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	425	354	373	407	376
Average Days from Closure of Investigation to Imposing Formal Discipline	648	528	540	530	415
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	808	709	721	658	509

Appendix 13: Table 9 – Enforcement Statistics (5 of 6)

Probations	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Probations Completed	133	73	139	145	133
Probations Pending (close of FY)	146	328	623	771	704
Probationers Tolled	0	0	0	0	0
Petitions to Revoke Probation/Accusation and Petitions to Revoke Probation Filed	18	25	35	29	34

Subsequent Discipline	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Probations Revoked	46	14	47	24	23
Probationers License Surrendered	0	0	8	7	95
Additional Probation Only	6	0	11	13	15
Suspension Only Added	0	0	0	0	0
Other Conditions Added Only	0	0	0	0	0
Other Probation Outcome	0	0	0	0	0

Substance Abusing Licensees	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Probationers Subject to Drug Testing	N/A	N/A	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A	N/A	N/A

Petitions	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Petitions for Termination or Modification Granted	0	1	0	7	2
Petitions for Termination or Modification Denied	2	0	0	2	2
Petitions for Reinstatement Granted	1	N/A	N/A	N/A	N/A
Petitions for Reinstatement Denied	0	0	1	0	0

Appendix 13: Table 9 – Enforcement Statistics (6 of 6)

Diversion	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
New Participants	N/A	N/A	N/A	N/A	N/A
Successful Completions	N/A	N/A	N/A	N/A	N/A
Participants (close of FY)	N/A	N/A	N/A	N/A	N/A
Terminations	N/A	N/A	N/A	N/A	N/A
Terminations for Public Threat	N/A	N/A	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A	N/A	N/A

Appendix 14: Table 10 – Enforcement Aging

Investigations (Average %)	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	Cases Closed	Average %
Closed Within 90 Days	17,389	16,839	13,966	13,247	14,905	76,346	92.4%
Closed Within 91-180 Days	1,136	1,074	1,170	663	1,120	5,163	6.3%
Closed Within 181 Days – 1 Year	251	181	159	84	60	735	0.9%
Closed Within 1-2 Years	156	56	58	16	25	311	0.4%
Closed Within 2-3 Years	17	10	4	0	2	33	0.0%
Closed Over 3 Years	1	0	1	0	0	2	0.0%
Total Closed	18,950	18,160	15,358	14,010	16,112	82,590	100%

Attorney General Cases (Average %)	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	Cases Closed	Average %
Closed Within 0-1 Year	14	55	79	44	43	235	12%
Closed Within 1-2 Years	94	313	207	152	128	894	46%
Closed Within 2-3 Years	108	168	179	44	21	627	32%
Closed Within 3-4 Years	41	59	68	27	4	199	10%
Closed Over 4 Years	0	0	0	0	0	0	0%
Total Closed	257	595	533	267	303	1,955	100%

Appendix 15: Table 11 – Cost Recovery

Cost Recovery[1] (Dollars in Thousands)	**FY 2017-18**	**FY 2018-19**	**FY 2019-20**	**FY 2020-21**	**FY 2021-22**
Total Enforcement Expenditures	$9,982.36	$9,828.98	$9,714.39	$7,014.11	$5,987.42
Potential Cases for Recovery[2]	257	595	533	265	303
Cases Recovery Ordered	205	335	333	206	158
Amount of Cost Recovery Ordered - Due Upon Reapplication	$1,073.87	$2,242.16	$1,320.05	$901.67	$500.64
Amount of Cost Recover Ordered - Due Upon Decision/Probation Effective Date	$842.54	$364.56	$1,621.98	$1,001.35	$913.65
Total Costs Ordered	$1,916.35	$2,606.72	$2,942.03	$1,903.02	$1,413.09
Amount Collected	$552.68	$587.56	$678.23	$899.97	$928.39

[1] Cost recovery may include information from prior fiscal years.

[2] Potential Cases for Recovery are those in which disciplinary action has been taken based on violation of the License Practice Act.

Appendix 16: Table 12 – Restitution

Mediated Reimbursements to Consumers (Dollars in Thousands)	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Refunded to Consumers	$3,593.03	$2,980.95	$2,904.39	$2,950.51	$3,992.80
Rework of Vehicle Repairs	$1,383.53	$1,107.60	$1,004.76	$915.97	$1,142.16
Adjustments to Final Bill	$1,053.90	$1,145.30	$818.19	$1,058.91	$1,314.56
Total Savings to Consumers	$6,030.46	$5,233.85	$4,727.34	$4,925.39	$6,449.52

Court-Ordered Restitution to Consumers (Dollars in Thousands)	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22
Amount Ordered	$2.08	$38.90	$6.73	$32.50	$8.20
Amount Collected	Not available	Not available	Not available	Not available	Not available

DEPARTMENT OF CONSUMER AFFAIRS

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Bureau of Automotive Repair

THE BUREAU OF AUTOMOTIVE REPAIR

SUNSET REVIEW REPORT 2022

PRESENTED TO THE SENATE COMMITTEE ON BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT AND THE ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

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