

BUREAU OF AUTOMOTIVE REPAIR

CORRECTION OF CROSS REFERENCES, PUNCTUATION, REDUNDANCY, AND  
ADDING CONFORMITY WITH STATUTE

TITLE 16, CALIFORNIA CODE OF REGULATIONS, SECTIONS 3303, 3352, 3353, AND 3356

Legend: Deleted text is indicated by ~~strikeout~~  
Added text is indicated with an underline  
Omitted text is indicated by (\* \* \* \*)

**(1) Amend Section 3303 of Article 1, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:**

§ 3303. Definitions.

\* \* \* \*

(h) “Repair of motor vehicles” as used in subdivision (e~~k~~) of Section 9880.1 of the Act shall not include the repair of that portion of a recreational vehicle which is intended for human habitation and which is unrelated to the operation of the vehicle, ~~or a transmission fluid change.~~

\* \* \* \*

Note: Authority cited: Sections 9882, 9884.9, 9884.19 and 9887.1, Business and Professions Code. Reference: Sections 9880.1(a), 9880.1(e~~k~~), 9880.1(f), 9882, 9884.7(a)(2), 9884.9, 9889.50, 9889.51 and 9889.52, Business and Professions Code.

**(2) Amend Section 3352 of Article 7, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:**

§ 3352. Definitions.

In this article, unless the context otherwise requires:

(a) “Estimate” means a paper or electronic document provided to the customer that contains an estimated price for labor and parts for a specific job and that meets the requirements of Business and Professions Code Section 9884.9 and California Code of Regulations Section 3353.

\* \* \* \*

Note: Authority cited: Section 9882, Business and Professions Code. Reference: Sections 9884.8, 9884.9, 9889.50 and 9889.52, Business and Professions Code.

**(3) Amend Section 3353 of Article 7, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:**

§ 3353. Estimate/Work Order Requirements.

An estimate shall be provided to and authorized by the customer before any work commences. The estimate shall meet the requirements of Business and Professions Code section 9884.9 as well as the following:

(a) Estimate for Parts and Labor. Every automotive repair dealer shall give to each customer an estimate containing the estimated price for parts and labor for a specific job prior to obtaining authorization. Each part listed in the estimate shall be new unless specifically identified as a used, rebuilt, or reconditioned part.

\* \* \* \*

Note: Authority cited: Sections 9882 and 9884.9, Business and Professions Code. Reference: Sections 9884.8, 9884.9, 9889.50 and 9889.52, Business and Professions Code.

**(4) Amend Section 3356 of Article 7, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:**

§ 3356. Invoice Requirements.

(a) All invoices for service and repair work performed, and parts supplied, as provided for in Section 9884.8 of the Business and Professions Code, shall comply with this section.

(b) The invoice shall show the automotive repair dealer's registration number and the corresponding business name and address as shown in the Bureau's records.

(c) The invoice shall separately list, describe and identify all of the following:

(1) All services and repairs performed, including any diagnosis or warranty repairs, and the prices for each.

(2) Each part supplied, in such a manner that the customer can understand what was purchased, and the price for each described part. The description of each part shall state whether the part was new, used, reconditioned, rebuilt, an OEM crash part, or a non-OEM aftermarket crash part. Part kits containing several components may be listed as a single part on the invoice and identified by brand name and corresponding part number or similar designation.

(3) The subtotal price for all service and repair work performed.

(4) The subtotal price for all parts supplied, not including sales tax.

(5) The applicable sales tax, if any.

(6) The total cost for all service and repair work, parts supplied and applicable sales tax.

(d) If a vehicle was delivered to the automotive repair dealer under unusual circumstances per section 3353.2, the automotive repair dealer shall also record the following additional information on the invoice:

- (1) The date and time of the authorization of the estimate;
- (2) The name of the person who gave the authorization; and
- (3) The telephone number or electronic mail address contacted, if any, to obtain the authorization.

(e) If additional authorization was obtained per section 3354(a), and the authorization was made orally or electronically, the automotive repair dealer shall record the oral or electronic authorization on the invoice.

(1) The invoice shall include the following additional information:

- (A) The date and time of the additional authorization;
- (B) The name of the person who authorized the additional repairs;
- (C) The telephone number or electronic mail address contacted, if any, to obtain the additional authorization; and
- (D) a description of all additional parts and labor, the cost for the additional parts and labor and the total price for all repairs.

(2) If the customer provided additional authorization orally, the automotive repair dealer may, instead of documenting the information described in subsection ~~(d)~~(1) of this section, obtain the customer's signature or initials on a statement acknowledging notice of and consent to the additional repairs, parts, and labor, and total revised cost. The statement shall be as follows:

“I acknowledge notice and oral approval of an increase in the original estimated price.

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(signature or initials)”

(f) If a customer is to be charged for a part, that part shall be specifically listed as an item in the invoice, as provided in paragraph (2) of subsection ~~(b)~~(c) above. If that item is not listed in the invoice, it shall not be regarded as a part, and a separate charge may not be made for it.

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Note: Authority cited: Sections 137 and 9882, Business and Professions Code. Reference: Sections 9884.8, 9889.50 and 9889.52, Business and Professions Code; and Sections 12000 and 12001, Vehicle Code.