

DEPARTMENT OF CONSUMER AFFAIRS  
TITLE 16. BUREAU OF AUTOMOTIVE REPAIR

**STATEMENT OF CHANGES WITHOUT REGULATORY EFFECT**  
**Omnibus Clean Up of Related Regulations 2025**

The purpose of this document is to satisfy the requirements under California Code of Regulations (CCR), Title 1, section 100, subdivision (b)(1) by providing a written statement to the Office of Administrative Law (OAL) explaining why the following proposed regulatory changes to CCR, Title 16, sections 3312.1.1, 3314.1.1, 3315, 3316, 3320, 3321, and 3340.50 are without regulatory effect.

CCR, Title 1, section 100 (section 100) creates an exception to the formal rulemaking requirements of the Administrative Procedure Act (APA) for proposed regulatory changes that do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision. Section 100 provides a non-exhaustive list of regulatory changes that are without regulatory effect, including a regulatory change which revises structure, syntax, cross-reference, grammar, or punctuation (§100(a)(4)) and a regulatory change which makes an existing regulation consistent with a statute if the regulatory provision is both inconsistent with the statute and the adopting agency has no discretion but to adopt the proposed regulatory change (§100(a)(6)).

In 2021, the Legislature passed Assembly Bill 471 (“AB 471”; Low, Chapter 372, Statutes of 2021), which modified the Business and Professions Code (“BPC”; adding new sections, and amending or repealing existing sections), requiring the Bureau to develop regulations implementing a new vehicle safety systems inspection program. This new program “promote[s] the safe and uniform installation, maintenance, and servicing of vehicle safety systems and components”, as stated in the authorizing statute. The program includes inspection criteria and standards for specific vehicle safety systems and components, and the issuance of vehicle safety systems inspection licenses to stations and technicians to conduct inspections of vehicle safety systems. AB 471 modified BPC section 9888.5(d) to include that these vehicle safety systems inspection licenses replace licenses issued pursuant to existing provisions—governing the licensure of brake and lamp adjusting stations and adjusters—that the bill will repeal on the effective date of the new regulations. Vehicle Safety System Inspection Program regulations repealed sections of the California Code of Regulations (Title 16, sections 3315, 3316, 3320, and 3321), pertaining to the former brake and lamp adjusting stations, upon adoption of the rulemaking. The Vehicle Safety Systems Inspection Program rulemaking also created a new Article (Article 2.5) to both implement the Vehicle Safety System Inspection Program licensing and sunset current brake and lamp licenses over a six month period, helping current brake and lamp license holders more smoothly transition to the new Vehicle Safety Systems Inspection Program licenses. The six month time frame has ended, and the sections in Article 2.5 pertaining to the sunset period are now inoperative by their own provisions (sections 3312.1.1 and 3314.1.1).

Additionally, when assessing internal processes and external applications to ensure they reflect the new Vehicle Safety System Inspection Program requirements, the Bureau found the need to promulgate a definition of “Responsible Managing Employee”, a term that is in use on applications and various Bureau forms, including Station Inspection Reports and Gas Audit Reports.

The following proposed regulatory changes are without regulatory effect pursuant to section 100, and sections 3312.1.1 and 3314.1.1 of Article 2.5, and subject to the approval of OAL, the Bureau proposes amending and repealing text published in the CCR as follows:

### **1. Repeal section 3312.1.1**

Pursuant to section 3312.1.1(j), section 3312.1.1 became inoperative on March 27, 2025. As the section is now inoperative by its own provisions, the Bureau proposes repealing this section, which is no longer relevant or necessary.

Not only is there no reason to leave this section in regulation but it is also necessary to remove this section to avoid causing confusion for the regulated public.

### **2. Repeal section 3314.1.1**

Pursuant to section 3314.1.1(g), section 3314.1.1 became inoperative on March 27, 2025. As the section is now inoperative by its own provisions, the Bureau proposes repealing this section, which is no longer relevant or necessary.

Not only is there no reason to leave this section in regulation but it is also necessary to remove this section to avoid causing confusion for the regulated public.

### **3. Repeal section 3315**

Pursuant to section 3315(c), section 3315 became inoperative on September 27, 2024. As the section is now inoperative by its own provisions, the Bureau proposes repealing this section, which is no longer relevant or necessary.

Not only is there no reason to leave this section in regulation but it is also necessary to remove the section to avoid causing confusion for the regulated public.

### **4. Repeal section 3316**

Pursuant to section 3316(f), section 3316 became inoperative on September 27, 2024. As the section is now inoperative by its own provisions, the Bureau proposes repealing this section, which is no longer relevant or necessary.

Not only is there no reason to leave this section in regulation, but it is also necessary to remove the section to avoid causing confusion for the regulated public.

## **5. Repeal section 3320**

Pursuant to section 3320(d), section 3320 became inoperative on September 27, 2024. As the section is now inoperative by its own provisions, the Bureau proposes repealing this section, which is no longer relevant or necessary.

Not only is there no reason to leave this section in regulation, but it is also necessary to remove the section to avoid causing confusion for the regulated public.

## **6. Repeal section 3321**

Pursuant to section 3321(e), section 3321 became inoperative on September 27, 2024. As the section is now inoperative by its own provisions, the Bureau proposes repealing this section, which is no longer relevant or necessary.

Not only is there no reason to leave this section in regulation, but it is also necessary to remove the section to avoid causing confusion for the regulated public.

## **7. Amend section 3340.50(f) to replace “responsible managing employee” with the language “Responsible Managing Employee, as defined in section 3303(v) of Article 1 of this Chapter,”**

Capitalizing “Responsible Managing Employee” is a minor grammatical change made as part of an effort to “[revise] structure, syntax, cross-reference, grammar, or punctuation” within the meaning of CCR section 100(a)(4). “Responsible Managing Employee” is a term defined in CCR section 3303(v) and inconsistent capitalization may result in misinterpretation of the lower case “responsible managing employee”.

Additionally, adding “, as defined in section 3303(v) of Article 1 of this Chapter,” is a cross-reference amendment made as part of an effort to “[revise] structure, syntax, cross-reference, grammar, or punctuation” within the meaning of CCR section 100(a)(4).