
LEGISLATION AND REGULATIONS UPDATE

DEPARTMENT OF CONSUMER AFFAIRS

BAR

Bureau of Automotive Repair

HOLLY O'CONNOR
BAR EXECUTIVE OFFICE
BAR ADVISORY GROUP MEETING
OCTOBER 20, 2022

IMPORTANT LEGISLATIVE DATES

- **September 30, 2022** – Last day for Governor to sign or veto bills
- **January 2, 2023** – Legislature reconvenes

*Disclaimer: Though every effort is made to ensure information provided on these slides is the most current, given the nature of the legislative process, hearing dates or bill summaries shown here may not reflect the latest updates. Please be sure to check www.leginfo.legislature.ca.gov for the most current bill information.

2022 LEGISLATIVE BILLS THAT DIED

- AB 646 (Low): Expunged Convictions
- AB 1733 (Quirk): Open Meetings
- AB 2350 (Wilson/Grayson): Zero-Emission Aftermarket Conversion Project
- AB 2407 (O'Donnell): Core Recycler Reporting Requirements
- AB 2682 (Gray): VIN Marking Requirements
- SB 986 (Umberg): Core Recycler Payment and VIN Requirements for Vehicle Sales

2022 BILLS SIGNED BY THE GOVERNOR

- AB 1740 (Murtasuchi): Core Recycler Record Keeping Requirements
- AB 2496 (Petrie-Norris): Vehicle Exhaust Systems
- SB 1087 (Gonzalez): Prohibited Purchases

AB 1740 (Muratsuchi): Core Recycler Record Keeping Requirements (1 of 2)

Status: This bill was signed by the Governor on September 25, 2022 and takes effect on January 1, 2023.

Summary: This bill:

- Requires a core recycler to include additional information in the written record of their transactions including the year, make, model and a copy of the title of the vehicle from which a catalytic converter was removed.
- Prohibits a core recycler from purchasing or receiving a catalytic converter from any person that is not a commercial enterprise, or verifiable owner of the vehicle from which a catalytic converter was removed.

AB 1740 (Muratsuchi): Core Recycler Record Keeping Requirements (2 of 2)

- Requires the written agreement between a core recycler and a seller to include a log or other record of all catalytic converters received, and a description of each catalytic converter so that each catalytic converter in the core recycler's inventory can reasonably be matched to its description.

AB 2496 (Petrie-Norris): Vehicle Exhaust Systems (1 of 2)

Status: This bill was signed by the Governor on September 27, 2022 and becomes operative on January 1, 2027.

Summary: This bill:

- Requires a court to require a certificate of compliance for a violation of existing law that: (1) mandates every motor vehicle to have an adequate muffler and prohibits a muffler or exhaust system from being equipped with a cutout, bypass, or similar device; and (2) prohibits the modification of a motor vehicle exhaust system in a manner that amplifies or increases the noise beyond existing limits.

AB 2496 (Petrie-Norris): Vehicle Exhaust Systems (2 of 2)

- Requires the Department of Motor Vehicles to place a hold on the vehicle registration and prohibit the department from renewing registration until a certificate of compliance is received by the court.

SB 1087 (Gonzalez): Prohibited Purchases

Status: This bill was signed by the Governor on September 25, 2022 and takes effect on January 1, 2023.

Summary: This bill would prohibit 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.

BAR REGULATIONS ADOPTED IN 2022

- Smog Check Repair Assistance
 - Effective January 20, 2022
- Disciplinary Guidelines Amendments
 - Effective April 1, 2022
- STAR Program Updates
 - Effective July 1, 2022
- Smog Check Equipment Security and Fraud Prevention (Biometrics)
 - Effective October 1, 2022

PENDING BAR REGULATION PROPOSALS

- Smog Check Inspection Equipment and Station Requirements (DAD Specification Update)
- Citation and Remedial Training Programs for Automotive Repair Dealers*
- Automotive Repair Dealer Registration Application Requirements*
- Vehicle Safety Systems Inspection Program*

* AB 471 (Low, Chapter 372, Statutes of 2021)

SMOG CHECK EQUIPMENT AND STATION REQUIREMENTS (DAD SPECIFICATION UPDATE)

- Purpose: (1) Replace the current OBD Data Acquisition Device (DAD) Specification with a more comprehensive and updated version to provide additional tools to combat Smog Check fraud. (2) Allow the DAD to communicate with new vehicles that use a communication protocol not supported by the current generation of DADs.
- Status: BAR is working with DCA Legal to prepare the package for the Business, Consumer Services and Housing Agency (Agency) approval.
- Next Steps: Submit to Agency for review and approval.

CITATION AND REMEDIAL TRAINING PROGRAMS FOR AUTOMOTIVE REPAIR DEALERS (1 OF 2)

- Purpose:
 - Expand BAR's citation program to cover ARD violations of the Automotive Repair Act by establishing a fee structure for citations and clarifying regulatory language under existing sections.
 - Specify the process for an ARD to contest a citation and request its review by a 3-member (BAR-consumer-industry) panel.
 - Establish an application process to obtain a Provider Certification for BAR laws and regulations training and establish grounds for revocation of the certification.

CITATION AND REMEDIAL TRAINING PROGRAM FOR AUTOMOTIVE REPAIR DEALERS (2 OF 2)

- Create remedial training course content and a course approval process.
- History: Public workshops held on January 27, 2022 and April 22, 2022.
- Status: 45-day Public Comment Period October 7, 2022- November 21, 2022.
- Next Steps: Finalize package and file with OAL for adoption.

AUTOMOTIVE REPAIR DEALER REGISTRATION APPLICATION REQUIREMENTS

- Purpose: (1) Define “nationally recognized and industry-accepted educational certifications”. (2) Establish a process for Bureau review and approval of educational certifications that do not meet this definition. (3) Establish a process for recognizing educational certifications on the ARD application. (4) Require ARD applicants to provide an email address.
- Status: BAR is working with DCA Legal to prepare the package for Agency approval.
- Next Steps: Submit to Agency for review and approval.

VEHICLE SAFETY SYSTEMS INSPECTION PROGRAM

- Purpose: Creates a new Vehicle Safety Inspection Program for salvage-titled vehicles, which does the following:
 - Establishes procedures and program requirements in a Vehicle Safety Systems Inspection Manual
 - Creates license requirements for vehicle safety systems inspection/repair stations and technicians
 - Sunsets the lamp and brake inspection programs six months after adoption of the regulations
- History: Public workshops held on April 20, 2022 and July 21, 2022.
- Status: BAR is working with DCA Legal to prepare the package for Agency approval.
- Next Steps: Submit to Agency for review and approval. 16

QUESTIONS AND COMMENTS

Submit questions and/or comments to:

Holly O'Connor

Bureau of Automotive Repair

10949 North Mather Boulevard

Rancho Cordova, CA 95670

Email: Holly.OConnor@dca.ca.gov