AB 471 IMPLEMENTATION STRATEGY

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EXECUTIVE OFFICE
BAR ADVISORY GROUP MEETING
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AB 471 (LOW, CHAPTER 372, STATUTES OF 2021)

• Signed into law by Governor on September 28, 2021

• No sooner than July 1, 2023, creates a 3-member panel for informal review of ARD citations

• Creates a vehicle safety inspection and certification program by January 1, 2024

• Creates a remedial training process and certification program for remedial training providers

• Requires recognition of educational certifications on the ARD application

• Requires valid ARD to charge storage fees
PROPOSED ARD CITATION PROGRAM

• Since January 2020, BAR has worked toward implementing an ARD Citation Program

• October 2020 BAG presentation – “Automotive Repair Citations Concept”

• April & July 2021 public workshops on proposed ARD citation regulations

• As required now by AB 471, those regulations will include:
  • An informal appeal process for ARD citations
  • A 3-member panel to review informal appeals; the panel will consist of a representative from BAR, industry, and public
VEHICLE SAFETY INSPECTION PROGRAM

• As required by AB 471, forthcoming development of regulations will:
  • Combine the Lamp and Brake inspection programs into one program
  • Allow BAR to add other vehicle systems for inspection
  • Move BAR from a paper to an electronic certificate of compliance for these inspections
REMEDIAL TRAINING & PROVIDER CERTIFICATION

• As required by AB 471, forthcoming development of regulations will:
  • Create a remedial training program to prevent disclosure of an ARD citation for a violation BAR deems to be minor in nature, but only once every 18 months
  • Establish the required content for the remedial training course
  • Develop a certification process for remedial training providers
ARD APPLICATION AND EDUCATIONAL CERTIFICATIONS

• As required by AB 471, forthcoming development of regulations will:

  • Detail additional information required on the ARD application (e.g., email address)

  • Create a process for BAR to accept and connect educational and professional certifications to BAR-issued ARD registrations

• Determine how to link all newly required information to BAR’s Auto Shop Locator
STORAGE FEES

- Since the passage of AB 2392 (Santiago, Chapter 434, Statutes of 2018) BAR has provided guidance to the automotive industry on storage fees
  - October 2018 BAG presentation – “Storage/Towing Fees and Lien Sales”
  - Spring 2019 Newsletter article “Storage Fees and Lien Sales”
  - October 2021 public workshop on proposed storage fee regulations
- AB 471 modified B&P 9884.16 to add a valid registration requirement as a prerequisite for an ARD to charge storage fees in accordance with applicable laws
PRIORITIZING REGULATION PACKAGES

• Group 1:
  • ARD Citation Program
  • Remedial Training Program/Provider Certification
  • ARD Application/Educational Certifications

• Group 2:
  • Vehicle Safety Inspection Program

• Group 3:
  • Storage Fees
  • Disciplinary Guidelines Update
REGULATORY WORKSHOPS

• In order to complete the regulation development process as efficiently as possible, BAR plans more frequent regulatory workshops in 2022

• Notifications about upcoming regulatory workshops will be posted to BAR’s website, and sent to those on BAR’s mailing list: https://www.bar.ca.gov/Email_List_Signup

• Proposed regulation language and any other presentation materials will be posted to BAR’s website 10 calendar days prior to the workshops
VEHICLE SAFETY INSPECTION QUESTIONS

• To assist BAR in developing the Vehicle Safety Inspection Program, we request your feedback on these questions:

  • Beyond the brake and lamp inspection, what additional systems or items should be inspected as part of the Vehicle Safety Inspection?

  • What process should BAR use to verify that the vehicle receiving the safety certification was inspected?

  • How does BAR verify that the licensed inspector was the one who performed the safety inspection?

  • What is the best way to transition from current brake and lamp station/adjuster licenses to new vehicle safety inspection licenses?
QUESTIONS AND COMMENTS

Submit questions and/or comments to:

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