

CONSUMER ASSISTANCE PROGRAM

REPAIR ASSISTANCE OPERATIONS MANUAL

JULY 2020

DEPARTMENT OF CONSUMER AFFAIRS

BAR

Bureau of Automotive Repair

This Operations Manual describes the Consumer Assistance Program (CAP) procedures that STAR stations shall follow in order to comply with the CAP Standard Agreement.

Laws and regulations pertaining to automotive repair dealers, licensed Smog Check stations, and licensed Smog Check technicians may be referenced in this manual. These laws and regulations are typically expressed in the following manner: Business and Professions Code (BPC); Health and Safety Code (HSC); California Code of Regulations (CCR).

Written suggestions for improvement to this manual are welcome. They should be directed to the Department of Consumer Affairs, Bureau of Automotive Repair, Consumer Assistance Program, 10949 North Mather Boulevard, Rancho Cordova, CA 95670.

This manual supersedes all previous manuals. Discard all prior versions.

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GENERAL INFORMATION

1.1 Overview – Consumer Assistance Program

The Bureau of Automotive Repair (BAR) is required to offer a Repair Assistance Program that provides financial assistance to qualified California consumers, whose vehicles fail a biennial Smog Check inspection. To meet these obligations, BAR administers the Consumer Assistance Program (CAP).

The statutory authority for CAP is found in the Health and Safety Code sections 44000-44126 and is implemented through regulations adopted by BAR (California Code of Regulations, title 16, sections 3340.1-3340.50.5; sections 3392.1 et. seq. and 3394.1 et. seq.). Participation in CAP is limited to available funds.

1.2 STAR Stations

The STAR program is designed to make the Smog Check Program more convenient for motorists. The STAR program allows a licensed Smog Check station, which meets higher performance standards, to provide a variety of inspection and repair services to California consumers.

STAR stations in the Basic and Enhanced program areas of the state may offer Repair Assistance to qualified consumers and are reimbursed for repairs according to the terms of the CAP Standard Agreement.

For information on the STAR certification process, contact BAR's STAR Unit at (916) 403-8060.

Stations who wish to withdraw from the STAR Program and/or be placed on an inactive status must submit a [STAR and CAP Request for Inactive Status or Program Withdrawal Form](#) available at www.bar.ca.gov.

1.3 Hours of Operation/Telephone, Fax Numbers, and Email Addresses

Public phone lines operate Monday through Friday, from 8:10 a.m. to 4:30 p.m., excluding state holidays. (A list of [state holidays](#) is available on the California Department of Human Resources website at www.calhr.ca.gov.)

Telephone Numbers

- Main Line – Consumers: (866) 272-9642 or (916) 403-8800
- Main Line – Stations: (866) 361-3933
- CAP Supervisor: (916) 403-8764
- Invoice Processing Unit: (916) 403-8830
- Department of Consumer Affairs/Consumer Information Center: (800) 952-5210
- State Referee Center: (800) 622-7733

Fax Numbers

- Main Fax – Toll Free: (888) 336-8344
- Main Fax – Local: (888) 336-8334
- Repair Notifications: (888) 336-8334 or (916) 464-1212

Email Addresses

- Repair Notifications: ERNF@dca.ca.gov
- Invoices: CAPRAInvoice@dca.ca.gov

1.4 CAP Station Help Desk

CAP has established a Help Desk whereby STAR stations may call with questions regarding the operations manual, technical repair strategies, technical resource availability, fax receipt status, etc.

CAP Help Desk phone lines operate Monday through Friday, from 8:00 a.m. to 4:50 p.m., excluding state holidays at (866) 361-3933.

NOTE: This number is for repair stations only. Do not give this number to the consumer.

1.5 Mailing Address

Applications, billing invoices, and all other required documentation should be mailed to:

Bureau of Automotive Repair
Consumer Assistance Program
10949 North Mather Blvd.
Rancho Cordova, CA 95670

1.6 Applications

Stations may request a supply of English and Spanish CAP applications by submitting an [Application Reorder Form](#) available at www.bar.ca.gov.

Consumers may also obtain applications by calling the Department of Consumer Affairs, Consumer Information Center (CIC) at (800) 952-5210, Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding state holidays.

1.7 CAP Consumer Frequently Asked Questions

Answers to common questions from consumers regarding CAP are available on the [Repair Assistance Frequently Asked Questions](#) page at www.bar.ca.gov.

STATION RESPONSIBILITIES

2.1 Laws and Regulations

Stations shall comply with all laws and regulations that govern the operation of a registered automotive repair dealer (ARD), a licensed Smog Check test-and-repair station, and a certified STAR station. For more information, visit www.bar.ca.gov.

2.2 Standard Agreement

All STAR test-and-repair stations participate in the Consumer Assistance Program under the terms set forth in the CAP Standard Agreement.

The CAP Standard Agreement requires that a STAR station participate in CAP in order to maintain in STAR Certification. However, a STAR station is not required by that agreement to perform CAP Repair Assistance Program diagnosis and repairs.

Minimum Participation/Services Required of Stations Operating Under Standard Agreement

A STAR station is required to provide information to the public about CAP upon a consumer's request. The STAR station shall do this by any of the following methods at no charge to the consumer or CAP:

- Referring the consumer to the [CAP](#) page at www.bar.ca.gov.
- Providing the consumer with the CAP Consumer Call Center Number (866) 272-9642.
- Providing the consumer with a CAP brochure (if supplied to the station by BAR).

Stations operating under Standard Agreement may perform CAP diagnosis and repairs for reimbursement.

2.3 Operations Manual

STAR stations are required by the CAP Standard Agreement to comply with the provisions of the most current Repair Assistance Operations Manual (OPS Manual) while conducting Repair Assistance transactions. The manual is available at www.bar.ca.gov.

Stations shall maintain a copy of the most current version of the OPS Manual on their premises during business hours.

2.4 Station Questionnaire

Station personnel shall complete a [STAR Station Questionnaire](#) available at www.bar.ca.gov. The STAR Station Questionnaire shall include:

- Station's contact information
- Authorized personnel
- Smog Check technician and license number
- Posted labor rates
- All smog inspection fees

An updated questionnaire must be submitted any time a change to any of these areas is made.

STAR stations must submit a questionnaire via fax at (916) 464-1275 at least three business days prior to the effective date.

Stations will receive an email confirmation with the effective date confirmed.

After receiving the confirmation from CAP, the station shall update their Repair Notification Form (see Section 5.8) and CAP Repair Assistance Invoice Form (see Section 6.3) to reflect the desired changes.

New rates and/or fees cannot take effect until an updated STAR Station Questionnaire has been processed by CAP. Only authorized station employees shall authorize CAP transactions and approve reimbursement invoices.

NOTE: CAP cannot retroactively adjust station rates and fees.

2.5 Maintenance of Records

Stations shall retain CAP records for a period of not less than three years from date of repair. CAP records shall remain on-site, secure and available for review by BAR representatives.

When records are disposed of it must be in a manner in which all information in the records is destroyed, such as by shredding. Civil Code section 1798.81 requires that records containing consumer information be destroyed or modified to make them unreadable when discarded.

For each CAP vehicle repaired, the station shall maintain the following documents:

- Consumer's original Letter of Eligibility. (see Section 4.2)
- Copy of the Repair Notification Form. (see Section 5.8)
- Completed CAP Repair Assistance Invoice Form. (see Section 6.3)
- The [Designation of Person to Authorize Consumer Assistance Program Repairs](#) (Designation) Form is used in circumstances when the qualified applicant cannot personally deliver the vehicle to the station prior to the original estimate and baseline test. The form is available in both [English](#) and [Spanish](#) at www.bar.ca.gov.
- Copy of estimates, work orders, final invoices, and vehicle inspection reports.
- Copy of receipts for parts and any sublets.

Stations shall not photocopy or retain copies of any consumer's photo identification.

2.6 False Records

California Code of Regulations, title 16, section 3373 states:

"No automotive repair dealer or individual in charge shall, in filling out an estimate, invoice, or work order, or record required to be maintained by section 3340.15 (f) of this chapter, withhold there from or insert therein any statement or information which will cause any such document to be false or misleading, or whereby the tendency or effect thereby would be to mislead or deceive consumers, prospective consumers, or the public."

2.7 Station Audits

During normal business hours, BAR personnel may inspect any vehicle participating in CAP, including work in progress, parts removed or installed and repaired vehicles on the station's premises.

Stations shall allow BAR staff access to inspect and audit any and all records pertaining to CAP.

2.8 Consumer Disputes

Stations may contact CAP regarding disputes with CAP consumers. CAP and/or the local BAR field office will attempt to assist the station in resolving the matter.

2.9 Advertising

Stations may advertise their CAP participation, and the ability to perform state-subsidized repairs. Stations are responsible for complying with advertising laws and regulations.

2.10 Change of Business Ownership, Name/Address

Stations are responsible for notifying BAR's Licensing Unit prior to conducting any business change affecting a STAR CAP Standard Agreement, automotive repair dealer (ARD), or Smog Check station license.

Contact BAR's Licensing Unit at (916) 403-8477 if you have any questions.

The STAR CAP Standard Agreement is non-transferable. Any change in business ownership or ownership structure requiring a new ARD or Smog Check station license will invalidate the CAP Standard Agreement; CAP repairs must cease immediately.

NOTE: A change of business name and/or address (not involving a change of ownership) does not require a new ARD, Smog Check station license or a new CAP Standard Agreement. However, an amendment to the CAP Standard Agreement is required to reflect the new name and/or address. Stations may continue to perform CAP repairs during the CAP Standard Agreement amendment process, unless otherwise advised.

A new STAR Station Questionnaire (see Section 2.4) and a new Payee data record (STD 204) are required to be completed prior to the agreement being amended.

Stations must use the complete "Payee's Legal Business Name" that matches their FEIN, or SSN for a sole proprietor, when completing the STD 204 (e.g., ACME Inc. DBA Smog Shop).

Contact CAP at (866) 361-3933 for assistance.

STATION REQUIREMENTS

3.1 Station Hours of Operation

Stations shall offer CAP services during all normal station business hours.

3.2 Station Equipment

In addition to the equipment necessary to inspect, test, and repair vehicles consistent with applicable laws and regulations, stations shall have on-site:

- Current, nationally recognized labor estimating guides for automotive repair in hard copy or an online version.
- A computer and printer with a current edition of Microsoft Excel or Open Office installed.
- All required Smog Check and STAR station equipment must be maintained in working order throughout the life of the CAP Standard Agreement.
- Copy machine capable of making copies of all CAP related documents.
- Either a fax machine or an active email account to send and receive repair notifications that meet the following requirements:

- A fax machine with a dedicated telephone line. Use of the dedicated fax line for credit card processing as a business telephone, or any other use, except fax is prohibited.

The fax machine must have the following items accurately set and kept current:

- Date
- Time
- Station fax number
- Station name
- Auto answering feature, set to answer on three rings or less
- Sufficient memory to allow reliable simultaneous transmissions and receiving of faxed documents
- Confirm fax delivery using automatic activity and confirmation reports
- An active email account. A station that chooses to use this method of sending and receiving Repair Notification Forms must be able to do so as outlined in Section 5.8 under Email Option.

3.3 Smog Check Inspections

Station personnel shall perform Smog Check inspections in a manner consistent with all laws and regulations.

Aborting a Test

- Stations shall not abort any test sequence unless it is based on Emissions Test Abort Conditions as outlined in the Smog Check Inspection Procedures Manual.
- Stations shall not abort a test to circumvent a transmission to the Vehicle Information Database (VID).

Smog Inspection Entry Error

- If the smog technician makes a bona fide error when entering data into the Emissions Inspection System (EIS) or OBD Inspection System (OIS) (i.e., “tampered” instead of “defective”), another test must be performed to accurately reflect the vehicle information and test results.

If the data entry error resulted in the vehicle receiving a certificate of compliance, CAP will not pay for any repairs performed after the certification.

Repair Data Entry

- All emissions-related repairs must be entered into the EIS or OIS.
- Failing to enter or properly enter the repair data into the EIS or OIS may result in action taken by BAR.

REPAIR PROCESS

4.1 Consumer Arrives at Station

Upon arrival, the CAP consumer will present the station with the Letter of Eligibility (LOE) (see Section 4.2). The station shall verify that the person identified in the LOE is the same person as shown in the photo identification (i.e. driver's license, military identification, etc.), or the representative on the original CAP Designation Form (see Section 2.5) authorized to complete the transaction. The station shall also verify that the delivered vehicle is the vehicle listed on the LOE.

If the information does not match, inform the consumer and contact CAP for further instructions.

Stations shall not photocopy or retain copies of the CAP consumer's photo identification.

STAR stations have the discretion of not accepting vehicles for any of the following reasons:

- The vehicle is unsafe or untestable.
- The station does not have the expertise to diagnose and repair the vehicle.
- Station advertises they don't work on the type of vehicle needing repairs.
- The consumer is uncooperative or unwilling to work within CAP guidelines.

NOTE: STAR stations shall perform testing, diagnosis, and repairs within the station's usual and customary timeframes.

4.2 Letter of Eligibility (LOE)

The following types of LOEs are acceptable:

A) Blue LOE:

This LOE is printed on "blue security paper" and appears normal until photocopied. When photocopied the photocopy displays a visible security imprint "**VOID**" or other security message.

Blue LOEs shall be photocopied by the station. If the security imprint "Void" becomes visible on the photocopy it is a valid letter. The station shall retain the original blue letter with the CAP vehicle's repair records and provide the consumer with the photocopy.

B) Voided LOE:

If a station receives an LOE with a "VOID" or other security message imprint before photocopying, station personnel shall contact CAP to verify consumer eligibility. A consumer may produce such a copy if they have been to another CAP station where part of the CAP funds may have been used. It is the station's responsibility to contact CAP to confirm the amount of available funds remaining, if any. Any time a station is unsure of the letter's authenticity and/or suspects a counterfeit, contact CAP immediately.

Once diagnosis and or repairs are made, retain the original LOE and provide a photocopy to the consumer. Stations may not be reimbursed for repairs on eligible vehicles if the station does not retain the original letter. If no diagnosis or repairs are done return the original LOE to the consumer. Do not mail this letter to CAP.

Stations must not start a CAP transaction unless they intend to and are capable of finishing the repairs.

4.4 Consumer Co-Payment, CAP Contribution, and Cost Sharing Tables

Consumer Co-Payment

The consumer shall pay a minimum of 20% of the total cost of diagnosis and repair of the emissions-related failure as co-payment for participating in CAP.

The co-payment shall be paid directly to the station that performs the state subsidized emissions-related repair work under agreement with the BAR.

CAP Contribution

Provided stations comply with the procedures described in this operations manual, CAP will pay for 80% of diagnostic and repair costs up to a total maximum contribution of:

- \$500 for repairs done without preapproval,
- \$900 for repairs on 1976-1995 vehicles, with preapproval*
- \$1,200 for repairs on 1996 and newer vehicles, with preapproval* (See Cost Sharing Tables)

*CAP will preapprove only those repairs it determines will be both cost-effective and in compliance with CCR, title 16, section 3340.41(d). Moreover, CAP will not pay for diagnosis and repair that fails to comply with CCR, title 16, section 3340.41(d).

Cost Sharing Tables

CAP's Repair Notification Form (see Section 5.8) will automatically calculate both the consumer payment and the CAP Contribution as described below.

Table 1: Repairs made with CAP Preapproval

Vehicle Model Years	Total Diagnosis and Repair Invoice	Consumer Copay	CAP Contribution
1976-1995	\$1,125 and Under	20% of Diagnosis and Repair Cost	80% of Diagnosis and Repair Cost
1976-1995	Over \$1,125	Subtract \$900 from Diagnosis and Repair Cost	\$900
1996 and Newer	\$1,500 and Under	20% of Diagnosis and Repair Cost	80% of Diagnosis and Repair Cost
1996 and Newer	Over \$1,500	Subtract \$1,200 from Diagnosis and Repair Cost	\$1,200

Table 2: Repairs made without CAP Preapproval

Vehicle Model Years	Total Diagnosis and Repair Invoice	Consumer Copay	CAP Contribution
Any Model Year	\$625 and Under	20% of Diagnosis and Repair Cost	80% of Diagnosis and Repair Cost
Any Model Year	Over \$625	Subtract \$500 from Diagnosis and Repair Cost	\$500

4.5 Testing and Diagnostic Fees

Flat Diagnostic and Testing Fee

Per CCR, title 16, section 3394.3 (d) and (e), the total fee for diagnosis will be 1.5 hours times the posted hourly labor rate for repairs. The diagnosis will include a pre-repair baseline inspection. There shall be no additional charges for an after-repair inspection.

Diagnosis

A diagnosis that complies with CCR, title 16, section 3340.41(d) must be performed prior to recommending repairs.

Baseline Inspection

The diagnosis will include a baseline Smog Check inspection performed in pre-test mode. Neither the consumer nor CAP should be charged for a separate baseline inspection. Stations are responsible for verifying and documenting the current condition of the vehicle, as it relates to smog check failure, before any repairs are made.

After-Repair Inspection

The station is required to perform an after-repair smog check inspection to verify the effectiveness of repair. There can be no additional charge for the after-repair inspection. The consumer will be responsible for the certificate fee if the vehicle passes the after-repairs inspection.

NOTE: CAP will not reimburse the station for completing OBD II drive cycles.

All diagnosis and repair service work must be provided and documented in compliance with CCR, title 16, sections 3356, 3340.41(d), 3340.41.3, and BPC section 9884.8.

4.6 Estimates and Consumer Authorization

Stations must provide a written estimate to the consumer and obtain authorization to proceed with diagnosis and/or repairs per BPC section 9884.9(a) and CCR title 16 section 3353. Obtaining CAP approval is not a substitute for obtaining consumer authorization for repairs.

For more details, refer to BAR's Laws and Regulations and Write It Right guide available at www.bar.ca.gov.

Diagnostic and Repair Authorization Process

1. Prepare written estimate for diagnosis. (Hourly labor rate x 1.5 Hours)
2. Obtain and document customer authorization for diagnosis (CAP approval of diagnosis is only required if the consumer fails to present an original letter of eligibility).
3. Diagnose vehicle.
4. Submit Repair Notification Form to CAP. (see Section 5.8)
5. Wait for CAP preapproval (only if CAP portion of repairs is expected to exceed \$500 or if station is requesting CAP preapproval of a lesser amount due to unusual circumstances).
6. Obtain and document customer authorization for repairs (and any subsequent estimate revisions).

4.7 Labor Pricing

Hourly labor charges for CAP repairs shall not exceed the station's posted labor rate that is on file with CAP.

Per CCR, title 16, section 3394.3(b)(7), Repair Assistance shall not be awarded for labor operation times that are greater than the average labor operation times for a particular vehicle and type of repair. For this reason, the time charged to CAP or the consumer for the repair shall not exceed the standard amount of time recognized in a nationally distributed and periodically updated labor estimating guide.

Charges for labor time not listed in a nationally recognized labor estimating guide must have the reason clearly stated on the final invoice.

Catalytic Converter Labor Charge

CAP will allow 1.0 hour, or the time indicated in a nationally recognized labor estimating guide, times the repair stations posted labor rate, whichever is greater. This is for Catalytic Converters that are bolted in, welded in, or sublet to another facility.

Wiring Repair Labor Charge

CAP will allow a maximum of 1.0 hour to make a wire repair or the time indicated in a nationally recognized labor estimating guide. Locating a bad wire is considered part of the diagnosis.

EGR Cleaning Labor Charge

CAP will allow a maximum of 1.0 hour for cleaning the EGR passageways unless a labor time is given in a nationally recognized labor estimating guide. If components (e.g. an intake manifold) need to be removed to clean the EGR passageways the station shall use the time indicated in a nationally recognized labor estimating guide.

4.8 Parts Pricing

Per CCR title 16 section 3394.3 (b)(5), Repair Assistance shall not be awarded for parts that have a mark-up greater than the average parts mark-up for the STAR test-and-repair station conducting the repairs. For this reason, CAP will not pay repair invoices for which it has determined the parts markup exceeds the station's average mark-up.

CAP will pay shipping costs invoiced by a parts supplier for specially ordered parts.

Shipping costs must be itemized separately on the consumer's final invoice under the labor column. Include shipping cost in the labor category when entering repairs into the EIS or OIS.

4.9 Sublet Repairs

Per CCR, title 16, section 3394.3 (b)(6), Repair Assistance shall not be awarded for sublet repairs that have a mark-up greater than the average mark-up for the STAR test-and-repair station conducting the repairs. For this reason, CAP will not pay repair invoices for which it has determined the sublet mark-up exceeds the station's average sublet mark-up.

No service shall be done by someone other than the licensee or its employees without consent of the consumer. Sublet repairs must be noted as such on the stations repair order and the parts and labor must be itemized.

CCR, Title 16, Section 3340.15(h) and (i)

(h) A licensed smog check station shall not sublet inspections or repairs required as part of the Smog Check Program, except for the following:

(1) Repairs of a vehicle's exhaust system which are normally performed by muffler shops, provided that the malfunction has been previously diagnosed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.

(2) Repairs of those individual components that have been previously diagnosed as being defective and that have been removed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.

(3) Repairs of diesel-powered vehicles provided the specific smog check station has obtained authorization from the customer to sublet repairs to the vehicle.

(4) Repairs to a vehicle's transmission provided the specific smog check station has obtained authorization from the customer to sublet repairs to the vehicle.

(5) Corrections to the vehicle's on-board computer systems' software provided that the malfunction has been previously diagnosed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.

(i) With respect to the sublet of repairs, the smog check station originally authorized by the customer to perform the repairs shall be responsible for any repair in the same manner as if station or its employees had done the repair.

4.10 Other Fees

Consumer charges are limited to the copay as determined from the Cost Sharing Table (see Section 4.4). The consumer is also responsible for the certificate of compliance (\$8.25).

NOTE: Stations may not charge consumers or CAP other costs, such as check processing fees or shop supplies.

DIAGNOSIS AND REPAIR

5.1 Diagnostic Data Form

A [Diagnostic Data Form](#) can be downloaded at www.bar.ca.gov. The form is not required but is designed to aid the repair technician in recording basic diagnostic information. If the diagnostic data form is not used the diagnostic information must be recorded on the station's invoice. The diagnostic information is required to be faxed or emailed to CAP at the time you fax or email the Repair Notification Form.

The Diagnostic Data Form is not to be viewed as the total diagnosis required by CAP. The Diagnostic Data Form is provided as a convenient way of documenting test results. It is not intended as a diagnostic guide. Please follow diagnostic specifications and procedures per CCR, title 16, section 3340.42(d). Other tests may be required to completely diagnose the reason for the emissions failure(s).

5.2 Baseline Test Required

As part of the diagnostic process CAP requires a baseline pre-inspection be performed on the vehicle. This inspection must be performed at the time of repairs on every vehicle even if the station performing the repairs is the same station that performed the initial smog inspection that got the vehicle into the CAP program. The baseline inspection must be performed in "pre-test" mode. Testing the vehicle in pretest mode provides the opportunity to make emissions related repairs to reduce tailpipe emissions on vehicles passing at or near the "cut points." A pretest also allows the station to identify and correct intermittent problems (e.g. Malfunction Indicator Light (MIL) codes, prior to testing the vehicle in certification mode.) Once a vehicle is certified, CAP is unable to reimburse for any repairs performed.

5.3 Tampered Emissions Control Systems

If tampers are found during testing or diagnosing of the vehicle, **STOP** and notify the consumer.

CAP will not reimburse stations for repairs performed to "missing," "modified," or "disconnected" (MMD) emissions control equipment. These repairs must be performed and paid for by the consumer prior to performing CAP repairs.

"MMD" repairs shall be described on the final invoice. Repairs to systems identified, as "defective" rather than "MMD" shall be described on the final invoice in such a manner so the consumer and BAR personnel can understand the condition of the component(s) and repairs made.

NOTE: After repairing tampers, perform a pre-test to show tampers are clear and the vehicles current condition.

5.4 Untestable Vehicle

Stations can reject a vehicle for testing/diagnosis if they determine that the vehicle is unsafe or not in an operable condition adequate for testing/diagnosing (HSC section 44012(i)). Examples of untestable vehicles are:

- Excessive fluid leaks from the engine, transmission or fuel system;
- Engine overheating or excessively noisy;
- Unsafe drive axle, tire or wheel (dynamometer test only).

The cost of non-emissions related repairs necessary to make a vehicle testable are the consumer's responsibility. If the station determines that the untestable condition is directly related to an emissions failure and is seeking to use CAP funds to correct the condition, you must contact CAP for authorization.

5.5 Repair Standards

CCR, title 16, Chapter 33, section 3340.41 (d) defines repair standards as follows:

“The specifications and procedures required by section 44016 of the Health and Safety Code shall be the vehicle manufacturer's recommended procedures for emission problem diagnosis and repair or the emission diagnosis and repair procedures found in industry - standard reference manuals and periodicals published by nationally recognized repair information providers. Smog Check stations and Smog Check technicians shall, at a minimum, follow the applicable specifications and procedures when diagnosing defects or performing repairs for vehicles that fail a Smog Check test.”

Systematic Approach

Stations and repair technicians should follow a systematic diagnostic approach, in accordance with standard industry protocols, that obtains relevant data about the engine and emissions control systems on the vehicle, based on the type of Smog Check failure.

The systematic approach includes a diagnostic routine that provides sufficient data to diagnose and repair emissions failures in a cost-effective and efficient manner. Data may include, but is not limited to, compression readings, leak down percentages, intake manifold vacuum readings, scan tool data, condition of grounds, other electrical connections along with wiring, oxygen sensor testing, and other industry accepted factory testing procedures. Diagnostic and repair procedures specified by the vehicle manufacturer should take precedence over generic procedures.

The diagnosis must ensure that the vehicle's engine is in good mechanical condition. This should include an inspection of basic engine operation (i.e., fuel control, individual cylinder contribution, cylinder seal, internal engine noises, oil burning, etc.) and a comprehensive visual inspection. All defects should be noted on the station's work order.

Diagnostic strategies must have the goal of achieving maximum emissions reductions for CAP repair funds spent. CAP will preapprove only those repairs it determines will be both cost-effective and in compliance with CCR, title 16, section 3340.41(d). Moreover, CAP will not pay for diagnosis or repair that fails to comply with CCR, title 16, section 3340.41(d). (see Section 5.5)

A Good Practice

As the technician performs repairs to reduce emissions, compare the emissions readings after the repair (new emissions baseline) to the first baseline emissions readings. By comparing these readings, the repair technician can establish if the vehicle's emissions readings have increased, decreased, or stayed the same due to the repair.

CAP routinely conducts post audit reviews of repairs performed by STAR stations. In the course of conducting those reviews, BAR has determined that it is not uncommon for technicians to overlook Technical Service Bulletins (TSBs), Special Service Messages (SSMs), and manufacturer recalls when diagnosing and repairing vehicles. Failure to consult these resources can result in stations performing unnecessary and costly repairs.

Remember, TSBs, SSMs, and manufacturer recalls are available through major automotive information providers as well as manufacturer websites and should always be checked as part of the diagnostic process

Catalytic Converters

All “upstream” repairs should be addressed, the Repair Notification Form submitted to CAP, and the effectiveness of those repairs verified and documented, before any catalytic converter (CAT) work is submitted for and performed. Do not submit for “upstream” repairs and a CAT at the same time. As taught in the BAR Clean Air Car Course, installation or replacement of a CAT on a vehicle that is not in fuel control is not an accepted trade standard for good and workmanlike automotive repair.

Regulatory Changes

As of January 1, 2009, the Air Resources Board changed the requirements for aftermarket catalytic converters. For information, visit the ARB website at www.arb.ca.gov.

5.6 Reimbursable Repairs

Repairs to motor vehicles failing the Smog Check inspection that are subsidized through CAP shall correct the cause of the Smog Check inspection failure in a cost-effective manner and in compliance with CCR, title 16, section 3340.41(d). CAP can only pay for repairs intended to correct the Smog Check inspection failure(s) identified on the Vehicle Inspection Report.

The general categories for emissions repairs include but are not limited to the following:

- Positive Crankcase Ventilation Systems
- Exhaust Gas Recirculation Systems
- Evaporative Emissions Control Systems
- Computer Systems
- Ignition Systems
- Fuel Systems
- Engine and mechanical systems related to emissions performance
- Exhaust Emissions Control Systems

5.7 Non-Reimbursable Items and Items Reimbursable Only upon Preapproval

CAP will **not** reimburse stations for the following:

- Body repairs
- Brakes
- Completing OBD II drive cycles (The station may allow consumer to complete.)
- Fuel
- Glass repairs
- Heating, ventilation, and air conditioning repairs
- Mufflers
- Oil and fluid top-offs
- Oil Treatments

- Repairs performed after the vehicle is certified
- Repairs performed without the consumer's authorization
- Safety related equipment (i.e., air bags, seat belts)
- Suspension
- Tailpipes
- Tires
- Transmission flushes
- Water pumps
- 2004 and older Nissan product Knock Sensor

Nissan Product Knock Sensor Codes

Please be advised that all model year 2004 and older OBD 2 Nissan, Infiniti and Mercury Villager models will upon detection of a knock sensor problem inappropriately store a knock sensor DTC in SAE J1979 Mode \$03. This mode is reserved for reporting of active emission related faults.

Knock sensor faults on these vehicles are not emission related, will not illuminate the MIL, and associated repairs should not be considered an OBD requirement for Inspection and Maintenance testing and repair programs.

This applies to all Nissan, Infiniti and Mercury Villager models that have the ability to set the P0325 code. Many Nissan models were fully OBD2 compliant in 1995 such as 200SX, 240SX, Altima, and the Maxima. Only the G20 was OBD2 compliant in 1995 for Infiniti. The rest of the line became OBD2 compliant in 1996. In 1997 the Infiniti Q45 came out with a 4.1 liter V8 that uses 2 knock sensors. Infiniti uses a P0330 in addition to the P0325.

The following is a list of the knock sensor DTCs that apply to 1996-2004 Nissan, Infiniti, and Mercury Villager models:

<u>M.Y.</u>	<u>Knock Sensor codes</u>
1996-2001	P0325
2002-2004	P0327, P0328

These codes will only be printed on the VIR if it is accompanied by another code which commanded the MIL to be illuminated. All other codes should be addressed first.

NOTE: CAP funds are never to be used to address any of these Knock Sensor DTCs.

For all model year 2005 and subsequent model year vehicles, knock sensor faults will neither set an emission related DTC Mode \$03 nor illuminate a MIL with the following exceptions:

Infiniti M56 and Q56

<u>M.Y.</u>	<u>Knock Sensor codes</u>
2011-2012	P0327, P0328, P0332, P0333

For these exceptions knock sensor failures are emission related. The MIL will illuminate and will cause the vehicle to fail the State Smog inspection.

CAP will **only** reimburse stations for the following when the repair is preapproved by CAP. Preapproval will be contingent upon the station providing convincing evidence that the repair is cost-effective and necessary to correct the cause of Smog Check inspection failure:

- Additives
- Air filters
- Batteries
- Charging and starting system
- Colling system flushes
- Coolant hoses
- Fuel filters
- Injection flushes (May be allowed if recommended by the manufacturer for emissions related repairs.)
- Locking gas caps (May be allowed if it is the only available option.)
- Maintenance items (May be allowed for those that are the direct cause of the Smog Check failure.)
- Motor and transmission mounts
- Oil change and oil filters
- Oil leaks (May be allowed for oil leaks into the spark plug well that cause the spark plug wires to deteriorate and result in a Smog Check inspection failure.)
- Radiators
- Top engine cleaning (May be allowed if recommended by the manufacturer for emissions-related repairs.)

5.8 Repair Notifications/Repair Notification Form

Once the station determines the required repairs, and prior to performing those repairs, the station must complete a legible [Repair Notification Form](#) available at www.bar.ca.gov. The Repair Notification Form, the station's work order, and the vehicle diagnostic information must be promptly faxed or emailed to CAP. The station is required to use the computer-generated Repair Notification and Repair Assistance Invoice Forms. Handwritten forms will be rejected.

Rate and fee information on the Repair Notification Form must not exceed what is on file with CAP (as submitted on the most recent Station Questionnaire) and must match what is on the repair station's consumer invoice. The repair station must send the information to CAP even if the consumer declines to have any repairs performed.

NOTE: Incomplete, inaccurate, and illegible Repair Notification forms will be returned to the station for correction.

Preapproval Requirements

- If the CAP contribution¹ towards the total cost of diagnosis and repair will exceed \$500, the station must obtain CAP preapproval before beginning repairs or seeking consumer authorization for repairs. CAP will document preapproval on Repair Notification Form and transmit it to the station via fax or email. Once CAP preapproval and consumer authorization are obtained, the station may begin repairs.
- If the CAP contribution towards the total cost of diagnosis and repair will not exceed \$500, the station may begin repairs upon consumer authorization. The station may also request CAP preapproval by either checking the preapproval request box on the Repair Notification Form or by calling (866) 361-3933. (Preapproval for repairs under \$500 is recommended in cases where the technician is uncertain the initial repair will be sufficient to permit the vehicle to pass the smog check inspection.)

Fax Option

The station should fax the Repair Notification Form to (888) 336-8334 or (916) 464-1212. Upon receipt, CAP will review the notification. If the repair requires preapproval, CAP will fax the approval to the station as soon as possible (usually within one working day). If the requested CAP contribution is less than \$500 and therefore does not require preapproval, CAP will fax a copy of the Repair Notification Form stamped “received” back to the station within three (3) business days. Contact CAP if you have not received a response within that time. Email Option: The preferred option is sending the required notification information to CAP by email. To do this, the station MUST follow the directions for emailing documents. CAP will not accept email documents unless they are properly sent.

1. Download and use the latest Repair Notification Form from the BAR website.
2. Insert your station’s email address in place of the station’s fax number.
3. Send the Repair Notification Form, the station work order, the diagnostic information, and any other information as a PDF document. CAP will not provide instruction or assistance in creating PDF documents.
4. Send the documents as an attachment to the email.
5. Email to ERNF@dca.ca.gov.
6. Upon receipt, CAP will review the notification. If the repair requires preapproval, CAP will email the approval to the station as soon as possible (usually within one working day). If the requested CAP contribution is less than \$500 and therefore does not require preapproval, CAP will email a copy of the Repair Notification Form stamped “received” back to the station within three (3) business days.

Revisions or Additions to the Repair Notification Form

Any time there is a cancellation or change in parts price, repair cost, or the method of repair, the station must send a revised Repair Notification Form to CAP listing the changes prior to performing those repairs. Any cancellation or change must be noted as a “Revision” on a Repair Notification Form. The Repair Notification Forms must be consistent with the final repair invoice provided to the consumer. Please call CAP at (866) 361-3933 prior to revising any repair notification that has been preapproved.

NOTE: It is the station’s responsibility to obtain the consumers authorization for a change in the method of repairs or an increase in the estimate. (BPC section 9884.9 and CCR, title 16, section 3353)

¹ As noted in Section 4.4, requested CAP contributions will exceed \$500 if the total cost of the diagnosis and allowable repairs is greater than \$625. CAP is only allowed to pay for up to 80% of the total. The Repair Notification form will automatically calculate both the consumer payment and the CAP contribution.

5.10 Final Repair Invoice

Upon completion of the repair process, the station must provide the consumer with a legible copy of the final repair invoice (BPC section 9884.8; CCR, title 16, sections 3356 and 3340.41.3).

CCR, title 16, section 3340.41.3 states:

“The invoice for service, adjustments or repairs performed as part of the Smog Check Program shall describe all service work done and parts supplied to reduce emissions, in the manner prescribed by section 9884.8 of the Business and Professions Code. A general description, such as “low emissions tune up,” “scope and adjust,” “reduce emissions,” or the like is insufficient to satisfy the requirements of section 9884.8 of the Business and Professions Code.”

5.11 CAP and Non-CAP Repairs

All CAP and non-CAP repairs shall be recorded on the same work order and the same final invoice, and itemized separately on each. If a station is unable to record all repairs on one invoice, all invoices must be cross-referenced.

5.12 Repair Cost Waiver

A consumer may qualify for a repair cost waiver if their vehicle is unable to pass a Smog Check inspection. The consumer must have spent a minimum of \$650 on repairs at a Smog Check station, which may include CAP-funded repairs. Some exceptions apply for Visible Smoke Test failures. Contact the state Referee at (800) 622-7733 for more information.

NOTE: For further information, refer to the Smog Check Manual available at www.bar.ca.gov.

If all appropriate emissions-related repairs have been performed to achieve the maximum amount of emissions reduction possible and the station has determined that no adjustment or repair can be performed that will further reduce emissions within the available CAP funds, the station shall inform the consumer of their options listed below:

- Continue with Repairs: Consumer pays for needed repairs in excess of available CAP Funds.
- Apply for Vehicle Retirement.
- Apply for a Repair Cost Waiver. The consumer contacts the Referee Scheduling Center (RSC) at (800) 622-7733 to schedule an appointment.

NOTE: A post-repair test must be performed before the consumer goes to the Referee.

REIMBURSEMENT PROCEDURES

6.1 Accounting

The station shall maintain an accurate and up-to-date accounting of CAP repairs performed and billed to CAP.

6.2 Program Funding

Repair Assistance is subject to the availability of funds. BAR will monitor funding for the program and notify stations of any changes affecting consumer participation.

The station must comply with the requirements set forth by CAP during any suspension of the program that may be necessary due to insufficient funding or other reason.

Prior to any suspension of the CAP program, CAP will notify STAR stations via ET Blast and email.

6.3 Reimbursement Invoices/Invoice Form

The station shall submit in a timely manner, a [CAP Repair Assistance Invoice Form](#), itemizing the amount requested for reimbursement for each vehicle repaired under CAP.

The station shall use the computer-generated Repair Notification (refer to section 5.8) and CAP Repair Assistance Invoice Forms available at www.bar.ca.gov. Handwritten forms will be returned.

The station shall be responsible for submitting accurate and legible invoices in accordance with the invoice schedule specified in this manual. Inaccurate or illegible invoices will be returned to the station and will need to be resubmitted.

The station may not bill/invoice CAP for repairs that have not yet been performed or completed.

The station's CAP Repair Assistance Invoice Forms shall contain a "Grand Total" amount and shall include the following information:

- CAP identification number(s)
- Vehicle license plate number(s)
- Repair order date(s)
- Amount charged or credited to the state for services performed
- The station address on the CAP Repair Assistance Invoice Form should be the address where you want the reimbursement check sent.
- Station Billing Invoice Number.
 - Each station shall create a billing numbering/alpha system to uniquely identify each invoice submitted by the station.
 - If a billing numbering/alpha system is not on the invoice, the invoice will be returned.

Stations shall submit invoices via mail or email as follows:

Mail Submission

Bureau of Automotive Repair Consumer Assistance Program
Invoice Unit
10949 North Mather Boulevard
Rancho Cordova, CA 95670

Email Submission

1. Download and use the latest CAP Repair Assistance Invoice Form available at www.bar.ca.gov.
2. Insert your station's email address in the field "Fax number or Email address."
3. Send the Repair Assistance Invoice Form, the station work order, the diagnostic information, and any other information as a PDF document.
4. Send the documents as an attachment to the email.
5. Email to: CAPRAInvoice@dca.ca.gov
6. A notification of receipt will be emailed back to you at the address you provided within 24 hours.

6.5 Reimbursement Requirements

Stations shall not combine claims for repairs that involve different CAP Standard Agreements. See the first page of the station CAP Standard Agreement(s) for the effective date(s), and CAP Standard Agreement number.

NOTE: Repairs performed in different fiscal years must be submitted on separate invoices.

The State of California's fiscal year (FY) begins July 1 and ends June 30. For accounting purposes, invoices cannot cross or combine fiscal years. Do not combine June and July billings in one invoice package. When fiscal years are combined on the same invoice, the invoice will be returned and will need to be resubmitted before payment can proceed.

Repairs that begin in June (previous FY) but are completed in July (current FY) will be considered performed in the previous fiscal year.

NOTE: The address on the CAP Repair Assistance Invoice Form must match the "Mailing Address" on the Payee Data Record (STD 204). CAP reimbursements will be mailed to the "Mailing Address" as submitted on the STD 204. Additional STD 204 requirements are:

1. The "Payee's Legal Business Name" on the STD 204 must match IRS records exactly as your Federal Employer Identification Number (FEIN).
2. A "Sole Proprietor" must match the Social Security Number (SSN) with the full name as shown on the SSN card.
3. If a "DBA" is used, you must clearly indicate both names (e.g., ACME Inc. DBA Smog Shop).