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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. DEPARTMENT OF GENERAL SERVICES

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE DEPARTMENT OF GENERAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of General Services, pursuant to the authority vested in it by section 87300 of the Government Code, proposes amendments to its Conflict-of-Interest Code.

The Department of General Services proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code.

The Department of General Services provides the following centralized services for the state: property acquisition, construction and management; purchasing; printing; architectural services; administrative hearings; human resources services; and accounting services. These amendments add positions to the code to reflect the current organizational structure of the Department of General Services. Copies of the proposed amendments to the code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than February 25, 2013, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

In making these proposed amendments, the Department of General Services must determine that no alternative considered by the Department would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective as and less burdensome to affected persons than the proposed amendments.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than February 10, 2013, by contacting the Contact Person set forth below.

The Department of General Services has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries should be directed to:

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TITLE 16. BUREAU OF AUTOMOTIVE REPAIR

NOTICE OF PROPOSED REGULATORY ACTION AND PUBLIC HEARING CONCERNING

Referee Services and Repair Cost Waiver

SPECIFICALLY

Referee Services and Fees and Adjustment to the Smog Check Repair Cost Waiver Limit

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs/Bureau of Automotive Repair (hereinafter "Bureau" or "BAR") is proposing to take the actions described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at hearings to be held at the following locations on the following dates:

NORTHERN CALIFORNIA

Tuesday, February 26, 2013 at 11:00 a.m.

Bureau of Automotive Repair, Room 100B
10949 North Mather Blvd.
Rancho Cordova, CA 95670

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be **received by the Bureau at its office no later than 5:00 p.m. on Tuesday, February 26, 2013**, or must be received by the Bureau at the above-referenced hearing. **Comments sent to persons or addresses other than those specified under Contact Person, or received after the date and time specified above, regardless of the manner of transmission, will be included in the record of this proposed regulatory action, but will not be summarized or responded to.** The Bureau, upon its own motion or at the request of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE:

Pursuant to the authority vested by Section 9882 of the Business and Professions Code, and to implement, interpret or make specific Sections 44001.5, 44002, 44014, 44017, 44017.4, and 44036 of the Health and Safety Code, the Bureau is proposing to adopt the following changes to Article 5.5 of Chapter 1, Division 33, Title 16, California Code of Regulations.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

INTRODUCTION:

BAR, within the Department of Consumer Affairs, is the state agency charged with implementation and administration of the Smog Check Program (Program). The Program is designed to reduce air pollution from mobile sources, such as passenger vehicles and light-duty trucks, by requiring these vehicles to meet specific emissions standards established by BAR.

BACKGROUND:

Smog Check stations and inspectors rely on the Smog Check Manual, which is incorporated by reference in regulation, to perform proper inspections and repairs. The manual covers the vast majority of inspection procedures; however, there are certain vehicles with unusual designs or modifications that require unique inspection procedures that are not covered in the manual. BAR contracts with a separate entity known as the Smog Check Referee (Referee) for these and other consumer services that are not performed at a licensed Smog Check station. The Referee is part of the consumer protection-oriented quality assurance portion of the program required by H&S sections 44014 and 44036.

Special inspection services have been performed by the Referee since the Program's inception in 1984. However, AB 2289 authorized BAR to charge consumers a fee to offset the costs for providing these services. This regulatory action allows BAR, through the Referee, to charge consumers utilizing and benefitting from the special services. Currently, the cost associated with providing Referee services is borne by the Program through the collection of the \$8.25 certificate of compliance fee, among others.

Under this proposal, fees charged by the Referee for special inspection services that involve similar time and function as the services performed by licensed Smog Check stations will be equal to the average Smog Check inspection cost charged by licensed stations. Consumers that own a vehicle with unique or unusual designs will be required to pay a fee that is 185% of the average statewide cost for a Smog Check inspection. This divergence in cost calculation is necessary because vehicles with unique or unusual designs require more time and resources to inspect and staff with specific knowledge to determine the emissions control requirements for each vehicle being inspected. These vehicles include direct import vehicles, specially constructed vehicles, vehicles with engine changes, and vehicles equipped with alternative retrofit fuel systems. In most cases, the Referee inspects the vehicle to establish the emissions control requirements and then affixes a tamper resistant label to the vehicle. Once this label is affixed, the consumer may take the vehicle to a licensed Smog Check station for future inspections.

Correlating the Referee inspection fee(s) to the average Smog Check inspection cost ensures that consumers understand how the fee was established and that it reflects what they would pay if these services were offered and performed by Smog Check stations.

The Referee is currently operated by the Foundation for California Community Colleges (FCCC) under a contract with BAR. The current Referee network con-

sists of 31 facilities located at community college campuses.

Repair Cost Waiver:

H&S section 44017 establishes a process that allows eligible consumers that have failed a Smog Check inspection and have spent a minimum of \$450 on emissions-related repairs to qualify for a repair cost waiver. The repair cost waiver allows a consumer to bypass one biennial Smog Check certification requirement in order to complete the registration renewal process for a specific vehicle. This law also requires the BAR to periodically adjust the repair cost limit in accordance with the Consumer Price Index (CPI), as published by the Bureau of Labor Statistics (BLS). Accordingly, this regulatory action proposes to adjust the repair cost limit from \$450 to \$650 based on changes to the CPI. Under this proposal, the repair cost limit adjustment would take effect on July 1, 2013.

Moreover, this proposal establishes a process to adjust the repair cost limit on a regular basis based on procedures established in this regulatory action. Specifically, this regulation allows BAR to adjust the repair cost limit every two years, but only if the CPI results in a change of at least \$25 from the previous cost limit. The proposed adjustment criteria will ensure that the repair cost limit keeps pace with fluctuations in the CPI, avoiding incrementally small or large adjustments.

A repair cost limit that more closely represents the value of current repair costs will result in more vehicles receiving complete repairs and, therefore, a greater reduction of harmful smog-forming emissions. In calendar year 2010, the Referee issued 2,897 waivers at the \$450 repair cost limit. Applying the adjusted \$650 repair cost limit to this data could have led to approximately 2,100 more vehicles receiving repairs in order to pass a Smog Check inspection.

H&S section 44017(c) requires BAR to periodically revise the repair cost limit in accordance with the CPI. The proposed waiver adjustment was determined using the BLS All Urban Consumers Index (CPI-U). The CPI-U accounts for all the consumer goods and services purchased by urban households, representing about 87 percent of the total U.S. population, according to the BLS.

CURRENT REGULATION:

Existing regulation in the California Code of Regulations, Title 16, Division 33, Chapter 1, Article 5.5, is summarized as follows:

1. Section 3340.1 specifies definitions used in the Smog Check Program.
2. Section 3340.43 specifies qualifying criteria for the Repair Cost Waiver Limit.

EFFECT OF REGULATORY ACTION:

The Bureau of Automotive Repair (BAR) is proposing the following amendments to existing regulations:

- I. **Referee Services Fee:** Pursuant to Assembly Bill 2289 (Eng, Chapter 258, Statutes of 2010), specifically Health and Safety Code (H&S) section 44014, this action allows BAR to charge a fee to offset the costs of providing Referee services.
- II. **Adjustment to the Smog Check Repair Cost Limit:** In accordance with H&S section 44017, this action seeks to adjust the repair cost limit to reflect changes in the CPI, as published by the United States Bureau of Labor Statistics (BLS).

SPECIFIC PURPOSE OF THE REGULATORY PROPOSAL

The Bureau of Automotive Repair (BAR) is proposing the following amendments to existing regulations:

1. **Amend Section 3340.1 of Article 5.5, Chapter 1, Division 33, Title 16 California Code of Regulations, as follows:**
 - a. Add definition for “alternative fuel retrofit system.”
Defining an alternative fuel retrofit system is necessary because these vehicles must be inspected at the Referee. This definition provides the public with clear and concise regulations.
 - b. Add definition for “average inspection cost.”
Defining the average inspection costs is necessary as it will be used as the basis for determining the cost that a consumer would pay for a particular Referee service.
 - c. Add definition for “engine change.”
Defining an engine change is necessary because these vehicles must be inspected at the Referee. This definition provides the public with clear and concise regulations.
 - d. Add definition for “Smog Check Referee or Referee.”
Defining the Smog Check Referee is necessary because BAR is requiring certain vehicles to receive an inspection at the Referee. This definition provides the public with clear and concise regulations.
2. **Add Section 3340.4 of Article 5.5, Chapter 1 of Division 33 of Title 16 of the California Code of Regulations as follows:**
 - a. Add the title of the section to be “Smog Check Referee Services and Fees.”

- b. Add new subsection (a) to regulation.
This subsection lists the services provided by the Referee, including the following: the issuance of repair cost waivers; independent evaluation of consumers Smog Check inspection results; inspection of vehicular exhaust systems; verification of proper installation of engine changes; the inspection of direct import vehicles, vehicles with alternative fuel retrofit systems, specially constructed vehicles, and vehicles with unusual design; the issuance of a limited parts exemption; and the inspection of government fleet vehicles and vehicles that the bureau or law enforcement agency has requested a Referee inspection. This addition is necessary to ensure that the public clearly understands what services the Referee provides.
 - c. Add new subsection (b) to regulation.
This subsection directs the Referee to affix a tamper resistant label to inspected vehicles, as applicable. Additionally, the label describes vehicle information that is used by Smog Check inspectors during subsequent inspections. This addition is necessary to clarify the Referee’s functions and the purpose of the tamper resistant label.
 - d. Add new subsection (c) to regulation.
This subsection allows the Referee to charge a fee for providing special inspection services, directs the Referee to post a list of fees, and explains how fees are calculated. This addition is necessary to provide clear instruction to the Referee and to inform the public on the fees associated with special inspection services for their vehicles.
- 3. Amend Section 3340.43 of Article 5.5 of Chapter 1 of Division 33 of Title 15 of the California Code of Regulations as follows:**
- a. Add a new subsection (a) to section 3340.43 to read, “Beginning January 1, 2013, and in accordance with 44017(c), a vehicle owner shall qualify for a repair cost waiver only after expenditure of \$650 or more in smog check related repairs. The bureau shall revise the maximum repair cost limit based on adjustments to the CPI, as published by the Bureau of Labor Statistics. The expenditure amount shall be increased biennially only if the CPI results in an adjustment of at least \$25 since the last CPI adjustment. The revised

repair cost limit shall be rounded to the nearest \$5.”

This subsection provides consumers information necessary to determine when they may be eligible for a repair cost waiver and how and when the limit will be adjusted and calculated.

- b. Add a new subsection (b) to section 3340.43 to read, “Repairs covered by a vehicle manufacturer emissions warranty shall not apply toward the repair cost limit. Additionally, a vehicle owner shall not qualify for a repair cost waiver if the vehicle is in need of repairs that are covered by a manufacturer’s emissions warranty.”

This addition is necessary to provide the public with notice that the repair cost limit is being revised and when the change will become effective. Additionally, it informs the public that repair work covered by a manufacturer’s emissions warranty does not qualify for a repair cost waiver.

These changes create new subsections (a), (b), and (c). Additionally, subsection (a) will now be paragraph (c)(1), subsection (b) will now be paragraph (c)(2), subsection (c) will now be paragraph (c)(3), and subsection (d) will now be paragraph (c)(4).

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

BAR has evaluated this regulatory proposal and it is not inconsistent, nor incompatible with existing state regulations.

As described in H&S section 44002, BAR is the state agency solely responsible for the development and implementation of the motor vehicle inspection program. The revisions being made during this regulatory package are consistent with USEPA regulations, specifically, Title 40, Part 51, the California Health and Safety Code, BAR regulations, and Air Resources Board (ARB) regulations.

FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES AND COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE

The Referee is currently operated by the Foundation for California Community Colleges (FCCC) under contract with BAR. The current Referee network consists of 31 facilities, with most located on community col-

lege campuses. The collection of fees for Referee services will allow BAR to recover approximately \$568,539 [(2,835 inspections X \$89) + (6,588 inspections X \$48) = \$568,539] annually based on fiscal year 2010–11 inspection data.

This proposal will result in no costs or savings in federal funding to the state.

NONDISCRETIONARY COSTS/SAVINGS TO LOCAL AGENCIES

None.

LOCAL MANDATE

None.

COSTS TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH GOVERNMENT CODE SECTIONS 17500–17630 REQUIRE REIMBURSEMENT

None.

BUSINESS IMPACT

This regulation will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the following facts, evidence, documents, or testimony:

Referee Service Fee:

This regulatory action does not create any new requirements or costs for businesses. Referee sites are currently operated by the FCCC, which is under contract with BAR. The Referee already provides special inspection services not otherwise available at licensed Smog Check stations. Under this proposal, BAR will allow the Referee to collect a fee from consumers that use their special inspection services. This fee will be used to reimburse BAR for services provided at the Referee.

Consumer Price Index Adjustment for the Repair Cost Waiver:

This regulatory action adjusts the repair cost limit in accordance with changes to the CPI to better reflect the current costs for repairs. As a result, the Smog Check repair industry may see an increase in the number of repairs for vehicles failing a Smog Check inspection, which has the potential to increase revenue by approximately \$427,800 (2,139 vehicles receiving additional repairs X \$200 = \$427,800) annually. This estimate is based on the difference in waivers issued in calendar

year 2010 using the \$450 repair cost limit, versus the number of waivers that may have been issued if the proposed \$650 repair cost limit was in place. In calendar year 2010, the program granted 2,897 waivers at the \$450 repair cost limit. Applying the adjusted \$650 repair cost limit to this data could have led to 2,139 more vehicles receiving repairs at Smog Check stations.

BAR has considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit proposals. Submissions may include the following considerations:

1. The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
2. Consolidation or simplification of compliance and reporting requirements for businesses.
3. The use of performance standards rather than prescriptive standards.
4. Exemption or partial exemption from the regulatory requirements for businesses.

BAR does not anticipate any new reporting, record-keeping or other compliance requirements as a result from the proposed action.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The costs that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to BAR are:

1. Raising the Repair Cost Limit may cost consumers approximately \$427,800 annually. Further, these changes will contribute to lower levels of smog-forming pollutants, thus improving overall health and welfare of all California consumers. Benefits associated with improved health and welfare is indeterminable.
2. Charging for special inspection services performed at the Referee will result in consumer costs of approximately \$568,539 [(6,588 inspections X \$48) + (2,835 inspections X \$89) = \$568,539] annually. This change will contribute to lower levels of smog-forming pollutants, thus improving overall health and welfare of all California consumers. Benefits associated with improved health and welfare is indeterminable.

EFFECT ON HOUSING COSTS

None.

EFFECT ON SMALL BUSINESS

BAR has determined that the proposed regulations would affect small businesses.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

BAR has made an initial determination that the proposed regulatory action will not have any impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, the expansion of businesses, or worker safety in the State of California.

BAR has made an initial determination that the proposed regulatory action will have the following benefits to the health and welfare of California residents and state's environment:

Raising the repair cost limit will reduce the number of waivers issued to consumers. This will result in more vehicles receiving emissions-related repairs for the purpose of passing a Smog Check inspection. Thus, these changes will contribute to a reduction in smog-forming emissions.

Recent studies such as the 2010 RAND Health Foundation report, *The Impact of Air Quality on Hospital Spending*, concluded that, "Meeting federal clean air standards would have prevented an estimated 29,808 hospital admissions and ER visits throughout California over 2005–2007. . . Failing to meet federal clean air standards cost health care purchasers/payers \$193,100,184 for hospital care alone. In other words, improved air quality would have reduced total spending on hospital care by \$193,100,184 in total."

Additionally, an ARB study, *Health Effects of Particulate Matter and Ozone Air Pollution*, November 2007,¹ identified significant health effects attributable to high levels of ozone. Polluting vehicles produce hydrocarbons and oxides of nitrogen which combine in the presence of sunlight to form bad ozone. The report stated that, "Ozone is a powerful oxidant that can damage the respiratory tract, causing inflammation and irritation, and induces symptoms such as coughing, chest tightness, shortness of breath, worsening of asthma symptoms, and even death. Ozone in sufficient doses increases the permeability of lung cells, rendering them more susceptible to toxins and microorganisms. The greatest risk is to those who are more active outdoors during smoggy periods, such as children, athletes, and outdoor workers. Exposure to levels of ozone above the current ambient air quality standard leads to lung inflammation and lung tissue damage, and a reduction in the amount of air inhaled into the lungs. Recent evidence has, for the first time, linked the onset of asthma to exposure to elevated ozone levels in exercising children (McConnell, 2002). These levels of ozone also reduce crop and timber yields, damage native plants, and damage materials such as rubber, paints, fabric, and plastics."

Further, a recent study by USEPA, *Estimating the National Public Health Burden Associated with Exposure to Ambient PM2.5 and Ozone*, found that, "Ground-level ozone (O₃) and fine particulate matter (PM2.5) are associated with increased risk of mortality. . . Using PM2.5 and O₃ mortality risk coefficients drawn from the long-term American Cancer Society (ACS) cohort study and National Mortality and Morbidity Air Pollution Study (NMMAPS), respectively, we estimate 130,000 PM2.5-related deaths and 4,700 ozone-related deaths to result from 2005 air quality levels. Among populations aged 65–99, we estimate nearly 1.1 million life years lost from PM2.5 exposure and approximately 36,000 life years lost from ozone exposure. Among the 10 most populous counties, the percentage of deaths attributable to PM2.5 and ozone ranges from 3.5% in San Jose to 10% in Los Angeles. These results show that despite significant improvements in air quality in recent decades, recent levels of PM2.5 and ozone still pose a nontrivial risk to public health."

These recent studies suggest that, although California air quality has improved, additional reductions to smog-forming pollutants are necessary. Revising the repair cost limit will help ensure that an additional 2,100 vehicles will receive emissions-related repairs in order to pass a Smog Check inspection.

CONSIDERATION OF ALTERNATIVES

BAR must determine that no reasonable alternative, which it considered or that has otherwise been identified and brought to its attention, would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS
AND INFORMATION

BAR has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the Initial Statement of Reasons, and all of

¹ http://www.arb.ca.gov/research/health/fs/pm_ozone-fs.pdf.

the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau of Automotive Repair at 10949 N. Mather Boulevard, Rancho Cordova, California, 95670.

**AVAILABILITY AND LOCATION OF THE
RULEMAKING FILE AND THE FINAL
STATEMENT OF REASONS**

All the information upon which the proposed regulations are based is contained in the rulemaking file. Further, the express terms, Initial Statement of Reasons, and information upon which the proposed regulations are based is available for public inspection by contacting the persons named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web site listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Vincent Somma
Bureau of Automotive Repair
10949 N. Mather Boulevard
Rancho Cordova, CA 95670
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The backup contact person is:

Greg Garrett
Bureau of Automotive Repair
10949 N. Mather Boulevard
Rancho Cordova, CA 95670
Telephone: (916) 403-0157
Fax No.: (916) 464-3425
E-mail: greg.garrett@dca.ca.gov

WEB SITE ACCESS

Materials regarding this proposal can also be found on BAR's Web site at www.smogcheck.ca.gov.

**TITLE 17. DEPARTMENT OF
DEVELOPMENTAL SERVICES**

ACTION: Notice of Proposed Rulemaking
Title 17, California Code of Regulations

SUBJECT: CONFLICT-OF-INTEREST STANDARDS AND PROCEDURES FOR REGIONAL CENTER BOARD MEMBERS, EMPLOYEES AND OTHERS ACTING ON THE REGIONAL CENTER'S BEHALF

PUBLIC PROCEEDINGS

Notice is hereby given that the California Department of Developmental Services will conduct written proceedings during which time any interested person or such person's duly authorized representative may present statements, arguments or contentions (all of which are hereafter referred to as comments) relevant to the action described in this notice.

HEARING

No hearing has been scheduled; however, any interested person or his or her duly authorized representative may request in writing, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Government Code Section 11346.8. For individuals with disabilities, should a public hearing be scheduled, the Department will provide assistive services such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of written public hearing materials into Braille, large print, audiocassette, or computer disk. Note: The range of assistive services available may be limited if requests are received less than ten business days prior to a public hearing.

To request such services or copies of materials in an alternate format, please write to: Office of Legislation & Regulations, 1600 Ninth Street, Room 322, MS 3-10, Sacramento, California 95814 or call (916) 654-1884, or use the California Relay Service by dialing 711.

WRITTEN COMMENT PERIOD

Any written comments pertaining to these regulations, regardless of the method of transmittal, must be received by the Office of Legislation & Regulations by 5 p.m. on February 28, 2013, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely. Persons wishing to use the California Relay Service may do so at no cost by dialing 711.

Written comments may be submitted as follows:

1. By email to: eric.gelber@dds.ca.gov. It is requested that email transmission of comments, particularly those with attachments, contain the

regulation package identifier, "Conflict of Interest: Regional Center," in the subject line to facilitate timely identification and review of the comment; or

2. By fax transmission: (916) 654-1913; or hand-deliver to: 1600 Ninth Street, Room 322, Sacramento, California 95814.
3. By mail to: Office of Legislation & Regulations, 1600 Ninth Street, Room 322, MS 3-10, Sacramento, California 95814.

It is requested but not required that written comments sent by mail or hand-delivered be submitted in triplicate.

All comments, including email or fax transmissions, should include the author's name and U.S. Postal Service mailing address in order for the Department to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

For purposes of implementing Senate Bill (SB) 74 (Statutes of 2011, chapter 9), amending Welfare & Institutions Code section 4626, the proposed regulations would establish the requirements to ensure that regional center board members and employees act in the course of their duties solely in the best interest of the regional center consumers and their families without regard to the interests of any other organization with which they are associated or persons to whom they are related. Board members, employees, and others acting on the regional center's behalf, as defined in the proposed regulations, shall be free from conflicts of interest that would adversely influence their judgment, objectivity, or loyalty to the regional center, its consumers, or its mission.

Policy Statement Overview

Problem Statement: SB 74 requires the Department to implement, interpret, or make specific enacted provisions as a result, regulations are required. Existing Department regulations do not address the provisions specified in SB 74.

Objectives: Broad objectives of this proposed regulatory action are to

- Implement SB 74
- Provide well-defined terms and implement procedures to identify and address conflict-of-interest situations for specified individuals

Benefits: Anticipated benefits, including non-monetary benefits, from this regulatory action are:

- Ensure that specified individuals act in the best interest of the regional center consumers and their families
- Provide specific guidance as to the procedures for identifying and handling conflict-of-interest matters
- Clarify terms
- Publish a standard conflict-of-interest reporting statement to be completed by specified individuals who have decision making or policymaking authority or authority to obligate the regional center's resources.

Evaluation as to whether the proposed regulations are inconsistent or incompatible with existing state regulations:

The Department has evaluated this proposal and determined that it will not be inconsistent or incompatible with existing state regulations. This evaluation included a review of the Department's existing regulations.

AUTHORITY & REFERENCE CITATIONS

The Department is proposing to adopt, amend, or repeal, as applicable, the following regulation sections under the authority provided in Welfare & Institutions Code section 4627. This proposal implements, interprets and makes specific Welfare & Institutions Code section 4626.

Amend 54500 to ensure that those acting on the regional center's behalf make decisions relative to the regional center that are in the best interest of the center's consumers and families.

Amend 54505 to set forth well-defined terms for the determination of conflicts of interest for the individuals specified in proposed regulations.

Amend 54520 to identify the positions creating conflicts of interest for Regional Center Governing Board Members and Executive Directors.

Repeal 54521 to organize the Conflict-of-Interest Regulations.

Adopt 54521 to identify the positions creating conflicts of interest for Regional Center Advisory Committee Board Members.

Repeal 54522 to organize the Conflict-of-Interest Regulations.

Adopt 54522 to set forth the financial interests in decisions that create conflicts of interest for Regional Center Governing Board Members and Executive Directors.

Repeal 54523 to organize the Conflict-of-Interest Regulations.

Adopt 54523 to set forth the financial interests in contracts that create conflicts of interest for Regional Cen-

ter Governing Board Members and Executive Directors.

Repeal 54524 to organize the Conflict-of-Interest Regulations.

Adopt 54524 to set forth a general prohibition of conflicts of interest for Regional Center Governing Board Members and Executive Directors

Repeal 54525 to organize the Conflict-of-Interest Regulations.

Adopt 54525 to prohibit the referral of consumers to any business entity, entity or provider in which a board member or executive director has a conflict of interest and to require the individual to eliminate the conflict or submit a Conflict Resolution Plan.

Adopt 54526 to identify the positions creating conflicts of interest for Regional Center Employees, Contractors, Agents and Consultants.

Adopt 54527 to set forth the financial interests in decisions that create conflicts of interest for Regional Center Employees, Contractors, Agents and Consultants.

Adopt 54528 to set forth the financial interests in contracts that create conflicts of interest for Regional Center Employees, Contractors, Agents and Consultants.

Adopt 54529 to provide for a general prohibition of conflicts of interest for Regional Center Employees, Contractors, Agents and Consultants.

Adopt 54530 to identify additional conflicts of interest for regional center employees, contractors, agents, and consultants.

Adopt 54531 to require the filing of Conflict of Interest Reporting Statements by Employees, Contractors, Agents and Consultants within specified time periods.

Adopt 54532 to require the filing of Conflict of Interest Reporting Statements by Regional Center Governing Board Members and Regional Center Executive Directors within specified time periods.

Adopt 54533 to provide the method for submitting a written proposed Conflict Resolution Plan to DDS when a present or potential conflict of interest has been identified for covered persons. Specify the required elements of the proposed Conflict Resolution Plan, including a thorough explanation of the proposed actions that will be taken by specified individuals, in specified timeframes, to eliminate or mitigate and manage the present or potential conflict of interest.

Adopt 54534 to provide for submission and review of the proposed plan to the area board, the State Council and the Department. Provide that Department’s approval of a proposed Conflict Resolution Plan is not valid unless it is based upon full disclosure by the individual with the present or potential conflict of interest and the consequences of nondisclosure or misrepresentation.

Adopt 54535 to specify the consequences for violating the proposed regulations.

FORMS INCORPORATED BY REFERENCE

The Department incorporates by reference Form DS 6016 (New 8/2012) “Conflict of Interest Reporting Statement”.

MANDATED BY FEDERAL LAW OR REGULATIONS

N/A

OTHER STATUTORY REQUIREMENTS

N/A

LOCAL MANDATE

The Department has determined that the proposed regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

FISCAL IMPACT

The Department has determined that the proposed regulations would not impose any additional cost or savings requiring reimbursement under Government Code section 17500, et seq., any non-discretionary cost or savings to local agencies or school districts, or any cost or savings in federal funding to the State. The Department has determined that there will be no cost or savings to any State Agency pursuant to section 11346.1(b) or 11346.5(a)(6) of the Government Code.

HOUSING COSTS

The Department has determined that the proposed regulations will have no impact on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

The Department has made an initial determination that the regulations would have no significant statewide adverse economic impact directly affecting business,

including the ability of California businesses to compete with businesses in other states.

**RESULTS OF THE ECONOMIC
IMPACT ANALYSIS**

The Department analyzed whether and to what extent this proposal affects the following:

1. The creation or elimination of jobs within the State of California. This proposal will likely neither create nor eliminate jobs. The proposal is only directed to Regional Center Board Members, Executive Directors, employees and those acting on a regional center's behalf, and addresses the review for and resolution of conflict-of-interest situations to ensure that such individuals perform their duties in the best interest of regional center consumers and their families.
2. The creation of new businesses or the elimination of existing businesses within the State of California. Based on the aforementioned reasons, this proposal is not expected to create new businesses nor eliminate existing businesses.
3. The expansion of businesses currently doing business within the State of California. Based on the aforementioned reasons, businesses are not expected to expand.
4. The benefits of the regulations to the well-being of California consumers and California residents. Regional centers are nonprofit private corporations that contract with the Department to provide or coordinate services and supports for persons with developmental disabilities. This proposal is designed to assist the Department perform its duties to monitor and to require resolutions of conflict-of-interest situations in compliance with State law. The proposal indirectly increases the benefits to the well-being of consumers. It works to ensure that specified individuals will be free from conflicts of interest that could adversely influence their judgment, objectivity, and loyalty to the consumers and the regional center's mission. These individuals also owe loyalty to the public, and the proposed regulations work to keep personal or private financial considerations on the part of these individuals out of the decision-making process.

**COST IMPACTS ON REPRESENTATIVE PERSON
OR BUSINESS**

The Department is not aware of any cost impacts that a representative private person or business would nec-

essarily incur in reasonable compliance with the proposed action.

BUSINESS REPORT

None.

SMALL BUSINESS DETERMINATION

The proposed regulations will not affect small businesses because they affect only board members, employees, and others acting on behalf of the State's 21 regional centers, which are established as nonprofit corporations pursuant to the Lanterman Developmental Disabilities Services Act (Welfare & Institutions Code Section 4500 et seq.). Under the Administrative Procedure Act (Government Code Section 11342.610(b)(6)), "small business" does not include "[a]n entity organized as a nonprofit institution."

ALTERNATIVES STATEMENT

In accordance with Government Code section 11346.5(a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The proposed regulations are required by Senate Bill (SB) 74 (Statutes of 2011, chap. 9, effective March 24, 2011).

CONTACT PERSON

Inquiries regarding the proposed action or substance of the proposed action described in this notice may be directed to:

Eric Gelber
Assistant Director
Office of Legislation and Regulations
Department of Developmental Services
1600 Ninth Street, Room 322, MS 3-10
Sacramento, CA 95814
Email: eric.gelber@dds.ca.gov
Phone: (916) 654-1884
Fax: (916) 654-1913

If Eric Gelber is unavailable, inquiries regarding the proposed action or substance of the proposed action described in this notice may be directed to:

Christina Morales
Senior Staff Counsel
Office of Legal Affairs
Department of Developmental Services
1600 Ninth Street, MS 2-14
Sacramento, CA 95814
Email: christina.morales@dds.ca.gov
Phone: (916) 654-3405
Fax: (916) 654-1716

In any inquiries or written comments, please identify the action by using the Department regulations package identifier, Conflict of Interest: Regional Center.

AVAILABILITY OF STATEMENT OF REASONS,
TEXTS OF PROPOSED REGULATIONS, AND
RULEMAKING FILE

The Department has prepared and has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. The Office of Legislation & Regulations, 1600 Ninth Street, Room 322, MS 3-10, Sacramento, California 95814 will be the location of public records, including reports, documentation, and other material related to the proposed regulations (rulemaking file).

In order to request that a copy of this public notice, the regulation text, and the initial statement of reasons or alternate formats for these documents be mailed to you, please call (916) 654-1884 (or the California Relay Service at 711), send an email to eric.gelber@dds.ca.gov, or write to the Office of Legislation & Regulations at the address previously noted. Upon specific request, these documents will be made available in Braille, large print, audiocassette, or computer disk.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available by the Department's Office of Legislation & Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

AVAILABILITY OF FINAL STATEMENT
OF REASONS

A copy of the final statement of reasons (when prepared) will be available upon request from the Office of Legislation & Regulations.

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

Materials regarding the action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) that are available via the Internet may be accessed at www.dds.ca.gov by clicking on these links, in the following order: Laws & Regulations; Emergency and Proposed Regulations.

**TITLE 25. DEPARTMENT OF
HOUSING AND COMMUNITY
DEVELOPMENT**

**NOTICE OF PROPOSED RULEMAKING FOR
THE ENTERPRISE ZONE PROGRAM**

NOTICE IS HEREBY GIVEN that the Department of Housing and Community Development (Department or HCD) proposes to formally amend regulations which govern implementation of the State Enterprise Zone Program. The existing regulations are codified in Title 25, Division 1 Chapter 7 Subchapter 21 (commencing with section 8430) of the California Code of Regulations.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. The written comment period begins **January 11, 2013** and closes at **5:00 p.m. on February 28, 2013**. The Department will consider comments received during this timeframe. Please address your e-mail comments to Colin Parent at ezregcomments@hcd.ca.gov. Written comments can also be sent via mail to Enterprise Zone Program, Department of Housing and Community Development, P.O. Box 942054, Sacramento, California 94252-2054, or via fax to (916) 323-6016, attention: Colin Parent.

PUBLIC HEARING

The Department of Housing and Community Development will hold four public hearings on the dates, times, and locations listed below.

Tuesday, February 12, 2013
1:00 p.m.–5:00 p.m.
Ronald Reagan Building
300 South Spring Street, Suite 1726
Los Angeles, CA 90013

Wednesday, February 13, 2013
1:00 p.m.–5:00 p.m.
Liberty Station Conference Center, Barracks 17
2590 Truxton Rd.
San Diego, CA 92106

Wednesday, February 20, 2013
1:00 p.m.–5:00 p.m.
Elihu M. Harris Building
1515 Clay St. Room 1
Oakland, CA 94612

Thursday, February 28, 2013
1:00 p.m.–5:00 p.m.
Department of Housing
400 R St.
Rooms 183–185
Sacramento, CA 95811

At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing. The Department also requests but does not require that written comments be made according to the MS Word template provided at <http://www.hcd.ca.gov/ezregs>.

AUTHORITY AND REFERENCE

HCD is conducting this rulemaking activity pursuant to the authority provided by Government Code Section 7086(a) and 7086(d), as well as Revenue and Taxation Code Sections 17053.74(c) and 23622.7(c). These regulations implement, interpret and make specific Sections 7070 to 7089 of the Government Code, and Sections 17053.74 and 23622.7 of the Revenue and Taxation Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California Department of Housing and Community Development is responsible for administering and promulgating regulations for the State Enterprise Zone Program.

Businesses in areas designated as Enterprise Zones become eligible for a variety of benefits including tax credits for hiring “qualified persons” — including veterans, recipients of public assistance, those who are disabled, and members of other eligible groups.

There are two sets of statutes that relate to the Enterprise Zone Program. Application, selection, designation, and monitoring of Enterprise Zones is governed by Chapter 12.8 (commencing with Section 7070) of Division 7 of Title 1, Government Code (known as the “Enterprise Zone Act”). The procedure to be followed by taxpayers wishing to claim a hiring tax credit for jobs located in an Enterprise Zone is governed by Revenue and Taxation Code Sections 17053.74 and 23622.7.

In order to claim a tax credit, an employer must obtain a “Voucher” from one of the agencies designated in the statute certifying that the employer has hired a “qualified employee” for a job located in an Enterprise Zone. Taxpayers are directed to retain these Voucher Certifications in the event of an audit by the Franchise Tax Board (“FTB”).

Historically, the Enterprise Zone Program was administered by the Technology, Trade, and Commerce Agency (“TTCA”). TTCA adopted emergency regulations for the designation of Enterprise Zones. Yet no regulations were adopted by TTCA governing the process of issuing Vouchers or regularizing the ad hoc process of Vouchers issued by local Enterprise Zone administrators.

Effective January 1, 2004, administration of the Enterprise Zone Program was transferred to HCD. In 2006, HCD adopted regulations related to the issuance of Vouchers.

After a thorough review of the relevant statutes and existing regulations, HCD believes that improvements to the Enterprise Zone Program can be achieved through regulatory changes.

HCD embarked on a significant stakeholder process in late 2011, and through early 2012, to solicit input and suggestions related to Enterprise Zone reform. The result is this rulemaking package. These updates to the Enterprise Zone Program will eliminate abuses, save dollars for the General Fund, and streamline the ability of participating companies to receive vouchers for decisions to hire veterans and recipients of public assistance.

The proposed changes to the Enterprise Zone Program regulations are summarized below. These proposed changes are not inconsistent or incompatible with other existing State or federal regulations which govern the Enterprise Zone Program.

Technical updates:

- (1) A number of routine and technical updates are made in the proposed regulations. These are non–substantive, but are significant in their bulk.

Update Voucher Application fees

- (1) The fee for Voucher Applications will be increased from \$10 to the \$15 maximum allowed by statute.
- (2) The increase in fees will allow HCD to continue to properly administer the Enterprise Zone Program.

Eliminate retroactive vouchering:

- (1) HCD is proposing a regulation requiring Voucher Applications to be made within one year from the date of hire.
- (2) Hires prior to the effective date of these regulations will have a one–year grace period to comply.

Streamline vouchering for rules for multiple hard-to-hire categories:

- (1) HCD will allow a broader array of supporting documents to voucher employees who are veterans, disabled, or recipients of public assistance.
- (2) Vouchers for veterans will be permitted on the basis of records that are now available through a federal Freedom of Information Act, among other documents.
- (3) Vouchers for employees on public assistance will now be available on the basis of documents identifying that the employee receives any of a wide variety of public benefits.
- (4) Vouchers for employees who are disabled will be available on the same basis as eligibility for State rehabilitation programs.
- (5) Other Voucher documentation changes will be made to update the requirements for employee Vouchers.

Eliminate self-certification for Voucher Applications:

- (1) The proposed regulations require Targeted Employment Area (TEA) Voucher Applications to include utility bills, government ID, or other third-party documents demonstrating employee residency.
- (2) These regulations will not include the availability to claim residence within a TEA on the basis of a W-4 form, which is an unverifiable way to demonstrate residence.
- (3) The proposed regulations will eliminate the process for submitting self-certified household income data to demonstrate eligibility for the economic disadvantage category. Voucher Applications for the new economic disadvantage category will be verified with documents from public assistance programs.

Collect significant data about program:

- (1) HCD will collect data on Zone administration and vouchering statistics to evaluate the program.
- (2) Statistics on what Vouchers are issued and the content of their applications will be compiled and shared with HCD on a monthly and annual basis.

Create audit procedures:

- (1) HCD is creating a new Article 15, which will contain detailed audit procedures.
- (2) Audit scores and failures will be based on certain objective and evaluative criteria.
- (3) Audit failures can lead to the decertification of Zones.

IMPACT OF PROPOSED REGULATIONS

As required by Government Code section 11346.5, subdivision (a)(3)(C), the anticipated benefits of the proposed regulation amendments include, but are not limited to:

Elimination of retroactive vouchering will reduce the number of Enterprise Zone Vouchers that are issued and reduce related tax expenditures in circumstances where employers are not incentivized by the availability of Enterprise Zone Program benefits. Updating Voucher documentation rules will make it easier for employers to voucher veterans, the disabled, and recipients of public assistance. Eliminating self-certification for Voucher Applications will also address a long-standing moral hazard in the Enterprise Zone Program by requiring verifiable employee data.

EVALUATION OF WHETHER THESE REGULATIONS ARE INCONSISTENT OR INCOMPATIBLE WITH EXISTING STATE REGULATIONS

Pursuant to Government Code section 11346.5 subdivision (a)(3)(D) the Department must evaluate whether the proposed regulations are inconsistent or incompatible with existing state regulations. Pursuant to this evaluation, the Department has concluded that the proposed regulations are not inconsistent or incompatible with existing state regulations.

LOCAL MANDATE

The Department has determined that these regulations do not impose a mandate on local agencies or school districts. Eligibility for the program is limited to entities demonstrating willingness and a capacity to apply for and administer Enterprise Zones. Localities may also charge fees associated with Voucher Applications necessary and sufficient to carry out their duties to administer their Enterprise Zones. In any case, participation in the program is voluntary.

FISCAL IMPACT

The Department has determined that no increased costs to any State agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in Federal funding to the State will result from the proposed action.

The Department has determined that these regulations will save the State approximately \$40 million

from general fund tax expenditures in the first year and \$310 million over the first five years of implementation.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

The Department has determined that the regulations will not have a significant impact on the creation of new businesses or the elimination of existing businesses within California; or the expansion of businesses currently operating in California. It will not have a significant statewide impact on the health and welfare of California residents, worker safety, or the state's environment. In any case, participation in the program is voluntary.

The Economic Impact Assessment prepared pursuant to Government Code Section 11346.3(b) was relied upon by the Department in preparing the proposed regulatory action.

EFFECT ON SMALL BUSINESS

The Department has determined that the proposed action has no impact on small business because participation in the Enterprise Zone Program is voluntary.

EFFECT ON HOUSING COSTS

The Department has determined that the proposed action has no significant impact on housing costs in California.

INITIAL DETERMINATION OF STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON PRIVATE PERSONS OR BUSINESSES DIRECTLY AFFECTED

The Department has determined that businesses that choose to participate in the Enterprise Zone Program will incur minor costs associated with storing copies of Voucher Applications, documenting the eligibility of their employees, and paying a \$5 increased fee for Voucher Applications. These additional costs are overwhelmingly dwarfed by the approximately \$37,000 that

companies may see as a benefit to applying for Vouchers for each of their employees. While private businesses and individuals are eligible to receive tax credits under the program, participation is voluntary.

CONSIDERATION OF ALTERNATIVES

The Department of Housing and Community Development must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department has discussed alternatives it considered, and why it chose the proposed revisions it selected in its Initial Statement of Reasons.

AVAILABILITY OF TEXT OF PROPOSED REGULATIONS AND INITIAL STATEMENT OF REASONS

The text of the proposed regulations is available upon request, along with the Initial Statement of Reasons, prepared by the Department, which provides the reasons for the proposals, and is available on the Department's web site, at <http://www.hcd.ca.gov/ezregs/>. All information the Department is considering as a basis for this proposal is maintained in a rulemaking file, which is available for inspection at the address noted below. Copies can be obtained by contacting the Enterprise Zone Program at the address and telephone number noted below.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the written comment period, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications, which are sufficiently related to the originally proposed text, it will make the modified text — with changes clearly indicated — available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the Enterprise Zone Program at the address indicated below. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF
RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the Enterprise Zone Program at the address and telephone number noted below.

AVAILABILITY OF FINAL STATEMENT
OF REASONS

At the conclusion of this rulemaking, a Final Statement of Reasons will be prepared as required by Government Code section 11346.9. This document will be available from the contact person named below.

CONTACT PERSON

HCD: Colin Parent
(916) 445-4775

HCD BACK-UP: John Nunn
(916) 322-7555

HCD Address: State Department of
Housing and Community
Development
1800 Third Street, Room 450
Sacramento, California
95811

HCD Website: Copies of the Notice of
Proposed Action, the Initial
Statement of Reasons, and
the text of the regulations may
be accessed through our
website at:
<http://www.hcd.ca.gov/ezregs/>

HCD Facsimile No: (916) 324-5107

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period. Inquiries concerning the substance of the proposed rulemaking action, as well as requests for the documents noted should be directed to:

Colin Parent, Director of External Affairs
Department of Housing and Community
Development
1800 Third Street, Suite 450
Sacramento, California 95814
Telephone (916) 445-4775
Fax: (916) 324-5107
E-mail: cparent@hcd.ca.gov

GENERAL PUBLIC INTEREST

**CALIFORNIA ALTERNATIVE ENERGY
AND ADVANCED TRANSPORTATION
FINANCING AUTHORITY**

**NOTICE OF RESCHEDULED PUBLIC
HEARING**

In the December 14, 2012 edition of the California Regulatory Notice Register (Register 2012, No. 50-Z, p. 1786), the California Alternative Energy and Advanced Transportation Financing Authority published a Notice proposing to amend and adopt regulations for the SB 71 Sales and Use Tax Exclusion Program. The Notice of Proposed Rulemaking (OAL Notice File Number Z-2012-1204-01) indicated that a public hearing was going to be held at 10:00 a.m. on January 10, 2013 at 915 Capitol Mall, Room 587, Sacramento, CA 95814. **This public hearing has been rescheduled to 10:00 a.m. until business is concluded on January 29, 2013 at 915 Capitol Mall, Room 587, Sacramento, CA 95814.**

If you have any questions regarding the public hearing, please contact Alejandro Ruiz at (916) 651-5101 or aruiz@treasurer.ca.gov.

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2012-1206-01
AIR RESOURCES BOARD
LEV III GHG ZEV Regulation for Federal Compliance

The Air Resources Board (Board) filed this action to amend nine sections under title 13 of the California Code of Regulations, to amend eight Board test procedures that are incorporated by reference in these sections, and to update two SAE International standards publications that are incorporated by reference in two of these sections and in two of the Board's test procedures.

The amendments are to the Board's low-emission vehicles (LEV) III and zero-emission vehicles (ZEV) greenhouse gas reduction regulations and will allow California to accept manufacturer-demonstrated compliance with the final federal national passenger motor vehicle greenhouse gas regulations for the 2017 through 2025 model years as an alternative to demonstrating compliance with California's regulations. The action makes additional changes related to these regulations that generally correct errors and update procedures to reflect information received since the Board approved them in January 2012.

Title 13
California Code of Regulations
AMEND: 1900, 1956.8, 1960.1, 1961, 1961.2, 1961.3, 1962.1, 1962.2, 1976
Filed 12/31/2012
Effective 12/31/2012
Agency Contact: Amy Whiting (916)322-6533

File#2012-1227-01
BOARD OF GOVERNORS, CALIFORNIA
COMMUNITY COLLEGES
Title 5 Regulations: Enrollment Priorities

The regulatory action dealing with enrollment priorities was filed by the Board of Governors of the California Community Colleges directly with the Secretary of State on December 27, 2012, and is not subject to the Administrative Procedure Act pursuant to Education Code section 70901.5(b). It was submitted to OAL only for the purpose of printing the regulation in the California Code of Regulations pursuant to Education Code section 70901.5.

Title 5
California Code of Regulations
AMEND: 58108
Filed 12/27/2012
Effective 01/26/2013
Agency Contact: Steven Bruckman (916)445-9328

File#2012-1227-02
BOARD OF GOVERNORS, CALIFORNIA
COMMUNITY COLLEGES
Title 5 Regulations: Course Repeatability

This regulatory action dealing with course repeatability was filed by the Board of Governors of the California Community Colleges directly with the Secretary of State on December 27, 2012, and is not subject to the Administrative Procedure Act pursuant to Education Code section 70901.5(b). It was submitted to OAL only for the purpose of printing the regulation in the California Code of Regulations pursuant to Education Code section 70901.5.

Title 5
California Code of Regulations
AMEND: 55000, 55023, 55040, 55041, 55043, 58161, 58162, 58166 REPEAL: 55030
Filed 12/27/2012
Effective 01/26/2013
Agency Contact:
Michelle Goldberg (916)324-4711

File# 2012-1219-07
DEPARTMENT OF INDUSTRIAL RELATIONS
Workers' Compensation — Self Insurance — Annual Actuarial Reports

Employers must either insure for workers' compensation claims by using a carrier or by getting a certificate of consent from the DIR to self-insure, either as an individual employer or by joining with a group of employers. The Director of DIR must approve employers to self-insure. Labor Code section 3701 requires private self-insuring employers, including self-insuring groups of employers, to post security deposits with the Department. The Department is amending the regulations on self-insuring to update them and to provide the foundation for implementing new requirements signed into law on September 19, 2012 by the Governor (SB 863, Ch. 363, Stats. 2012). SB 863. SB 863 requires that the calculation of the self-insurer's projected losses and expenses upon which the security deposit is based "be reflected in a written actuarial report that projects ultimate liabilities of the private self-insured employer at the expected actuarial confidence level, to ensure that all claims and associated costs are recognized. The written actuarial report shall be prepared by an actuary meeting the qualifications prescribed by the Director in regulation."

Title 8
California Code of Regulations
ADOPT: 15209 AMEND: 15201, 15210, 15210.1, 15475, 15477, 15481, 15484, 15496, 15497
Filed 12/31/2012
Effective 01/01/2013
Agency Contact: Jon Wroten (916)574-0721

File# 2012-1116-03
DEPARTMENT OF INSURANCE
Standards for Repair and Use of Aftermarket Parts

This rulemaking action by the Department of Insurance amends section 2695.8, subdivisions (f) and (g), of title 10 of the California Code of Regulations, which govern how automobile insurers handle partial losses of claims based on written repair estimates and prohibit insurers from requiring the use of non-OEM replacement crash parts. The amendments strengthen existing public protection from financial and physical harm caused by inferior repairs and defective aftermarket parts.

Title 10
 California Code of Regulations
 AMEND: 2695.8(f), 2695.8(g)
 Filed 12/31/2012
 Effective 01/30/2013
 Agency Contact: Teresa Campbell (415) 538-4126

File# 2012-1219-03
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Qualified Medical Evaluator Regulations — PDRS

This emergency action by the Division of Workers' Compensation amends the Qualified Medical Examiner (QME) regulations in accordance with statutory changes made pursuant to Senate Bill 863 (Stats. 2012, c. 363). The amended rules clarify that the independent medical review process is the sole process for resolving disputes regarding ongoing or continuing medical treatment issues, limit the number of offices a QME may conduct evaluations from, streamline the application process for chiropractors, allow for factual correction of a comprehensive medical-legal report from a QME panel, and amend a number of forms.

Title 8
 California Code of Regulations
 ADOPT: 37, 10159 AMEND: 1, 11, 11.5, 14, 17, 30, 31.2, 31.7, 33, 35, 35.5, 36, 38, 100, 105, 106, 10160
 Filed 12/31/2012
 Effective 01/01/2013
 Agency Contact: George Parisotto (510) 286-0639

File# 2012-1219-04
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Utilization Review, Independent Medical Review

The Division of Workers' Compensation adopted as emergency regulations new sections 9785.5, 9792.6.1, and 9792.10.1 through 9792.10.9 and amend sections 9785, 9792.6, 9792.10, and 9792.12 of title 8 of the California Code of Regulations concerning utilization review and independent medical review in order to implement changes made to the Labor Code on January 1, 2013 by Senate Bill 863.

Title 8
 California Code of Regulations
 ADOPT: 9785.5, 9792.6.1, 9792.9.1, 9792.10.1, 9792.10.2, 9792.10.3, 9792.10.4, 9792.10.5, 9792.10.6, 9792.10.7, 9792.10.8, 9792.10.9
 AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12
 Filed 12/31/2012
 Effective 01/01/2013
 Agency Contact: George Parisotto (510) 286-0639

File# 2012-1210-02
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Official Medical Fee Schedule — Inpatient Hospital

This regulatory action is submitted as a file and print only pursuant to the "rate, price or tariff" exemption of Government Code section 11340.9(g). This action amends the Official Medical Fee Schedule for Medicare for inpatient hospitals and adds a new section that identifies the applicable versions and sections of the Code of Federal Regulations, Federal Register Notice and Pay Impact Files by discharge date.

Title 8
 California Code of Regulations
 ADOPT: 9789.25 AMEND: 9789.20, 9789.21, 9789.22
 Filed 12/27/2012
 Effective 01/01/2013
 Agency Contact: Jarvia Shu (510) 286-0646

File# 2012-1224-01
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Official Medical Fee Schedule — Outpatient and ASC

This regulatory action is submitted as a file and print only pursuant to the "rate, price or tariff" exemption of Government Code section 11340.9(g). This action amends sections of the Official Medical Fee Schedule for Hospital Outpatient Departments and Ambulatory Surgical Centers and adds a new section that identifies the applicable versions and sections of the Code of Federal Regulations, Federal Register Notice by date of service.

Title 8
 California Code of Regulations
 ADOPT: 9789.39 AMEND: 9789.30, 9789.31, 9789.32, 9789.33, 9789.36, 9789.37, 9789.38
 Filed 12/27/2012
 Effective 01/01/2013
 Agency Contact: Jarvia Shu (510) 286-0646

File# 2012-1219-02
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Independent Bill Review

This emergency rulemaking by the Division of Workers' Compensation amends existing sections and adopts new regulation sections in Title 8 of the California Code of Regulations (CCR). More specifically, this emergency rulemaking amends sections 9792.5.1, 9793, 9794, and 9795, and adopts new sections 9792.5.4 through 9792.5.15 intended to implement the "Second Review" and "Independent Bill Review" procedures established by Stats. 2012, c. 363 (SB 863). This emergency action also incorporates by reference the California Division

of Workers' Compensation Electronic Medical Billing and Payment Companion Guide Version 1.1, California Division of Workers' Compensation Medical Billing and Payment Guide Version 1.1, and creates new forms DWC Form SBR-1 (version 12/2012) and DWC Form IBR-1 (version 2012).

Title 8

California Code of Regulations

ADOPT: 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, 9792.5.15
AMEND: 9792.5.1, 9792.5.3, 9793, 9794, 9795

Filed 12/31/2012

Effective 12/31/2012

Agency Contact: George Parisotto (510)286-0639

File# 2012-1219-05

DIVISION OF WORKERS' COMPENSATION

Interpreter Services

This emergency regulatory action adopts the definition of "qualified interpreter for purposes of medical treatment appointments" in compliance with Chapter 363, Statutes of 2012.

Title 8

California Code of Regulations

AMEND: 9795.1, 9795.3

Filed 12/27/2012

Effective 01/01/2013

Agency Contact: George Parisotto (510)286-0639

File# 2012-1219-01

DIVISION OF WORKERS' COMPENSATION

Workers' Compensation — Electronic document filing and lien filing fee

This emergency rulemaking by the Department of Industrial Relations, Division of Workers' Compensation, is the amendment of Title 8 of the California Code of Regulations, sections 10205 and 10205.12 and the adoption of new sections 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208. This action implements the mandatory electronic filing process for workers' compensation liens and claims of costs, as well as the lien filing fee and activation fee. A dismissal of liens not activated within the time provided and a statute of limitations for filing liens is also established. This emergency action also incorporates by reference the Electronic Adjudication Management System (EAMS) Reference Guide and Instructional Manual for Electronic Filing E-Form Filers Rev 2013-01-01 and the Electronic Adjudication Management System JET File Business Rules and

Technical Specifications — V4.0 Effective January 1, 2013.

Title 8

California Code of Regulations

ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208 AMEND: 10205, 10205.12

Filed 12/31/2012

Effective 01/01/2013

Agency Contact: George Parisotto (510)286-0639

File# 2012-1219-06

FAIR EMPLOYMENT AND HOUSING COMMISSION

Disability Discrimination

This re-submittal of a previously withdrawn regulatory action (OAL no. 2012-1011-03) by the Fair Employment and Housing Commission (FEHC) updates FEHC's disability regulations (sections 7293.5-7294.4, title 2, CCR) to conform to changes in federal and state law covering disability discrimination in employment. Sources of these changes include *Green v. State of California* (2007) 42 Cal.4th 254, the *Prudence Kay Poppink Act of 2000* (A.B. 2222), the *Genetic Information and Non-discrimination Act of 2008* (A.B. 1543), and the *Americans with Disabilities Act Amendment Act of 2008* (Pub. L. No. 110-325). The amended regulations provide improved guidance to employers regarding disability definitions, the interactive process, reasonable accommodation, and when an employer may require testing or make inquiries during the application process and employment.

Title 2

California Code of Regulations

ADOPT: 7294.0, 7294.2 AMEND: 7293.5, 7293.6, 7293.7, 7293.8, 7293.9, 7294.0 (renumbered to 7294.1), 7294.1 (renumbered to 7294.3), 7294.2 (renumbered to 7294.4)

Filed 12/26/2012

Effective 12/30/2012

Agency Contact: Ann Noel (415)557-9419

File# 2012-1219-08

FAIR POLITICAL PRACTICES COMMISSION

Campaign Regulations

In this regulatory action, the Fair Political Practices Commission amends and repeals regulations pertaining to various required campaign filings, including "Statement of Organization," "24-Hour Contribution Reports," and "24-Hour Independent Expenditure Reports." Regulations pertaining to "Definition of Mass Mailing and Sender" and "Verification of Online Filers" are also amended.

Title 2
 California Code of Regulations
 AMEND: 18410, 18425, 18435, 18465.1, 18550
 REPEAL: 18539
 Filed 12/28/2012
 Effective 01/27/2013
 Agency Contact:
 Virginia Latteri-Lopez (916)322-5660

File# 2012-1113-01
 FISH AND GAME COMMISSION
 Sport Fishing Regulations — 2013

This rulemaking amends 19 sections and adopts 2 sections in title 14 of the California Code of Regulations. The changes are various sport fishing regulation changes to the trout and salmon district and special fishing areas, black bass, sturgeon, amphibians and reptiles, spear fishing, other species, and general regulations. Some of the specific changes are to allow the harvest of hatchery trout and steelhead in areas where only catch and release fishing is currently allowed. This rulemaking removes eight amphibians and three reptiles from the list of allowable species because they are designated as Species of Special Concern. Additionally, this rulemaking would prohibit the use of snares when fishing for white sturgeon and establish a fee for Sturgeon Fishing Report Cards which had been free.

Title 14
 California Code of Regulations
 ADOPT: 1.45, 5.91 AMEND: 1.77, 2.25, 2.30, 4.20, 5.00, 5.05, 5.10, 5.40, 5.60, 5.80, 5.81, 7.00, 7.50, 8.00, 27.85, 27.90, 27.91, 28.90, 28.95, 701
 Filed 12/27/2012
 Effective 01/01/2013
 Agency Contact: Jon Snellstrom (916)654-9868

File# 2012-1220-02
 STATE ALLOCATION BOARD
 Leroy F. Greene School Facilities Act of 1998; LCP, AB 1506

This emergency regulatory action establishes requirements and procedures for school districts to follow concerning the initiation and enforcement of Labor Compliance Programs (LCPs) in order to receive school bond apportionments from either 1) the Kindergarten-University Public Education Facilities Bond Act of 2002 (Proposition 47), or 2) the Kindergarten-University Public Education Facilities Bond Act of 2004 (Proposition 55).

Title 2
 California Code of Regulations
 ADOPT: 1859.97 AMEND: 1859.2, 1859.90.2
 Filed 12/31/2012
 Effective 12/31/2012
 Agency Contact: Lisa Jones (916)376-1753

File# 2012-1114-01
 VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD
 Remove Reference Section Authorized by Agency

This change without regulatory effect by the California Victim Compensation and Government Claims Board amends Title 2, Section 649.7, of the California Code of Regulations, to remove Government Code Section 13957.9 as a reference section. Section 13957.9 is repealed effective January 1, 2013, as a result of SB 1299, which was approved by the Governor and filed with the Secretary of State on September 30, 2012.

Title 2
 California Code of Regulations
 AMEND: 649.7
 Filed 12/27/2012
 Agency Contact: Geoff Feusahrens (916)491-3863

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN August 8, 2012 TO
 January 2, 2012**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1
 11/13/12 AMEND: 1, Appendix A

Title 2
 12/31/12 ADOPT: 1859.97 AMEND: 1859.2, 1859.90.2
 12/28/12 AMEND: 18410, 18425, 18435, 18465.1, 18550 REPEAL: 18539
 12/27/12 AMEND: 649.7
 12/26/12 ADOPT: 7294.0, 7294.2 AMEND: 7293.5, 7293.6, 7293.7, 7293.8, 7293.9, 7294.0 (renumbered to 7294.1),

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7294.1(renumbered to 7294.3), 7294.2
(renumbered to 7294.4)
12/24/12 REPEAL: 60020, 60025, 60030, 60040,
60045, 60050, 60055, 60100, 60110,
60200
12/11/12 AMEND: 649.15
12/06/12 AMEND: 1859.2, 1859.90.2
11/30/12 ADOPT: 7291.4, 7291.7, 7291.14,
7291.18 AMEND: 7291.2, 7291.3,
7291.4 and renumber 7291.5, 7291.5 and
renumber 7291.6, 7291.6 and renumber
7291.8, 7291.7 and renumber 7291.9,
7291.9 and renumber 7291.10, 7291.10
and renumber 7291.17, 7291.11,
7291.12, 7291.13, 7291.15, 7291.16
REPEAL: 7291.8, 7291.14
11/29/12 ADOPT: 558.1
11/28/12 AMEND: 54100
11/09/12 ADOPT: 599.945.4 AMEND: Article
27.5 heading
11/08/12 AMEND: 18723
11/06/12 REPEAL: 56600
11/06/12 REPEAL: 52000
11/06/12 REPEAL: 52300
11/01/12 ADOPT: 1859.95.1 AMEND: 1859.2,
1859.95
10/23/12 AMEND: 1859.2, 1859.71.6, 1859.77.4,
1859.107, 1859.193, 1859.194, 1859.197
10/22/12 ADOPT: 599.944, 599.946, 599.947
10/18/12 AMEND: 1575
10/18/12 ADOPT: 577, 578
10/17/12 AMEND: 20804
10/03/12 ADOPT: 18730.1
10/02/12 AMEND: 1859.2, 1859.71.4, 1859.78.1,
1859.79.2, 1859.82, 1859.83, 1859.106,
1859.125, 1859.125.1, 1859.145,
1859.163.1, 1859.163.5, 1859.193
09/20/12 ADOPT: 59730
09/19/12 AMEND: 1155.250, 1155.350
09/14/12 REPEAL: 52100
09/10/12 ADOPT: 59650
08/30/12 AMEND: 60000, 60010, 60300, 60310,
60323, 60325, 60330, 60400, 60550,
60560, 60600, 60610 REPEAL: 60020,
60025, 60030, 60040, 60045, 60050,
60055, 60100, 60110, 60200
08/16/12 AMEND: 1859.2, 1859.61, 1859.74,
1859.77.1, 1859.79, 1859.79.2,
1859.79.3, 1859.83, 1859.104 REPEAL:
1859.70.3, 1859.71.5, 1859.78.9,
1859.93.2, 1859.93.3
08/13/12 ADOPT: 59720

Title 3

11/15/12 AMEND: 3435(b)

10/29/12 ADOPT: 1352.4 AMEND: 1351, 1358.4
10/23/12 ADOPT: 3639
10/23/12 ADOPT: 3439
09/21/12 AMEND: 3437(b) and (c)
09/18/12 AMEND: 6449.1, 6486.7
09/12/12 AMEND: 3700(c)
09/12/12 AMEND: 3435(b)
08/24/12 AMEND: 3406(b)
08/22/12 AMEND: 6800(b)
08/20/12 AMEND: 3435(b)

Title 4

12/21/12 ADOPT: 5342, 5343, 5344, 5345, 5346,
5347, 5348
12/13/12 AMEND: 12391(a)(2)
12/03/12 AMEND: 10032, 10033, 10034, 10035
11/27/12 ADOPT: 4305, 4309 AMEND: 4300,
4302, 4304, 4306, 4307, 4308
10/30/12 AMEND: 5000, 5052
10/29/12 ADOPT: 10050, 10051, 10052, 10053,
10054, 10055, 10056, 10057, 10058,
10059, 10060
10/17/12 AMEND: 1656
10/16/12 ADOPT: 1581.2
10/10/12 AMEND: 1867
09/27/12 AMEND: 5000, 5170, 5200, 5230, 5370,
5500, 5540
09/12/12 ADOPT: 12391(a)(1), (3), (4), (b) & (c),
12392 AMEND: 12360
09/04/12 AMEND: 10032, 10033, 10034, 10035
08/30/12 ADOPT: 1489.1
08/29/12 ADOPT: 5205 AMEND: 5000, 5054,
5144, 5190, 5200, 5230, 5370, 5170,
5350 REPEAL: 5133

Title 5

12/27/12 AMEND: 58108
12/27/12 AMEND: 55000, 55023, 55040, 55041,
55043, 58161, 58162, 58166 REPEAL:
55030
12/24/12 ADOPT: 18224.6, 18227, 18227.1
AMEND: 18078, 18409, 18411, 18424,
18426
12/18/12 AMEND: 76120
12/13/12 AMEND: 40601
11/01/12 AMEND: 18407, 18422
10/31/12 ADOPT: 620, 621, 622, 623, 624, 625,
626, 627
09/27/12 ADOPT: 620, 621, 622, 623, 624, 625,
626, 627
09/27/12 AMEND: 3000, 3010, 3021, 3021.1,
3022, 3023, 3024, 3025, 3027, 3028,
3042, 3051.4, 3051.75, 3051.8, 3051.9,
3051.12, 3051.13, 3051.17, 3051.18,
3052, 3053, 3062, 3063, 3064, 3066,
3067, 3069, 3080, 3082, 3083, 3084,

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	3085, 3086, 3087, 3088, 3088.1, 3088.2, 3089, 3090, 3091, 3092, 3093, 3094, 3096, 3096.1, 3096.2, 3097, 3098, 3098.1, 3098.2, 3099, 3100		10252.1, 10253.1, 10270, 10271, 10273, 10290, 10291, 10293, 10294.5, 10297
09/06/12	AMEND: 1216.1	10/31/12	ADOPT: 6625.1 AMEND: 6505
08/09/12	AMEND: 40403	10/23/12	AMEND: 1593, 3650
08/09/12	AMEND: 59400, 59402, 59404, 59406, 59408	10/18/12	AMEND: 6325
08/09/12	AMEND: 40500	10/02/12	ADOPT: 1613.11, 1613.12 AMEND: 1600, 1610.1, 1610.3, 1610.4, 1610.9, 1611.1, 1612.3, 1613, 1613.2, 1613.10, 1616.1, 1617.1, 1617.2, 1617.3, 1618.1, 1619.1, 4885, 4999
08/09/12	ADOPT: 40541	10/02/12	AMEND: 4297
08/09/12	AMEND: 40407.1	09/25/12	AMEND: 2950, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427 REPEAL: 3428
08/08/12	ADOPT: 40540	09/05/12	AMEND: 1512, 2320.10, 2940.10
08/08/12	ADOPT: 19824.1, 19841, 19851.1, 19854.1 AMEND: 19816, 19816.1, 19824, 19850, 19851, 19854	09/04/12	AMEND: 5189, 5192(a)(3), 5198(j)(2)(D)2., 1532.1(j)(2)(D)2.
Title 8		Title 10	
12/31/12	ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208 AMEND: 10205, 10205.12	12/31/12	AMEND: 2695.8(f), 2695.8(g)
12/31/12	ADOPT: 15209 AMEND: 15201, 15210, 15210.1, 15475, 15477, 15481, 15484, 15496, 15497	12/19/12	ADOPT: 2523, 2523.1, 2523.2, 2523.3, 2523.4, 2523.5, 2523.6
12/31/12	ADOPT: 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, 9792.5.15 AMEND: 9792.5.1, 9792.5.3, 9793, 9794, 9795	12/17/12	AMEND: 2248.14
12/31/12	ADOPT: 37, 10159 AMEND: 1, 11, 11.5, 14, 17, 30, 31.2, 31.7, 33, 35, 35.5, 36, 38, 100, 105, 106, 10160	12/11/12	AMEND: 3780
12/31/12	ADOPT: 9785.5, 9792.6.1, 9792.9.1, 9792.10.1, 9792.10.2, 9792.10.3, 9792.10.4, 9792.10.5, 9792.10.6, 9792.10.7, 9792.10.8, 9792.10.9 AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12	11/19/12	AMEND: 2698.401
12/27/12	ADOPT: 9789.25 AMEND: 9789.20, 9789.21, 9789.22	11/13/12	AMEND: 2498.4.9
12/27/12	ADOPT: 9789.39 AMEND: 9789.30, 9789.31, 9789.32, 9789.33, 9789.36, 9789.37, 9789.38	08/30/12	AMEND: 2468.5
12/27/12	AMEND: 9795.1, 9795.3	08/27/12	AMEND: 260.204.9
12/20/12	ADOPT: 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, 10133.36 AMEND: 9813.1, 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58, 10133.60 REPEAL: 10133.51, 10133.52	08/22/12	ADOPT: 2327, 2327.1, 2327.2
12/10/12	AMEND: 10210, 10211, 10212, 10214, 10215, 10216, 10217, 10218, 10222, 10223, 10225, 10228, 10229, 10232, 10232.1, 10232.2, 10245, 10250.1,	Title 11	
		12/12/12	AMEND: 1081
		11/26/12	AMEND: 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1018, 1019, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1060, 1070, 1071, 1080, 1081, 1082, 1083, 1084, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960
		11/15/12	AMEND: 1005, 1007, 1008
		11/15/12	AMEND: 1005
		09/18/12	AMEND: 410, 411, 415, 416, 417, 420, 421, 425 REPEAL: 419, 419.1
		Title 13	
		12/31/12	AMEND: 1900, 1956.8, 1960.1, 1961, 1961.2, 1961.3, 1962.1, 1962.2, 1976
		12/11/12	AMEND: 2403, 2404, 2407, 2412, 2421, 2423, 2424, 2425, 2425.1, 2426, 2427, 2433, 2447, 2783, 2784
		12/10/12	AMEND: 423.00
		11/13/12	AMEND: 1200, 1239
		11/06/12	ADOPT: 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218

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10/15/12 ADOPT: 2477.1, 2477.2, 2477.3, 2477.4, 2477.5, 2477.6, 2477.7, 2477.8, 2477.9, 2477.10, 2477.11, 2477.12, 2477.13, 2477.14, 2477.15, 2477.16, 2477.17, 2477.18, 2477.19, 2477.20, 2477.21
AMEND: 2477
10/09/12 AMEND: 2260, 2261, 2264, 2265, 2265.1, 2266, 2266.5, 2271 REPEAL: 2258
09/25/12 AMEND: 156.00, 156.01
09/14/12 AMEND: 2479

Title 13, 17

09/14/12 AMEND: 2299.2, 93118.2

Title 14

12/27/12 ADOPT: 1.45, 5.91 AMEND: 1.77, 2.25, 2.30, 4.20, 5.00, 5.05, 5.10, 5.40, 5.60, 5.80, 5.81, 7.00, 7.50, 8.00, 27.85, 27.90, 27.91, 28.90, 28.95, 701
12/20/12 AMEND: 703
11/19/12 AMEND: 632
11/07/12 AMEND: 701
11/06/12 ADOPT: 1052.5 AMEND: 895, 916.9, 1052, 1052.1, 1052.2
11/02/12 AMEND: 163, 164
10/29/12 AMEND: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.30, 18660.31, 18660.32, 18660.33, 18660.34, 18660.35, 18660.36, 18660.37, 18660.38, 18660.39, 18660.41, 18660.43
10/18/12 ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
10/03/12 AMEND: 300
10/02/12 AMEND: 632
09/27/12 ADOPT: 1667.1, 1667.2, 1667.3, 1667.4, 1667.5, 1667.6
09/25/12 AMEND: 18660.40
09/21/12 AMEND: 502
09/12/12 AMEND: 18660.17, 18660.19, 18660.31
09/07/12 AMEND: 300
08/31/12 ADOPT: 671.8 AMEND: 671.1
08/14/12 AMEND: 13055

Title 15

12/20/12 ADOPT: 3079, 3079.1 AMEND: 3000, 3075.2, 3075.3
10/25/12 ADOPT: 3999.14
10/22/12 AMEND: 3019, 3044, 3091, 3120
10/18/12 ADOPT: 3999.13
10/17/12 ADOPT: 3375.6 AMEND: 3000, 3375

10/04/12 ADOPT: 3352.3 AMEND: 3350.1, 3352, 3352.1, 3352.2, 3354, 3354.2, 3355.1, 3358
09/25/12 ADOPT: 1712.1, 1714.1, 1730.1, 1740.1, 1748.5 AMEND: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.1, 1747.5, 1748, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788 REPEAL: 1757
09/13/12 AMEND: 3162
09/13/12 ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323
08/29/12 AMEND: 2606, 2635.1, 2646.1, 2733, 2740, 2743, 2744
08/20/12 AMEND: 1006, 1007, 1008, 1012, 1013, 1024, 1032, 1044, 1046, 1051, 1055, 1056, 1058, 1059, 1062, 1063, 1069, 1072, 1080, 1081, 1083, 1084, 1100, 1104, 1125, 1140, 1141, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1151, 1203, 1205, 1206, 1208, 1217, 1241

Title 16

12/18/12 ADOPT: 37.5
12/13/12 AMEND: 2615, 2620
11/29/12 AMEND: 2524, 2579.10
11/27/12 ADOPT: 1495, 1495.1, 1495.2, 1495.3, 1495.4
11/14/12 ADOPT: 1139, 1140, 1141, 1142, 1143, 1144
11/13/12 ADOPT: 2333
11/07/12 ADOPT: 1023.15, 1023.16, 1023.17, 1023.18, 1023.19
10/31/12 AMEND: 1425
10/29/12 ADOPT: 1065
10/25/12 ADOPT: 2.8, 11, 11.1 AMEND: 9.2
09/25/12 AMEND: 1514, 1525.1
09/25/12 AMEND: 3340.15, 3394.6
09/12/12 AMEND: 961 REPEAL: 933
09/10/12 ADOPT: 4116, 4117, 4118, 4119
09/07/12 AMEND: 4
08/30/12 ADOPT: 2557, 2557.1, 2557.2, 2557.3, 2595, 2595.1, 2595.2, 2595.3
08/29/12 ADOPT: 4146, 4148, 4149, 4149.1 AMEND: 4100, 4101
08/20/12 ADOPT: 1333, 1333.1, 1333.2, 1333.3

Title 17

12/19/12 ADOPT: 95158 AMEND: 95101, 95102, 95103, 95104, 95105, 95111, 95112, 95113, 95114, 95115, 95119, 95120, 95121, 95122, 95123, 95130, 95131, 95132, 95133, 95150, 95151, 95152,

95153, 95154, 95155, 95156, 95157,
95202, 95802
12/06/12 AMEND: 95920
11/26/12 ADOPT: 95480.2, 95480.3, 95480.4,
95480.5 AMEND: 95480.1, 95481,
95482, 95484, 95485, 95486, 95488,
95490
11/14/12 AMEND: 6508
11/02/12 AMEND: 100500
10/30/12 AMEND: 100060, 100070
10/03/12 AMEND: 95201, 95202, 95203, 95204,
95205
09/04/12 ADOPT: 30305.1, 30308.1, 30311.1
08/30/12 AMEND: 95802, 95812, 95814, 95830,
95831, 95832, 95833, 95834, 95856,
95870, 95892, 95910, 95911, 95912,
95913, 95914, 95920, 95021
08/29/12 AMEND: 100800
08/15/12 ADOPT: 54521, 54522, 54523, 54524,
54525, 54526, 54527, 54528, 54529,
54530, 54531, 54532, 54533, 54534,
54535 AMEND: 54500, 54505, 54520
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Title 18
12/18/12 ADOPT: 19089
12/04/12 ADOPT: 2000
10/23/12 AMEND: 313, 321

Title 19
12/17/12 AMEND: 2570.1, 2570.2, 2571, 2572.1,
2572.2, 2573.1, 2573.2, 2573.3

Title 20
10/26/12 AMEND: 1601, 1602, 1604, 1605.1,
1605.3, 1606, 1607

Title 21
12/24/12 ADOPT: 2653, 2654, 2655, 2656, 2657,
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08/28/12 AMEND: 6640, 6680

Title 22
12/10/12 AMEND: 926-3, 926-4, 926-5
11/13/12 ADOPT: 2707.2-1 AMEND: 3302-1
10/25/12 AMEND: 97005, 97019, 97041, 97052,
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10/18/12 AMEND: 97240
10/15/12 ADOPT: 66273.80, 66273.81, 66273.82,
66273.83, 66273.84, 66273.90,
66273.91, 66273.100, 66273.101
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66273.9, 66273.70, 66273.72, 66273.73,
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09/06/12 ADOPT: 66269.2
08/20/12 AMEND: 87224
08/13/12 AMEND: 100104, 100106, 100106.1,
100113, 100115, 100119, 100120,
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Title 23
12/17/12 ADOPT: 3949.9
12/06/12 ADOPT: 3979.5
11/14/12 AMEND: 1062, 1064, 1068
11/13/12 ADOPT: 2924
11/13/12 ADOPT: 3969.3
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Title 25
10/10/12 AMEND: 8201, 8205, 8212
08/13/12 ADOPT: 7097 AMEND: 7054, 7056,
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Title 27
12/17/12 AMEND: 25705
11/19/12 AMEND: 25903
10/10/12 AMEND: 25707
09/20/12 AMEND: 25705(b)
09/12/12 AMEND: 25403(a), 25603.3(a)

Title 28
09/06/12 ADOPT: 1300.74.73

Title MPP
11/29/12 AMEND: 41-440, 42-716, 42-717,
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11/19/12 AMEND: 31-003, 31-021, 31-501
11/01/12 AMEND: 42-213, 44-211
10/10/12 AMEND: 25707
09/20/12 AMEND: 25705(b)
09/12/12 AMEND: 25403(a), 25603.3(a)