

Legislation and Regulations Update

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Bureau of Automotive Repair

Important Legislative Dates

- **May 24, 2024** – Last day for each house to pass bills introduced in that house
- **July 3, 2024** – Last day for policy committees to meet and report bills
- **July 3, 2024 – August 5, 2024** – Summer Recess

Disclaimer: Though every effort is made to ensure information provided on the following slides is 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.

2024 Legislative Bills

- AB 1901 (Chen): Total Loss Claims
- AB 2188 (Ta): Pollution Control Devices
- SB 301 (Portantino): Zero-Emission Aftermarket Conversion Project (*2-year bill*)
- SB 615 (Allen): Vehicle Traction Batteries (*2-year bill*)
- SB 898 (Skinner): Window Tinting
- SB 1526 (Committee on Business, Professions and Economic Development): Technical Clean-up

AB 1901 (Chen): Total Loss Claims

- Status: Re-referred to the Assembly Committee on Appropriations on March 19, 2024 with a recommendation to the Consent Calendar.
- Summary: This bill would, if an insurance company requests a salvage pool or an occupational licensee to take possession of a vehicle that is the subject of a total loss claim, and, subsequently, the insurance company does not take ownership of the vehicle, authorize the insurance company to direct the salvage pool or occupational licensee to release the vehicle to the registered owner.

The bill would require the salvage pool or occupational licensee to send 2 notices to the registered and legal owner and any lienholder of the vehicle informing them that they have 30 days from the date of the first notice and 14 days from the date of the 2nd notice to pick up the vehicle from the salvage pool or occupational licensee.

If the registered and legal owner or any lienholder of the vehicle does not pick up the vehicle in that timeline, the bill would authorize the salvage pool or occupational licensee to request that the DMV issue a salvage certificate or nonrepairable vehicle certificate for the vehicle and would require the DMV to issue the certificate upon receipt of a complete application.

AB 2188 (Ta): Pollution Control Devices

- Status: Referred to the Assembly Committee on Transportation on February 26, 2024.
- Summary: Existing law prohibits a person from installing, selling, or advertising any device, intended for use with a motor vehicle pollution control device that alters or modifies the original design or performance of the motor vehicle pollution control device or system.

This bill would create an exception to this for a new aftermarket catalytic converter that has been approved for sale and use by the United States Environmental Protection Agency.

SB 301 (Portantino): Zero-Emission Aftermarket Conversion Project

- Status: Ordered to the Inactive File on September 13, 2023.
- Summary: This bill would require the Air Resources Board to establish the Zero-Emission Aftermarket Conversion Project (ZACP) by allocating no less than a total of \$2 million annually from the Clean Vehicle Rebate Project or any other clean vehicle rebate program to provide an applicant who is a California resident with a rebate for an eligible vehicle that has been converted into a zero-emission vehicle. The rebate issued pursuant to the ZACP would be limited to one per vehicle and have a value up to \$4,000.

SB 615 (Allen): Vehicle Traction Batteries (1 of 2)

- Status: June 15, 2023 set for first hearing; canceled at the request of the author.
- Summary: The bill would require vehicle traction batteries in the state to be recovered and reused, repurposed, or remanufactured and eventually recycled at the end of their useful life in a motor vehicle or any other application.
- The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of a vehicle traction battery once it is removed from a vehicle or other application to which the vehicle traction battery has been used.
- The bill would make a vehicle or battery manufacturer responsible for collecting a stranded battery and repurposing the battery, if possible, but would require the manufacturer to ensure the battery is recycled if it cannot be reused.

SB 615 (Allen): Vehicle Traction Batteries (2 of 2)

- Summary: The bill would require, by January 1, 2025, a battery supplier to be responsible for the development of a core exchange program for replacing a battery, module, or cell removed from a vehicle, as specified.

The bill would also require a battery supplier to annually submit a report to the Department of Toxic Substances Control.

The bill would require a qualified facility buying removed batteries to submit a report containing specified information to DTSC and would require specified entities that remove a battery from a vehicle that is still in service to participate in the core exchange program.

The bill would make a secondary user that purchases a battery that was removed from a vehicle responsible for ensuring the battery is sent to a qualified facility at the end of the battery's useful life and reporting specified information to DTSC.

SB 898 (Skinner): Window Tinting

- Status: Hearing set for April 9 was cancelled by the author.
- Summary: This bill would, beginning on January 1, 2025, require all vehicles sold in California to be equipped with a side window, windshield, back window, and sunroof that allow no more than 2% of ultraviolet A radiation, no more than 2% of ultraviolet B radiation, and no more than 10% of infrared radiation of the incident solar radiation into the vehicle.

SB 1526 (Committee on Business, Professions and Economic Development): Technical clean-up

- Status: Introduced on March 18, 2024.
- Summary: This bill, among other things, would provide a technical clean-up to change “bureau-approved educational certifications” to “bureau-accepted educational certifications.”
 - This change will more accurately reflect the process that the Bureau uses to acknowledge on the ARD registration application other educational certifications that are not nationally recognized. The Bureau plans to add educational certification information to its online Auto Shop Locator later this year.

Regulations Adopted in 2024

- Vehicle Safety Systems Inspection Program
 - Adopted and effective on March 27, 2024

Pending Regulation Packages

- Smog Check Inspection Equipment and Station Requirements (DAD Specification Update)
- Consumer Assistance Program Incentive Increases
- Smog Check Readiness Monitor Limits
- Storage and Towing Fees for Automotive Repair Dealers
- Tear Down Disclosure Requirements for Automotive Repair Dealers

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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 Bureau-certified DADs.
- Status: Public comment period ended on March 5, 2024. Final package submitted to DCA Legal on March 6, 2024.
- Next Steps: File package with the Office of Administrative Law (OAL) for adoption.

Consumer Assistance Program Incentive Increases

- Purpose: (1) Increase Vehicle Retirement program incentives for income-eligible motorists from \$1,500-\$2,000. (2) Increase Vehicle Retirement program incentive for other motorists from \$1,000-\$1,350. (3) Allow the Bureau to increase Vehicle Retirement incentives and Repair Assistance contributions once every three years if there has been a 10% increase in the related series of Bureau of Labor Statistics consumer price index. (4) Remove the eligibility restriction preventing motorists from participating more than once in the Repair Assistance program. (5) Unincorporate the CAP application and list the application requirements in regulation.
- Status: Public comment period ended on March 12, 2024. Final package submitted to DCA Legal on March 14, 2024.
- Next Steps: File package with OAL for adoption.

Smog Check Readiness Monitor Limits

- Purpose: (1) Prohibit a vehicle from passing an OBD-II inspection if the vehicle's OBD-II system reports not-complete readiness status for gasoline-powered vehicles model-years 1996 and newer and diesel-powered vehicles model-years 1998 and newer. (2) Remove outdated subdivisions.
- Status: BAR is working with DCA Legal to finalize the initial package.
- Next Steps: Submit initial package to the Business, Consumer Services and Housing (BCSH) Agency for review and approval to file with OAL and begin the public comment period.

Storage and Towing Fees for Automotive Repair Dealers

- Purpose: Bring together existing laws governing storage and towing fees from the Business and Professions, Civil, Insurance, and Vehicle Codes under one unified regulatory section providing that:
 - Fees charged for the storage and towing of a motor vehicle shall be reasonable.
 - If an ARD stores vehicles, when storage fees may be charged, and where the vehicle may be stored.
 - An ARD must provide an itemized estimate and invoice for storage and towing fees.
 - An ARD that provides storage services shall post their current daily storage fee rate in an area frequented by customers and provide the Bureau with their daily storage rate annually when renewing their registration.
 - An ARD that provides towing services shall display the Towing and Storage Fees Access Notice in an area of the business facility, in plain view of the public and have copies available to the public.
- Status: BAR is working with DCA Legal to finalize the initial package.
- Next Steps: Hold a public workshop and submit initial package to BCSH Agency for review and approval to file with OAL and begin the public comment period.

Tear Down Disclosure Requirements for Automotive Repair Dealers

- Purpose: Add and amend definitions relating to disclosure requirements for automotive repair dealers.
 - Clarify estimate work order requirements that require a vehicle tear down.
 - Require ARDs to include payment amounts of third-party payors on the estimate prior to authorization of work.
- History: Public workshop held on October 19, 2023.
- Status: BAR is working with DCA Legal to finalize the initial package.
- Next Steps: Submit package to BCSH Agency for review and approval to file with OAL and begin the public comment period.

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