



California Regulatory Notice Register

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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. VICTIM COMPENSATION
AND GOVERNMENT CLAIMS BOARD**

**NOTICE OF INTENTION TO AMEND THE
CONFLICT-OF-INTEREST CODE OF THE
VICTIM COMPENSATION AND GOVERNMENT
CLAIMS BOARD**

NOTICE IS HEREBY GIVEN that the **Victim Compensation and Government Claims Board**, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendments to its Conflict-of-Interest Code. All inquiries should be directed to the contact listed below.

The **Victim Compensation and Government Claims Board** 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 amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the Conflict-of-Interest Code include: renaming divisions and positions after an internal reorganization, adding employees to the disclosure list who were not previously designated, removing eliminated positions from designation, submission of updated organizational charts, and also makes other technical changes.

Information on the code amendment is available on the agency's intranet site and/or attached to this email.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than March 7, 2016, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than 15 days before close of the written comment period.

The **Victim Compensation and Government Claims Board** 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 concerning this proposed amendment and any communication required by this notice should be directed to: Tanya Bosch, Regulations Analyst, 916-491-3851, regulations@vcgcb.ca.gov.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

The Department of Food and Agriculture (Department) amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid (ACP) Interior Quarantine as an emergency action which was effective on November 13, 2015. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than May 11, 2016.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to Sara.Khalid@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on March 7, 2016. The Department will consider only

comments received at the Department offices by that time. Submit comments to:

Sara Khalid
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
Sara.Khalid@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (FAC 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as she deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

Anticipated Benefits from This Regulatory Action

Existing law, FAC Section 403, provides that the department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code that she is directed or authorized to administer or enforce.

Existing law, FAC Section 5321, provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication.

Existing law, FAC Section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in FAC Section 5321.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The amendment of this regulation benefits the citrus industries (nurseries, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Almost all of the commercial citrus fruit and nursery stock production is located outside this proposed quarantine boundary area.

The national and international consumers of California citrus benefit by having high-quality fruit available at lower cost. It is assumed that any increases in production costs will ultimately be passed on to the consumer.

The amendment of this regulation benefits homeowners who grow citrus for consumption and host material which is planted as ornamentals in various rural and urban landscapes.

FAC Section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The amendment of this regulation is preventing the artificial spread of ACP to uninfested areas of the State.

Huanglongbing (HLB) is generally distributed in Florida due to ACP being generally distributed there. The University of Florida Institute of Food and Agricultural Sciences Extension calculated and compared the impact of having and not having HLB present in Florida and concluded HLB had a total impact of \$3.64 billion and eliminated seven percent of the total Florida workforce. The overall California economy benefits by the amendment of this regulation which is intended to prevent ACP from becoming generally distributed in California and resulting in a similar effect on our economy as to what happened in Florida. This is now critical as HLB has been introduced into California.

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency that can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

This regular rulemaking action expanded the quarantine area for ACP in the Turlock area of Stanislaus and Merced counties by approximately 101 square miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within this additional area. The total area which would be under regulation is now approximately 52,560 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.
 Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

Cost or savings in federal funding to the state: None.

The Department has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost impacts on a representative private person or business: Most businesses will not be affected. There are zero citrus production nurseries in the affected area that will be impacted. There are six retail nurseries in the affected area. There are four citrus growers in the proposed area. There is no additional cost to growers who take their fruit to a packinghouse inside the current quarantine area. Growers choosing a packinghouse outside the quarantine area have three options: 1. Conduct pre-harvest treatments with an approved pesticide while fruit is still on the trees; 2. Field-clean the fruit to remove leaves and stems during harvest; 3. Send the fruit to a packinghouse within the quarantine to be cleaned. Pre-harvest treatments cost growers approximately \$60 per acre and the fruit is required to be covered with a tarp while in transit. Tarps range in price from \$2,500-\$3,000 apiece. Field-cleaning the fruit will cost the grower approximately \$150-\$320 per acre depending on the citrus variety. Field-cleaned fruit does not require a tarp for transport and can be moved within or from the quarantined area. Cleaning at a packinghouse within the quarantine will cost the grower approximately \$300-\$400 per acre and the fruit must remain within the quarantine area, although the loads do

not need to be covered with a tarp. There are zero citrus packinghouses located within this quarantine area.

Based on the preceding above information, it was determined that due to the amendment of Section 3435(b), the agency is not aware of any cost impact on a representative business or private person. For the vast majority of businesses within the regulated area, no additional costs will be incurred.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California

The Department is not aware of any specific benefits the amendment of this regulation will have on worker safety or the health of California residents. The Department believes the amendment of this regulation benefits the welfare of California residents by protecting the economic health of the entire citrus industry. In 2010 the estimated value was \$2.1 billion for citrus fruit and \$28.5 million for citrus nursery stock without all the upstream-buyers and downstream retailers included (*Reference: John Gilstrap of California Citrus Nursery Board for citrus nursery stock value and USDA-National Agricultural Statistics Service 2010 data for citrus fruit*). This is a needed source of revenue for the State's economic health and this amendment will help protect this source of revenue.

ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative it considered to the regulation 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 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 than the proposal described in this Notice.

AUTHORITY

The Department proposes to amend Section 3435(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the FAC.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the FAC.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Sara Khalid, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Sections 156.00 and 156.01 in Chapter 1, Division 1, Article 3.0 of Title 13, California Code of Regulations, relating to Clean Air Vehicle Decals.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m., **March 7, 2016**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Vehicle Code section 1651, in order to implement, interpret, or make specific Vehicle Code sections 5205.5 and 21655.9.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Assembly Bill 71 (Ch. 330; St. 1999) adopted Vehicle Code section 5205.5, authorizing the department to issue identifying decals to vehicles meeting certain emission standards. The Clean Air Vehicle Decal program is administered through the joint effort of the Department of Motor Vehicles, the Department of Transportation, and the Air Resources Board (ARB). Vehicles identified by the ARB as meeting specified emission standards can be issued a decal, which allows the driver to access high-occupancy vehicle (HOV) lanes with fewer than the required number of passengers and are

granted a toll-free or reduced rate passage on HOV toll lanes. Vehicle Code section 5205.5 also requires the department to collect a fee for the decals in an amount that is sufficient to reimburse the department for actual costs of administering the decal program.

In 2002, the department adopted Section 156.00 in Article 3.0, which identified qualifying emission standards, explained the decal application process, and established the fee of \$8 for each set of decals. The fee has been unchanged since the original regulation was adopted, even though the decal program has significantly expanded.

The Bureau of State Audits (Bureau) issued a report in February 2015 entitled *California's Alternative Energy and Efficiency Initiatives*, wherein the Bureau determined that the department "needs to conduct periodic cost analyses to ensure that decal fees cover all program costs." The Bureau further projected that a fee of \$15 per decal would be more likely to cover the program costs.

The department concurred with the State Auditor's findings and began a thorough analysis of the fee. In its analysis, the department found that increasing the fee to \$22 would achieve the goal of recouping all costs associated with the clean air vehicle decal program. The Bureau's costing did not include departmental overhead, annual clean air vehicle decal database maintenance, program support staff, mailing operations staff, or salary rate change costs.

This proposed action adjusts the clean air vehicle decal from \$8 to \$22 to ensure the department is accurately collecting a fee that covers the program costs, and two forms titled, 1) Application for Clean Air Vehicle Decals and 2) New Vehicle Dealer Application for Clean Air Vehicle Decals, are amended and incorporated by reference. Amendments to these forms include, changing the revision date from 3/2014 to 6/2015, and changing the decal fee from \$8.00 to \$22.00.

PROBLEMS THIS DEPARTMENT INTENDS TO ADDRESS AND BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

The problem created by not increasing the fee as the program expanded is that funds from the Motor Vehicle Account are being used to pay for the financial gap in running the program. This will impact the department's ability to meet its obligations, and the obligations of other departments that rely on the Motor Vehicle Account. This action also revises two clean air decal application forms to ensure the decal fee identified on the forms are consistent with the fee established in the regulations. The amended forms will increase governmental transparency as the applicant will be aware of the actual

decal fee prior to completing and submitting the form. Also, the proposed increase in the decal fee will help the department fix the financial gap, and continuously serve California drivers in providing and implementing this new program which promotes clean air, and an increase benefit to public health.

The amendments will ensure all costs related to the administering of this program are reimbursed to the department through the fee charged per set of vehicle decals.

COMPARABLE FEDERAL AND STATE REGULATIONS

There are no comparable state or federal regulations related to the issuance of Clean Air Vehicle Decals.

CONSISTENCY AND COMPATIBILITY WITH OTHER STATE REGULATIONS

The department has conducted a review of other state regulations and has concluded that these are the only regulations related to the issuance of clean air vehicle decals. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The following documents are incorporated by reference:

- Application for Clean Air Vehicle Decals, form REG 1000 (Rev. 6/2015)
- New Vehicle Dealer Application for Clean Air Vehicle Decals, form REG 1000 D (Rev. 6/2015)

These documents will not be published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the documents are readily available to interested parties by contacting the department representative identified below.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- Cost or Savings to Any State Agency: The department will recoup an additional \$14, for a total of \$22, per set of vehicle decals issued. The revised figure will ensure the department is collecting fees sufficient to cover program costs and ease the burden on the Motor Vehicle Account.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.

- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: The cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action is \$22 for a set of decals. This is a voluntary program and no vehicle owner is required to participate.
- Effects on Housing Costs: None.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Local Agency/School District Mandates: The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- Small Business Impact: The department does not anticipate this action will impact small business, unless the small business chooses to purchase decals.
- Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department has determined that this proposed regulatory action:

- Will not create or eliminate jobs within the State of California
- Will not create or eliminate existing business within the State of California
- Will not expand business currently doing business within the State of California
- Will benefit the health and welfare of California residents and the State's Environment. The raise in the fee will maintain the solvency of the program and therefore maintain the incentive of being able to drive in HOV lanes when one purchases a clean air vehicle.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the is-

sues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

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, or would be effective as 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 provisions of law.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-8898
Facsimile: (916) 657-1204
E-Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Tracy Brazil, Regulations Analyst
Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public re-

cords, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, the revised handbook and Express Terms) may be accessed at <http://www.dmv.ca.gov/portal/dmv/dmv/dmvhomes/regulatoryactions>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 16. BUREAU OF AUTOMOTIVE REPAIR

MOBILE AUTOMOTIVE REPAIR DEALER ADVERTISING

NOTICE IS HEREBY GIVEN that the Department of Consumer Affairs’ (DCA) Bureau of Automotive Repair (hereinafter “Bureau” or “BAR”) is proposing to take the action described in the Informative Digest. Any person(s) interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing or hearings to be held at the following location on the following date:

NORTHERN CALIFORNIA

Monday, March 14, 2016 at 10:00 a.m.
 Bureau of Automotive Repair
 Hearing Room
 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 Monday, March 14, 2016, or must be received by the Bureau at the above-referenced hearing. The Bureau, upon its own motion or at the request of any interested party, may thereafter for-

mally 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 sections 9882 and 9884.19 Business and Professions Code, and to implement, interpret, or make specific sections 9884.19, 17500 and 17505, Business and Professions Code, the Bureau is proposing to add Article 6.1, commencing with section 3351.7.1, and amend section 3371.1 of Article 9 within Chapter 1, Division 33, Title 16, California Code of Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The BAR is the regulatory entity responsible for registering and licensing automotive repair businesses and technicians. Since 1971, Bureau has ensured persons operating as automotive repair dealers (ARDs) are registered with the Bureau and comply with laws and regulations established to protect consumers in repair transactions. The Bureau is proposing to adopt regulations clarifying that automotive repair businesses which are primarily mobile are subject to regulations, including registration and advertising requirements, which apply to all ARDs.

Mobile ARDs travel to their customers to perform repairs and typically find customers through advertisements on popular websites such as Craigslist. These businesses offer the convenience of avoiding a trip to a repair shop and potential savings from avoiding towing costs. However, they also present risks to consumers. Although not all mobile repair dealers engage in fraudulent practices, those who do are often difficult to find when they do not have repair facilities and are not registered with the Bureau.

The proposed regulations are necessary to better ensure persons operating mobile automotive repair businesses are registered with the Bureau and comply with consumer protection laws and regulations. To that end, the proposed regulations would: (1) clarify that mobile automotive repair dealers must, like any other business performing automotive repairs, register with the Bureau and be subject to laws and regulations relating to automotive repair; (2) adapt existing advertising re-

quirements for ARDs to the mobile ARD business model in terms of what and where certain business information must be displayed to customers; (3) require mobile ARDs to provide every customer with a copy of an official ARD sign; and (4) update the forms of advertising any repair technician may use, and by such use be deemed an ARD for purposes of regulation, to include the Internet.

These regulations would make it easier for consumers to determine whether a mobile repair dealer is registered with and has been disciplined by the Bureau and to know their rights with respect to automotive repair transactions. They also improve the Bureau's ability to identify and bring enforcement actions against mobile repair dealers who may be violating consumer rights.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS:

During the process of developing these regulations and amendments, BAR has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

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

This proposed regulatory action is cost neutral.

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:

BAR has made an initial determination the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Indeed, businesses that register as a result of the regulation and adopt customer disclosure practices which they did not have previously may see positive benefits resulting from increased customer safety and satisfaction. They will also gain the legal right to receive compensation for repair services they perform. Currently

registered ARDs will benefit from the proposed regulation as it helps to level the playing field of automotive repair businesses. By promoting registration with the Bureau, the regulation would promote compliance with labor, licensing, and payroll tax laws, which in turn would reduce unfair competition.

Any costs associated with registration and renewal fees and proposed advertising requirements would be minor and absorbable for businesses, whether they are currently registered or register to comply with the regulation.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS:

BAR is not aware of any cost impacts a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON HOUSING COSTS:

None.

EFFECT ON SMALL BUSINESS

The majority of businesses that are likely to be affected by this regulation are small businesses. The requirements imposed by this regulation to display certain business information on company vehicles and in internet advertisements would have a negligible, though indeterminable impact on small businesses. The cost of disclosing or displaying additional information on vehicles or in internet advertising is likely to be absorbed by any business subject to the regulation.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

IMPACT ON JOBS/BUSINESSES:

BAR has made the following initial determinations regarding the impact of the proposed regulatory action on jobs/businesses:

- It will not have any impact on the creation or elimination of jobs, the creation of new businesses, or the elimination of existing businesses. First, the proposed regulation imposes advertising and fee requirements which are relatively minor and absorbable. The requirements are not likely to constitute a burden that results in new hiring or a barrier to entry that results in layoffs. Second, the proposed regulation relates to advertising practices and does not impact the core service provided by mobile repair businesses. It is highly unlikely the regulation will have any restructuring effect on the industry whereby businesses are created or eliminated.

- It may affect the expansion of businesses currently doing business within the State of California, although the magnitude of such effect is difficult to determine. An effect on business expansion assumes the regulation contributes to a reduction in unlicensed activity and thereby reduces unfair competition for currently registered automotive repair businesses. Reducing unfair competition in the marketplace lessens the tax burden on law-abiding businesses.

BENEFITS OF THE REGULATION TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS:

BAR has made an initial determination the proposed regulatory action will have a positive impact on the health and welfare of California citizens to the extent it promotes compliance with consumer protection laws and regulations.

BENEFITS OF THE REGULATION TO WORKER SAFETY:

BAR has made an initial determination the proposed regulatory action may indirectly benefit worker safety in California, as the regulation encourages registration and thereby promotes compliance with labor laws.

BENEFITS OF THE REGULATION TO THE STATE'S ENVIRONMENT:

BAR has made an initial determination the proposed regulatory action may indirectly benefit the environment. As the regulation encourages registration, it also promotes compliance with environmental laws such as those governing the handling of hazardous waste.

CONSIDERATION OF ALTERNATIVES

BAR must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention 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 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 the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing from the Bureau of Automotive Repair at 10949 North Mather Blvd., Rancho Cordova, California, 95670.

WEBSITE ACCESS

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

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 available for public inspection by contacting the contact person(s) 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(s) or by accessing the website listed above.

CONTACT PERSON

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

Nina Tantraphol
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, California, 95670
Telephone: (916) 403-0210
E-mail: Nina.Tantraphol@dca.ca.gov

The backup contact person is:

Shelley Whitaker
Bureau of Automotive Repair
10949 North Mather Blvd.
Rancho Cordova, California, 95670
Telephone: (916) 403-0222
E-mail: Shelley.Whitaker@dca.ca.gov

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

**NOTICE OF PROPOSED RULEMAKING FOR
THE COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM**

NOTICE IS HEREBY GIVEN that the Department of Housing and Community Development (Department) proposes to formally amend regulations that govern implementation of the State Community Development Block Grant Program (CDBG). The existing regulations are codified in Title 25, Division 1, Chapter 7, Subchapter 2 (commencing with Section 7050) of the California Code of Regulations.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

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 22, 2016** and closes at **5:00 p.m. on March 8, 2016**. The Department will only consider comments received during this time-frame. Written comments can be sent in the following ways:

1. Electronic comments should be submitted using the Survey Monkey process. The Survey Monkey for this regulation change is accessed at: <https://www.surveymonkey.com/r/CDBG-disaster-regs>.
2. Electronic comments may also be submitted via e-mail at CDBG@hcd.ca.gov.

3. For submittal of hard copies of written comments, please fax to (916) 263-3394 or send to the Department's address:

Department of Housing and Community
Development
Division of Financial Assistance
P.O. Box 952054
Sacramento, CA 94252-2054
Attention: Patrick Talbott, Planning and Evaluation

AUTHORITY AND REFERENCE

The Department is conducting this rulemaking activity pursuant to the authority provided by Health and Safety Code Section 50406 and 24 CFR 570.489. The proposed regulations implement, interpret and make specific amendments to Chapter 12 (commencing with Section 50825) Part 2 of Division 31 of the Health and Safety Code.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Health and Safety Code 50407 establishes that the Department is responsible for coordinating federal-state relationships in housing and community development. In conjunction with this responsibility, Health and Safety Code sections 50825-50834 direct the Department to allocate Federal Community Development Block Grant Program funds. The State of California receives money from the U.S. Department of Housing and Urban Development to make grants to eligible cities and counties. These regulations establish procedures for the award and disbursement of CDBG funds and establish policies and procedures for the use of these funds to meet the purposes contained in Title I of the Housing and Community Development Act of 1974 (the Act) as amended in 1981. These funds can be used for a variety of housing related activities, public infrastructure, public facility, public service, economic development and planning activities provided the State, and the cities and counties comply with a comprehensive set of requirements prescribed by the Federal government regulations in 24 CFR 570.

The purpose of the proposed changes is: to make technical corrections where needed; to add necessary language authorizing the Department to administer supplemental funds awards from HUD; to streamline award of funds received under a special allocation of disaster or emergency supplemental funding award; allow for a special NOFA from Department CDBG funds in response to one or more disasters in the state; amend text to make it easier for grantees with existing state CDBG contracts to amend those contracts and provide assistance to disaster impacted communities.

The specific benefits anticipated from these proposed changes are to improve the efficiency and effectiveness of the State CDBG program. Additionally, by simplifying the language used and streamlining the application scoring criteria, it should be easier for jurisdictions throughout the state to apply and compete for the CDBG funds.

The Department has determined that the proposed regulation changes are not inconsistent or incompatible with existing state regulations. After conducting a review of the other regulations related to this area, the department has concluded that these are the only regulations concerning this program. Therefore, pursuant to this evaluation, the Department has concluded that the proposed regulations are not inconsistent or incompatible with existing state regulations. The proposed changes are summarized as follows:

ARTICLE 2— APPLICATION PROCESS

Section 7062.5. Special Allocation for Federal Disaster or Other Emergency Supplemental Assistance

The Department is incorporating new language into this section. All the existing language was repealed in 2002, so currently there is no language in this section of the regulations.

New language provided to this section includes:

1. Changing the title to clarify the subject matter of this subsection;
2. Incorporating language referencing the federal authority to allow the Department to administer federal disaster or emergency supplemental assistance;
3. Incorporating language in the State’s regulations to allow waivers to application criteria when it is consistent with state statute and HUD requirements;
4. Adding the applicable Authority and Reference language in Section 7065.5 which allows for release of a special NOFA to expedite award of any special allocation of federal funds.

Section 7065. Special Grant Amendments for Disasters.

The Department is amending the existing language in this section of the regulations.

Amended language in this section includes:

1. Changing the title to clarify the subject matter of this subsection;
2. Adding language to allow federal disaster declarations to qualify a grantee to request the Department amend an existing grant contract;
3. Clarifying that a grant agreement must be active in order for it to be amended;

4. Clarifying that an amended activity can mitigate impacts of a disaster rather than be required to alleviate health and safety issues;
5. Clarify that a grant contract can have an amended or replacement project or activity, not just a replacement activity;
6. Remove language regarding the requirements of Urgent Need national objective (e.g. amendment must be within 18 months of declared disaster and documentation that no other sources of funds are available for the activity);
7. Add language describing the Department’s review and approval process for requested amendments;
8. Remove federal entitlement regulatory citation from Authority and Reference section;
9. Modify federal non-entitlement regulatory citation in Authority and Reference section to not specify Urgent Need national objective.

Section 7065.5. Special Disaster Assistance or Emergency Supplemental Assistance NOFAs.

The Department is incorporating new language into this section. All the existing language was repealed in 2014, so currently there is no language in this section of the regulations.

New language provided to this section includes:

1. Changing the title to clarify the subject matter of this subsection;
2. Incorporating language to allow for special NOFAs when the Department receives a special allocation of funds from HUD;
3. Incorporating language to allow for a special disaster related NOFA when the Department has existing CDBG funding available;
4. Incorporating specific eligibility criteria language that applicants must meet prior to applying for funding under a special NOFA;
5. Incorporating language that allows for different methods of distribution under a special NOFA;
6. Incorporating language that stipulates what state requirements can be waived for expediting funding awards;
7. Add the applicable state statute reference to Authority and Reference language which allows waiving of certain statutes;
8. Add applicable federal regulation reference to Authority and Reference language regarding requirements of meeting a national objective.

**MANDATED BY FEDERAL LAW
OR REGULATIONS**

The Department is conducting this rulemaking amendment pursuant to the authority provided by

Health and Safety Code 50407 in conjunction with Health and Safety Code sections 50825–50834 directing the Department to administer Federal Community Development Block Grant Program funds which the State of California receives from the U.S. Department of Housing and Urban Development to make grants to eligible cities and counties. These funds can be used for a variety of housing related, public infrastructure, public facility, public services, and economic development activities. The Department provides CDBG funds to eligible cities and counties and assists them in complying with a comprehensive set of requirements previously adopted by the Federal government regulations in 24 CFR 570.

OTHER STATUTORY REQUIREMENTS

The Department has determined that there are no other requirements identified in the Notice that are specific to the Department or the CDBG regulations already identified.

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 who are cities and counties and who demonstrate willingness and capacity to develop and administer CDBG program and project activities. In all cases, participation in the program is voluntary.

FISCAL IMPACT

The Department has determined that as a result from the proposed action there will be no savings or 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.

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 BUSINESS

The Department has made an initial determination that the proposed regulatory amendment 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.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Because participation in the CDBG program is voluntary, the Department has determined that the regulations will not affect creation or elimination of jobs in California; 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 health and welfare of California residents, worker safety, or the state's environment.

Use of the proposed regulation language allows CDBG funding to pay for mitigation efforts after future disasters. As such they will provide some economic benefit to specific areas of the state that are suffering from disaster events. Regulations allow these funds to be used for stabilizing communities, eliminating public safety hazards and providing basic health and safety services after a disaster event.

COST IMPACTS ON REPRESENTATIVE PERSONS OR BUSINESS

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. While private businesses (including non-profits) and individuals are eligible to receive program funds under the program, participation is voluntary.

BUSINESS REPORT

The Department has determined that the proposed action does not require any additional reporting, record-keeping and other compliance requirements that apply to businesses.

EFFECT ON SMALL BUSINESS

The Department has determined that the proposed action has no impacts on small business because participation in the CDBG Program is voluntary.

ALTERNATIVES STATEMENT

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention 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 affective private person and equally effective in implementing the statutory policy or other provision of law.

The Department has discussed the alternative it considered, and why it chose the proposed revisions it selected, in its Initial Statement of Reasons. The Department invites public comment on alternatives to the regulations.

AVAILABILITY OF TEXT OF PROPOSED REGULATIONS AND STATEMENT OF REASONS

The text of the proposed regulations, the Initial Statement of Reasons (which provides the reasons for the proposals), and the Notice of Public Rulemaking, all prepared by the Department, are available on the Department's website at <http://www.hcd.ca.gov/financial-assistance/community-development-block-grant-program/about.html>.

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 at the end of this document. Copies can be obtained by contacting Patrick Talbott at the address and telephone number noted at the end of this document.

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 available with changes clearly indicated. With the exception of technical and 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 written or oral testimony related to this proposal or who have requested notification of any

changes. The Department will accept written comments on the modified regulation 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 Patrick Talbott at the address and telephone number at the end of this document.

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.

INTERNET ACCESS

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations, changed or modified text, and Final Statement of Reasons may be accessed through our website at: <http://www.hcd.ca.gov/financial-assistance/community-development-block-grant-program/about.html>.

CONTACT PERSON

- HCD Staff:** Patrick Talbott,
Planning and Evaluation
Section
(916) 263-2297
Patrick.talbott@hcd.ca.gov
- HCD Manager:** Benjamin Dudek,
Planning and Evaluation
Section
(916) 263-5881
benjamin.dudek@hcd.ca.gov
- HCD ADDRESS:** Department of Housing and
Community Development
P.O. Box 95254
Sacramento, CA 94252-2054

HCD WEBSITE: <http://www.hcd.ca.gov/financial-assistance/community-development-block-grant-program/about.html>

Copies of the Notice of Proposed Rulemaking, the text of the Proposed Regulations, and the Initial Statement of Reasons may be accessed through our website above.

HCD FAX LINE: (916) 263-3394

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:

Department of Housing and Community Development
2020 West El Camino, Suite 650
Sacramento, CA 95833
Telephone: (916) 263-2297

Patrick Talbott, Planning and Evaluation Staff
Email: Patrick.Talbott@hcd.ca.gov

TITLE 25. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

NOTICE OF PROPOSED RULEMAKING FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

NOTICE IS HEREBY GIVEN that the Department of Housing and Community Development (Department) proposes to formally amend regulations which govern implementation of the Home Investment Partnerships Program (HOME). The existing regulations are codified in Title 25, Division 1, Chapter 7, Subchapter 17, Sections 8200-8220 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 22, 2016** and closes at **5:00 p.m. on March 7, 2016**. The Department

will consider comments received during this time-frame. Comments can be sent in the following ways:

- Survey Monkey comments:
<https://www.surveymonkey.com/r/HomeRegulations>
- E-mail comments:
HOMERegulations@hcd.ca.gov
- Faxed comments:
(916) 263-3394
Attention: Muri Christine Bartkovsky
Planning and Evaluation Representative
- Written comments via mail to:
Department of Housing and Community Development
Division of Financial Assistance
P.O. Box 952054
Sacramento, CA 94252-2054
Attention: Muri Christine Bartkovsky, Planning and Evaluation Section

PUBLIC HEARINGS

March 7th, 2016
1:00 p.m. – 4:00 p.m.
HCD Headquarters
2020 West El Camino Avenue, Rooms 402 A and 402 B
Sacramento, CA 95833

AUTHORITY AND REFERENCE

HCD is conducting this rulemaking activity pursuant to the authority provided by Health and Safety Code Sections 50406 and 50896.3(b). These regulations implement, interpret and make specific amendments to Chapter 12 (commencing with Section 50896) of Part 2 of Division 31 of the Health & Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Health and Safety Code 50407 establishes that the Department is responsible for coordinating federal-state relationships in housing and community development. In conjunction with this responsibility, Health and Safety Code section 50406 directs the Department to be responsible for the allocation of federal Home Investment Partnerships Program funds. Consequently, the State of California receives HOME funds from the U.S. Department of Housing and Urban Development (hereinafter "HUD") to make loans or grants to eligible cities, counties, Native American Entities, developers, and community housing development organizations

(CHDOs). These funds may be used for a wide variety of uses to serve the low income households so long as the funded recipients comply with a comprehensive set of requirements prescribed by federal law and regulations, as well as State regulations.

These regulations can be found at Title 25, Division 1, Chapter 7, Subchapter 17, Sections 8200–8220. They establish procedures for the award and disbursement of HOME funds, and establish policies and procedures for use of these funds to meet the purposes contained in the federal HOME regulations at 24 CFR Part 92.2. State authority for the administration of the HOME Program is contained in Health and Safety Code sections 50406 and 50896.3(b).

LIST OF CHANGES MADE BY SECTION

Section: 8200. Purpose

Subsection (c) is added:

Purpose: The proposed new subsection defines the terms and conditions that a HOME program carried out by the State will fund a Developer and clarifies the use of these funds for projects on Indian Reservations and Native American Lands.

Section: 8201. Definitions

The following amendments to this section have been proposed:

Subsection (b)

“Applicant”

Purpose: The proposed regulation change would allow Native American Entities and Developers to be eligible applicants. New subsections to Definitions are added to define the terms Native American Entity and Developer.

Subsection (i)

“Developer”

Purpose: The proposed regulation change adds the term “Developer” to the Definitions section and allows the term “Developers” to be used in conjunction with other eligible applicant terms. The definition also includes Native American Entity so it is clear that these entities can apply as a Developer of a multifamily housing project.

Subsection (x)

“Native American Entity”

Purpose: The proposed regulation change adds the term “Native American Entity” to the Definitions section and allows the term “Native American Entity” to be listed as a Developer; a Developer is an eligible applicant.

Subsection (y)

“Native American Lands”

Purpose: The proposed regulation change adds the term “Native American Lands” to the Definitions section and allows the term “Native American Lands” to be listed as an eligible area for funding for activities.

Subsection (gg)

“Set-up”

Purpose: This change will add Developer to the list of entities that are able to establish a project-specific account in the federal disbursement and information system.

Subsection (kk)

“Tribally Designated Housing Entity”

Purpose: This regulation change adds the term “Tribally Designated Housing Entity” to the Definitions section and allows the term “Tribally Designated Housing Entity” to be included with the term Native American Entity as an eligible applicant.

Subsection (ll)

“Consolidated plan”

Purpose: This change will add the definition for “Consolidated plan.”

Section: 8204. Eligible Applicants

Subsection (a)

Purpose: The proposed regulation change adds language allowing a Developer, which includes Native Americans, to apply for HOME program funds, per Section 8201(b). In addition, Developers of Native American Entity projects are eligible applicants, per Section 8201(i). Developers are eligible State HOME applicants per 8201(i). Developers are not eligible for HOME program activity funds.

Subsection (a)(3)(A); (a)(3)(B)

Purpose: The proposed regulation change would allow a Developer to be an eligible applicant with certain conditions demonstrated.

Subsection (a)(3)(C); (a)(3)(D)

Purpose: The proposed regulation change defines the requirements for the type of projects to be proposed for HOME funds to be addressed in the Department’s approved Consolidated Plan and meet State Housing Element Law.

Subsections (a)(3)(E); (a)(3)(F)

Purpose: The proposed regulation change defines the requirements for the projects to be proposed for HOME funds to meet specific site location requirements.

Subsections (a)(3)(G)

Purpose: The proposed regulation change defines the requirements that a Developer must provide to the Department to assure that it is in good standing with both the State and Federal funding programs.

Section: 8205. Affordability Requirements

Subsections (a), (b), (c), (g) and (h)

Purpose: To define the eligible activities for the use of the HOME funds.

Section: 8206. Matching Contributions

Subsection (a)

Purpose: This change specifies the provisions for Developers concerning the requirements to contribute matching funds.

Subsection (a)(3)

Purpose: This change specifies for Developers that requirements to contribute matching funds will be provided in the notice of funding availability (NOFA) or through written notice from the Department if contributing matching funds are modified or waived by HUD.

Subsection (a)(4)(b)

Purpose: This change specifies the provisions for the Developer concerning the requirement to contribute matching funds.

Subsection (a)(4)(d)

Purpose: This change specifies the provisions for the Developer concerning the requirement to contribute matching funds that are not HOME-assisted pursuant to 24 CFR Section 92.219(b).

Section: 8208. Affordability Requirements

Subsection (a)(chart)

Purpose: The purpose of this subsection is to set forth the minimum period of affordability in years for Native American Entities located on Native American Lands.

Section: 8210. Application Process

Subsection (d)

Purpose: The purpose of this change is to specify that the NOFA will state the maximum amount of project funds available for Native American Entities.

Section: 8211. Application Requirements/Forms

Subsection (e)(4)(ii)(B)(d)

Purpose: The purpose of this subsection is to set forth the circumstances under which the Department may deem an application proposing first-time homebuyer new construction projects complete and eligible for rating pursuant to the requirements of Section 8211.

Subsection (e)(4)(ii)(C)(d)

Purpose: The purpose of this subsection is to set forth the circumstances under which the Department may deem an application proposing first-time homebuyer rehabilitation projects complete and eligible for rating pursuant to the requirements of Section 8211.

Section: 8212. Application Selection and Evaluation

Subsection (b)(1)

Purpose: The purpose of this subsection is to set forth the circumstances under which the Department may award full points in a scoring category.

Subsection (c)(2)

Purpose: The proposed regulation defines the jurisdiction that Native American Entities must use when determining the poverty level for their project for scoring purposes.

Subsection (c)(4)

Purpose: The proposed regulation allows Tribal Planning Department approval for Project development plans, status of local government approvals and design process to be accepted for scoring purposes.

Section: 8212.2. Uniform Multifamily Underwriting and Program Rules

Subsection 8212.29 (a) and (b)

Purpose: The purpose of this section is specify that the underwriting criteria for the HOME program follows essentially the same underwriting guidelines as the other multiple housing finance programs administered by the Department.

Section: 8212.3. Deep Targeting Funds

Subsection (d)

Purpose: The purpose of this subsection is to set forth the minimum period of affordability in years for development on Native American Lands.

Section: 8213. Conditional Reservation of Funds

Subsection (b)

Purpose: The purpose of this subsection is to define the order of funds awarded and to assure projects developed on Native American Lands are awarded specific apportionments for projects, rather than compete for funds in a competition pursuant to subsection 8212.

Section: 8214. Legal Documents

Subsection (a)(1)

Purpose: The proposed regulation changes define the legal documents that Developers will be required to enter into with the State before being able to access their awarded HOME funds. The basic document is the Standard Agreement, which includes the requirements that the Native American Entities and Developers must comply with.

Subsection (a)(3)

Purpose: The proposed regulation changes define the legal documents that Native American Entities and Developers will be required to enter into with the State before being able to access their awarded funds. The basic document, the Standard Agreement, contains the requirements that Native American Entities and Developers must comply with and includes the compliance with provisions of 24 CFR part 92.

Subsection (a)(4)(H)

Purpose:

The purpose of this subsection is to clarify that when projects are developed on lands where a Native American Entity exercises sovereignty, housing can be limited to Native American families or Tribal members regardless of the funds used to construct or otherwise assist the housing.

Subsection (a)(4)(I)

Purpose: The proposed regulation changes define the requirements that Native American Entities and Devel-

opers will be required to enter into with the state prior to the issuance of a state designation number. Compliance with the provisions of 24 CFR Sections 92.500 and 92.502 is needed to access the federal disbursement and information system.

Subsection (a)(4)(K)

Purpose: The proposed regulation changes state that Native American Entities and Developers will be required to permit the Department, HUD or their designated agents and employees the right to inspect all books, records, and documents in connection with the local HOME program.

Subsection (a)(4)(L)

Purpose: The proposed regulation changes state that Native American Entities and Developers will be required to submit audits pursuant to 24 CFR Section 92.506.

Section: 8215. Project Set-Up and Disbursement of Funds

Subsection (a)

Purpose: The proposed regulation change states that Native American Entities and Developers will be required to notify the Department to set up each project in the federal disbursement and information system.

Subsection (a)(1)

Purpose: The proposed regulation change defines the set-up report that Native American Entities and Developers will be required to submit prior to the first disbursement request.

Subsection (b)(2)

Purpose: The proposed regulation change explains the regulations and/or requirements to be followed by Native American Entities and Developers to avoid the withholding of disbursements by the Department pursuant to 24 CFR part 92.

Subsection (e)

Purpose: The proposed regulation change defines the time frame for the project completion report that Native American Entities and Developers will be required to submit prior to the final drawdown request.

Section: 8216. Reporting and Recordkeeping

Subsection (a)(1)

Purpose: The proposed regulation change defines the time frame for the status report or labor compliance certification that Native American Entities and Developers will be required to submit monthly.

Subsection (a)(3)

Purpose: The proposed regulation change defines the time frame for the annual performance report that Native American Entities and Developers will be required to submit to meet recordkeeping and reporting requirements.

Subsection (b)(1)

Purpose: The proposed regulation change defines the period of time Native American Entities and Developers need to retain records and to make these retained records available to the Department to meet recordkeeping and reporting requirements.

Section: 8217. Project Deadlines

Subsection (a)(2)

Purpose: The proposed regulation change adds language allowing a Native American Entity or Developer to execute a contract with the Department.

Subsection (b)(1)(A)

Purpose: The proposed regulation change defines the time frame that Native American Entities and Developers will be required to obtain all necessary permanent project financing.

Section: 8218. Cancellation and Termination

Subsection (a)

Purpose: The proposed regulation change explains the regulations and/or requirements to be followed by Native American Entities and Developers to avoid the cancellation or reduction of funds and the termination or amendment of the standard agreement by the Department.

Subsection (a)(1)

Purpose: The proposed regulation change explains the regulations and/or requirements to be followed by Native American Entities and Developers to comply with the requirements of HOME and the standard agreement.

Subsection (a)(2)

Purpose: The proposed regulation change defines the time frame and goals Native American Entities and Developers need to adhere to for compliance with HOME and the standard agreement.

Subsection (b)

Purpose: The proposed regulation change defines the time frame for the Department to provide written notice to Native American Entities and Developers of its intent to cancel or amend the funding allocation.

Subsection (c)

Purpose: The proposed regulation change defines the requirements and regulations to follow if the Department provides written notice to Native American Entities and Developers of its intent to cancel or amend the funding allocation.

ANTICIPATED BENEFITS

The anticipated benefits of the proposed regulatory changes include, but are not limited to, the following:

- Under the proposed amendments, Developers, which include Native American Entities, will now have the ability to access funds directly.

- Allowing Developers to be eligible for HOME funds will expedite project funding. Currently Developers must work with State Recipients, who act as lenders of HOME funds, to obtain a State HOME funding award. State Recipients typically lack capacity to act as lenders and oversee HOME federal overlay requirements. By allowing the State to be the direct lender via award of loan funds to Developers, the State Recipient is not required to be involved and the funding timeline for projects can be shorted.

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. The Department performed this evaluation, and there are no other existing State regulations which address this program. Therefore, pursuant to this evaluation, the Department has concluded that the proposed regulations are not inconsistent or incompatible with existing state regulations.

OTHER DOCUMENTS RELIED UPON

No other technical, theoretical or empirical studies, reports or similar documents were relied upon 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 HOME Program is voluntary.

IMPACT OF PROPOSED REGULATIONS

- Allowing Developers, which includes Native American Entities to be HOME applicants provides access to public financing needed for development and preservation of affordable housing. Native American communities throughout the state currently have limited access to affordable housing financing.

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 capacity to administer funds for temporary housing and services to address homelessness. In any case, participation in the program is voluntary.

FISCAL IMPACT

The Department has determined that no savings or 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.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

Because participation in the HOME Program is voluntary, the Department has determined that the regulations will not affect the creation or elimination of jobs in California; 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 addition to the "Anticipated Benefits" listed above, the proposed regulations will benefit the health and welfare of California residents by assisting homeless and at-risk homeless populations. It will also benefit non-profit organizations and local governments that receive HOME funds, and the communities they serve.

EFFECT ON SMALL BUSINESS

The Department has determined that the proposed action has no impact on small business because participation in the HOME 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 state-wide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. Participation in the program is voluntary.

COST IMPACTS ON PRIVATE PERSONS OR
BUSINESSES DIRECTLY AFFECTED

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. While private businesses (including non-profits) and individuals are eligible to receive program funds 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 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 website, at:

[http://www.hcd.ca.gov/financial-assistance/
HOMEprogram/index.html](http://www.hcd.ca.gov/financial-assistance/HOMEprogram/index.html)

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 Planning and Evaluation Section Representatives 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 Planning and Evaluation Section 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 Planning and Evaluation Section Representatives 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 persons named below.

CONTACT PERSON

HCD: **Muri Christine Bartkovsky**
Planning and Evaluation
HCDR II
(916) 263-1176

HCD BACK-UP: **Ben Dudek**
Planning and Evaluation
Manager
(916) 263-5881

HCD
Address: State Department of
Housing and Community
Development

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/financial-assistance/emergency-solutions-grant-program/index.html>.

HCD
Facsimile No: (916) 263-3394

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:

Department of Housing and Community
Development
Division of Financial Assistance
P.O. Box 952054
Sacramento, CA 94252-2054
Attention: Muri Christine Bartkovsky, Planning
and Evaluation Section
E-mail: HOMERegulations@hcd.ca.gov

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

NOTICE IS HEREBY GIVEN that the Department of Housing and Community Development (Department) proposes to amend the Uniform Multifamily Regulations, which govern certain aspects of a number of programs operated by the Department, including the Affordable Housing and Sustainable Communities Program, the Veterans Housing and Homelessness Prevention Program, and the Multifamily Housing Program. The existing Uniform Multifamily Regulations are codified in Title 25, Division 1, Chapter 7, Subchapter 19 (commencing with section 8300) 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 action to the Department. The written comment period begins January 22, 2016 and closes at **5:00 p.m. on March 7, 2016**. The Department will only consider comments received during this timeframe. The preferred method for submitting comments is through the online form available at: <https://www.surveymonkey.com/r/Uniform-Multi-family-Regs>

You may also e-mail comments to Russ Schmunk at Russ.Schmunk@hcd.ca.gov (include **UMR Comments** in the subject line). Written comments can also be sent via mail to Russ Schmunk, Department of Housing and Community Development, P.O. Box 952054, Sacramento, California 94252-2054, **Attention: UMR Comments**. For each comment, please reference the section of the proposed guidelines on which you are commenting.

PUBLIC HEARINGS

Public hearings are scheduled on the proposed amendments at the following locations:

Date: February 10, 2016
Time: 9:00 a.m. -12:00 p.m.
Location: Ronald Reagan Building
 300 South Spring Street,
 Auditorium
 Los Angeles, CA 90013

Date: February 24, 2016
Time: 9:00 a.m. -12:00 p.m.
Location: Elihu M. Harris Building
 1515 Clay Street, Room 02
 Oakland, CA 94612

Date: March 7, 2016
Time: 9:00 a.m. -12:00 p.m.
Location: Department of Housing and
 Community Development
 2020 West El Camino,
 Conference Room 402
 Sacramento, CA 95833

At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. Please reference the section of the proposed guidelines on which you are commenting in your comments. The Department requests but does not require that persons who make oral comments at the hearing also submit written copies of their testimony.

AUTHORITY AND REFERENCE

HCD is conducting this rulemaking activity pursuant to the authority provided by Health and Safety Code Section 50406(n). The regulations proposed for amendment implement, interpret and make specific the following statutes:

- 1) Health & Safety Code Division 31, Part 2: Chapter 3.2 (commencing with Section 50517.5); Chapter 16 (commencing with Section 50517.11); Chapter 6.7 (commencing with Section 50675); and Chapter 3.9 (commencing with Section 50675);
- 2) Health & Safety Code Division 31, Part 13, commencing with Section 53560;
- 3) Public Resources Code Division 44, Part 1, commencing with Section 75200; and
- 4) Military and Veteran’s Code Division 4, Chapter 6, Division 3.2, commencing with Section 987.001.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Uniform Multifamily Regulations govern the affordable multifamily housing finance programs listed below. They were originally adopted in 2003. In 2010, there was a narrow amendment, limited to one section. The proposed amendments adjust numerical limits to account for inflation, respond to changes in requirements for other funding sources, and address specific issues that have arisen since the date of initial adoption.

- 1) Joe Serna Junior Farmworker Housing Grant Program (JSJFWG)
- 2) Multifamily Housing Program (MHP), including the supportive housing component of this program (SH-MHP) and the Governor’s Homeless Initiative (GHI)
- 3) HOME Investments Partnership Program (State HOME)
- 4) Loan Portfolio Restructuring (LPR) Program
- 5) Transit Oriented Development (TOD) Housing Program
- 6) Affordable Housing and Sustainable Communities Program (AHSC)
- 7) Veterans Housing and Homelessness Prevention (VHHP) Program.

The proposed changes to the Uniform Multifamily Regulations are summarized below. These proposed changes are not inconsistent or incompatible with other existing regulations which govern the affected programs.

Section 8300. Purpose and Scope — updates the list of programs to which the regulations apply, and speci-

fies how they apply to completed projects and those in process.

Section 8301. Definitions — clarifies the definition of Debt Service Coverage Ratio, substantively modifies the definitions of Operating Expenses and Rental Housing Development, and adds a definition of Native American Lands.

Section 8302. Restrictions on Demolition — allows the count of newly conducted units to be less than the count of demolished units, on an exception basis.

Section 8303. Site Control Requirements and Scattered Site Projects — clarifies how fee title is evidenced on tribal trust land, and establishes new rules for scattered site projects.

Section 8305. Tenant Selection — explicitly allows tenants to be selected using a local coordinated entry/coordinated access system, prohibits use of a system that requires applicants to wait in line, and specifies certain exceptions to minimum household size standards.

Section 8308. Operating Reserves — allows deferral to the requirements of the Native American Housing and Self Determination Act program.

Section 8309. Replacement Reserves — makes several revisions to the formula for calculating required deposit amounts, and allows deferral to the requirements of the Native American Housing and Self Determination Act program.

Section 8310. Underwriting Standards — allows reduced discounting of commercial income, under certain conditions, exceeding the normal DSCR limit as necessary to project positive cash flow for 20 years (instead of 15), allows balloon payments on senior debt under certain conditions, limits yield maintenance and prepayment charges on senior debt, and requires certain provisions in year 15 purchase options.

Section 8312. Developer Fee — revises the limit on developer fees in tax credit projects.

Section 8313. Miscellaneous — authorizes modification of normal requirements to avoid conflicts with federal funding programs, specifies a formula for development cost savings, and specifies requirements for borrowing entity organizational structures.

Section 8314. Use of Operating Cash Flow — revises the limits on asset management, partnership management and similar fees, allows these fees to be accrued, modifies the formula for sharing residual receipts loan payments with other public agencies, and modifies existing limitations on use of cash flow for supportive services costs.

Section 8315. Subordination — modifies how local public agency assistance is calculated, for purposes of determining lien priority, and establishes rules regarding senior lenders affiliated with equity investors.

Section 8316. Leasehold Security — clarifies the conditions under which program loan documents may

be recorded against a leasehold interest in the land on which a project is built, and adds a provision regarding Native American Lands.

ANTICIPATED BENEFITS

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

- (1) increased resources available for overseeing the long-term health of assisted developments and for providing needed supportive services to project tenants;
- (2) reducing the costs of private debt financing, while safeguarding the Department's interest in affordability over time; and
- (3) reducing loan closing delays through clear statements of Department policy.

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. The Department performed this evaluation, and there are no other existing State regulations which address this program. Therefore, pursuant to this evaluation, the Department has concluded that the proposed regulations are not inconsistent or incompatible with existing state regulations.

IMPACT OF THE PROPOSED AMENDMENTS

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 capacity to develop and administer affordable housing. In any case, participation in the program is voluntary.

FISCAL IMPACT

The Department has determined that no savings or increased costs to any State agency other than the Department, 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 proposed action will require Department staff to process requests for amendments to existing Department loan documents, thereby increasing the Department's administrative costs. It will also potentially reduce payments on some Department loans.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

Because participation in the affected programs is voluntary, the Department has determined that the proposed regulations will not have a significant impact on: the creation or elimination of jobs in California; the creation or elimination of California businesses; the expansion of businesses currently doing business in California; and the benefits of the regulations to the health and welfare of California residents, worker safety, or the state's environment. As stated under the INFORMATIVE DIGEST above, the benefits are: (1) increased resources available for overseeing the long-term health of assisted developments and for providing needed supportive services to project tenants; (2) reducing the costs of private debt financing, while safeguarding the Department's interest in affordability over time; and (3) reducing loan closing delays through clear statements of Department policy.

EFFECT ON SMALL BUSINESS

The Department has determined that the proposed action has no impact on small business because participation in the affected programs is voluntary.

EFFECT ON HOUSING COSTS

The Department has determined that the proposed action has no significant overall 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. In any case, participation in the program is voluntary.

COST IMPACTS ON PRIVATE PERSONS OR BUSINESSES DIRECTLY AFFECTED

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. While private businesses (including non-profits) and individuals are eligible to receive program funds under the program, participation is voluntary.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346, subdivision (a)(13), 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 actions it selected, in its guidelines text and Initial Statement of Reasons. The Department invites interested parties to present statements or alternatives with respect to the proposed regulations at the scheduled hearings or during the initial comment period.

AVAILABILITY OF TEXT OF PROPOSED GUIDELINES AND INITIAL STATEMENT OF REASONS

The text of the proposed amendments 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 website, at <http://www.hcd.ca.gov/financial-assistance/multifamilyregs.html>. All information the Department is considering as a basis for this proposal is maintained in a regulations file, which is available for inspection at the address noted below. Copies can be obtained by contacting Russ Schmunk or Ben Dudek at the address noted below.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the written comment period and public hearings, the Department may adopt the proposed regulation amendments 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 guidelines as revised. If you

wish to receive copies of the modified text, please subscribe (at <http://www.hcd.ca.gov/hcd-subscribe.html>) to the email list for one of the following programs: Affordable Housing and Sustainable Communities (AHSC), HOME Program, or Multifamily Housing Program (MHP). The Department will accept written comments on the modified guidelines for 15 days after the date on which they are made available.

AVAILABILITY OF RULEMAKING DOCUMENTS

All of the information upon which the proposed guidelines are based is contained in the guidelines file, which is available for public review, by contacting the designated contact person at the address 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: **Russ Schmunk**
(Russ.Schmunk@hcd.ca.gov)

HCD BACK-UP: **Ben Dudek**
(Benjamin.Dudek@hcd.ca.gov)

HCD
Address: **State of California**
Department of Housing and
Community Development
ATTENTION: UMR
Comments
P.O. Box 952054, Suite 600
Sacramento, California
94252-2054

HCD Website: Copies of the Notice of Proposed Rulemaking and the text of the proposed regulation amendments and Initial Statement of Reasons may be accessed through our website at: <http://www.hcd.ca.gov/financial-assistance/multifamilyregs.html>.

Inquiries concerning the substance of the proposed action should be directed to:

Russ Schmunk, Assistant Deputy Director
Department of Housing and Community
Development
P.O. Box 952054, Suite 400
Sacramento, California 94252-2054
E-mail: Russ.Schmunk@hcd.ca.gov

GENERAL PUBLIC INTEREST

**DEPARTMENT OF HEALTH CARE
SERVICES**

Nursing Facility/Acute Hospital (NF/AH)
Waiver Renewal
First Technical Experts Workgroup
Meeting Public Notice

The Department of Health Care Services (DHCS) has formed a technical experts workgroup comprised of NF/AH Waiver members, family members, advocates, providers and other interested stakeholders for guiding and recommending proposed changes for the NF/AH Waiver Renewal application, expected to be effective January 1, 2017. The workgroup will collaborate and guide DHCS on the development of the waiver renewal addressing opportunities to better serve and meet the needs of the waiver population.

DHCS scheduled three technical experts workgroup meetings to seek public input into the development of the NF/AH Waiver renewal. The first meeting occurred on December 18, 2015. The second upcoming technical expert workgroup meeting will be held in Sacramento on February 10, 2016. The third meeting is scheduled for April 20, 2016. Participants and workgroup members who cannot travel are encouraged to call in to the meeting using the toll-free number and passcode or register for the webinar using the link, provided below:

Date: Wednesday, February 10, 2016
Time: 10:00 a.m.–4:00 p.m.
Toll-Free Phone Number: (888) 989-4413
Passcode: 4470499

Webinar Registration: <https://attendee.gotowebinar.com/register/5461483534154587650>

For individuals with disabilities, the Department will provide assistive devices such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of training or meeting materials into Braille, large print, audio, or computer disk. To request such ser-

vices or copies in an alternate format, please call or write by January 25, 2016:

Jonathan Alspektor, Department of Health Care Services
1501 Capitol Avenue, MS 4502
P.O. Box 997437
Sacramento, CA, 95899-7437
916-445-4611
Email: Jonathan.Alspektor@dhcs.ca.gov

Please Note: The range of assistive services available may be limited if requests are received less than ten working days prior to the meeting or event.

Please visit the NF/AH Waiver Renewal web page for updates and/or meeting materials: [http://www.dhcs.ca.gov/services/ltc/Pages/Nursing-Family-Acute-Hospital-\(NF-AH\)-Waiver-Renewal.aspx](http://www.dhcs.ca.gov/services/ltc/Pages/Nursing-Family-Acute-Hospital-(NF-AH)-Waiver-Renewal.aspx)

For Further Information, Contact
IHOWaiver@dhcs.ca.gov
(916) 445-4611
Department of Health Care Services
Long-Term Care Division
1501 Capitol Avenue, MS 4503
P.O. Box 997437
Sacramento, CA 95899-7437

DEPARTMENT OF MOTOR VEHICLES

Invitation to Public Workshops on Draft Regulations for Autonomous Vehicles

The Department of Motor Vehicles will hold workshops in Northern and Southern California to discuss the draft autonomous vehicle deployment regulations and seek public input.

California Vehicle Code Section 38750 requires the department to adopt regulations ensuring the safe operation of autonomous vehicles on public roads, with or without a driver inside the vehicle. The regulations seek to establish certain vehicle equipment requirements, equipment performance standards and safety certifications.

The department is seeking public discussion in the following areas:

- Feedback on specific provisions of the draft regulations
- How the state can best require compliance with transparent and technical safety standards
- Manufacturer certification requirements and how the department can best determine the validity of those certifications

Workshop Schedules

Northern California

10:00 a.m.
 Thursday, January 28, 2016
 Harper Alumni Center
 California State University, Sacramento
 6000 J Street, Sacramento, CA 95819

Southern California

10:00 a.m.
 Tuesday, February 2, 2016
 Junipero Serra Building, Carmel Room
 320 West 4th Street, Los Angeles, CA 90013

Members of the public are invited to present statements, arguments, or contentions (orally, in writing, or both) at either workshop relevant to the development of the regulations described above.

This invitation does not constitute Notice of Proposed Action under the Administrative Procedure Act. Comments, oral or written, received in connection with the workshop will not be included in the formal rule-making file. The department is not required to respond to comments received at either workshop. Those interested in having their comments included in the rule-making file or wanting a required department response must present comments during the formal public comment period as outlined in the Notice of Proposed Action at the time that document is issued.

Those planning to attend either workshop are asked to send a notification email to LADRegulations@dmv.ca.gov, but advance notification of attendance is not required. A full agenda will be provided prior to both workshops.

Contact Randi Calkins with questions at (916) 657-6469 or by email at LADRegulations@dmv.ca.gov.

DECISION NOT TO PROCEED

MEDICAL BOARD OF CALIFORNIA

Pursuant to Government Code section 11347, the Medical Board of California hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on March 6, 2015, and subject to a public hearing on May 8, 2015. The proposed rulemaking concerned the specific criteria for approved continuing education programs and requirements.

Any interested person with questions concerning this rulemaking should contact Curt Worden by calling (916) 274-2986 or by e-mail at curt.worden@mbc.ca.gov.

The Board also will publish this Notice of Decision Not to Proceed on its website.

**RULEMAKING PETITION
 DECISION**

**DEPARTMENT OF CORRECTIONS AND
 REHABILITATION**

**NOTICE OF DECISION ON PETITION TO
 AMEND REGULATIONS**

**California Code of Regulations
 Title 15, Crime Prevention and Corrections**

PETITIONER

Brian Franklin Thames, E-05757.

AUTHORITY

Under authority granted by Government Code (GC) Section 12838.5 which vests to the California Department of Corrections and Rehabilitation (CDCR or the Department), all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the abolished Youth and Adult Correctional Agency, California Department of Corrections, Department of the Youth Authority, Commission on Correctional Peace Officer Standards and Training, Board of Corrections, and the State Commission on Juvenile Justice, Crime and Delinquency Prevention. Penal Code (PC) Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections refers to the Secretary of the CDCR. PC Section 5055 provides that commencing July 1, 2005, all powers/duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. PC Section 5058 provides that the Director may prescribe and amend regulations for the administration of prisons. PC Section 5054 vests with the Secretary of the CDCR, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein.

CONTACT PERSON

Please direct any inquiries regarding this action to Captain Michael Romero, Division of Adult Institutions, High Security Unit, or Timothy M. Lockwood, Chief, Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001.

AVAILABILITY OF PETITION

The petition to amend regulations is available upon request directed to the Department's contact person.

SUMMARY OF PETITION

Petitioner requests the Department "create or modify present policy, law, statute, or regulation to allow lifers (prisoners with life sentences) the right to refuse a cellmate, thereby making each lifer responsible for his own behavior and freedom when facing a BPH committee." Petitioner contends when an inmate is celled with another inmate they are subject to disciplinary action if the cellmate is found with contraband, even if the other inmate had no knowledge of the contraband. Petition contends the disciplinary action could add years onto a lifer inmate's sentence. Petitioner states lifer inmates could potentially be housed with an inmate who isn't interested in conforming to the rules to pursue future parole.

DEPARTMENT DECISION

The Secretary of CDCR denies the petitioner's request in its entirety.

California Code of Regulations (CCR) Title-15, Section 3269 states in part, "*Inmates shall accept Inmate Housing Assignments (IHAs) as directed by staff. It is the expectation that all inmates double cell, whether being housed in a Reception Center, General Population (GP), an Administrative Segregation Unit (ASU), a Security Housing Unit (SHU), or specialty housing unit. If staff determines an inmate is suitable for double ceiling, based on the criteria as set forth in this section, the inmate shall accept the housing assignment or be subject to disciplinary action for refusing. IHAs shall be made on the basis of available documentation and individual case factors. Inmates are not entitled to single cell assignment, housing location of choice, or to a cellmate of their choice.*"

California Code of Regulations (CCR) Title-15, Section 3269.1 states in part, "*An inmate's race will not be used as a primary determining factor in housing an institution's inmate population. Inmate housing assignments shall be made on the basis of available documentation and individual case factors to implement an Integrated Housing Policy (IHP).*"

Per California Code of Regulations (CCR) section 3269, all inmates are expected to double cell, whether they are housed in a Reception Center, General Population, Administrative Segregation Unit a Security Housing Unit, or specialty housing unit. If staff determines an inmate is suitable for double cell housing as outlined in CCR 3269, the inmate shall accept the housing assignment, or be subject to disciplinary action. Inmates are not entitled to single cell assignment, choice of housing location, or a cellmate of their choice. Allowing the choice of cell mates based on inmate preferences creates potential logistical and legal problems.

The logistics of creating a policy that would allow inmates the right to refuse double-cell assignment and/or pick their cellmate would be cumbersome, as there are so many individual inmate opinions, preferences, and case factors that would have to be taken into consideration. The Department is charged with making timely housing decisions based on an inmate's individual case factors, classification score and other objective factors in order to promote safety and effectively run the prison system. Furthermore, the option to choose a cellmate would have to be offered to all inmates incarcerated in the Department, not just to life inmates, in the interest of fairness. Based on a Supreme Court decision *Johnson v. State of California* (2005) 543 U. S. 499 [125 S. Ct. 1141], the Department must have integrated housing. Pursuant to CCR section 3269.1 Integrated Housing, an inmate's race cannot be used as a primary factor in determining housing in the inmate population. Inmate housing assignments shall be made on the basis of available documentation and individual case factors to implement and Integrated Housing Policy. Allowing inmates to choose a cellmate could violate the court mandate that the Department will not segregate inmates.

Continuous refusal of a cell mate could be used as a strategy to obtain single cell status. The Department has specific criteria in regulations that govern single cell status. Inmate preference to be housed individually is not one of the criteria. Other factors preventing the Department from allowing inmates to be singled celled are housing capacity restrictions. The Department does not have the funds to build institutions for single-cell housing for all inmates.

**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# 2015-1124-01
AIR RESOURCES BOARD

Certification Procedures for Vapor Recovery Systems

This rulemaking action by the Air Resources Board (ARB) amends existing certification and test procedures for vapor recovery systems at gasoline dispensing facilities, including the following documents that are incorporated by reference; Definitions for Vapor Recovery Procedures (D-200), Certification Procedure (CP-201) — Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities, and Certification Procedure (CP-206) — Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks. This action also adopts a new certification procedure for enhanced conventional nozzles, including the adoption of Certification Procedure (CP-207) — Certification Procedure for Enhanced Conventional (ECO) Nozzles and Low Permeation Conventional Hoses for Use at Gasoline Dispensing Facilities.

Title 17
ADOPT: 94017 AMEND: 94010, 94011, 94016
Filed 01/11/2016
Effective 04/01/2016
Agency Contact: Trini Balcazar (916) 445-9564

File# 2015-1204-01
BOARD OF BARBERING AND COSMETOLOGY
Building Standards

These changes without regulatory effect amend section 995 of Title 16 of the California Code of Regulations to update the regulations's cross-references to Title 24 of the California Code of Regulations.

Title 16
AMEND: 995
Filed 01/11/2016
Agency Contact: Kevin Flanagan (916) 575-7104

File# 2015-1123-02
BOARD OF EQUALIZATION
Foreign Consuls

This rulemaking action by the Board of Equalization (BOE) amends section 1619 in title 18 of the California Code of Regulations to add information regarding the issuance of tax exemption cards by the American Institute in Taiwan (AIT).

Title 18
AMEND: 1619
Filed 01/06/2016
Effective 04/01/2016
Agency Contact: Richard Bennion (916) 445-2130

File# 2015-1228-04
CALIFORNIA FILM COMMISSION
California Film & Television Tax Credit Program 2.0

This emergency action is the second re-adoption of implementation of the California Film & Tax Credit Program, including the definitions, application process, eligibility determination, qualified expenditures, tax credit allocation, approved applicant responsibility, credit certificate issuance, applicant ranking, and promotional requirements.

Title 10
ADOPT: 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516
Filed 01/07/2016
Effective 01/07/2016
Agency Contact: Terri Toohey (916) 768-5638

File# 2015-1119-01
CALIFORNIA INSTITUTE FOR REGENERATIVE
MEDICINE
GAP — Clinical Projects

The California Institute for Regenerative Medicine (CIRM) is adopting section 100503 in title 17 of the California Code of Regulations. This new section establishes the grants administration policy for clinical stage projects. Additionally, CIRM is incorporating by reference the Grants Administration Policy for Clinical Stage Projects (GAP) document. Recipients of grants for clinical stage projects are subject to this particular GAP. This GAP provides guidance to applicants and awardees regarding their responsibilities and also describes the grant application and review process, including the application submission, budget review and application review processes. This GAP also contains the criteria for review of applications, appeals of scientific review, and the process for approval for funding, and it delineates certain policies regarding access to public records and use of personal information. The GAP also addresses the pre-award process, acceptance and rules governing election to treat an award as a loan.

The GAP also details the rules governing the payment and use of CIRM funds including allowable costs and activities that may be funded with CIRM funds. Additionally, the GAP identifies allowable and unallowable facilities costs, prior approval requirements, accounting and documentation requirements, consequences for misuse of funds and reporting requirements and finally rules regarding determination and consequences for failure to comply.

Title 17
ADOPT: 100503
Filed 01/06/2016
Effective 01/06/2016
Agency Contact: C. Scott Tocher (415) 396-9136

File# 2015-1120-01
DEPARTMENT OF FOOD AND AGRICULTURE
Asian Citrus Psyllid Interior Quarantine

This certificate of compliance makes permanent the expansion of the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* in the Bakersfield area of Kern County. The effect of the amendment provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in Kern County.

Title 3
AMEND: 3435(b)
Filed 01/06/2016
Effective 01/06/2016
Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1201-05
FISH AND GAME COMMISSION
Market Squid Logbooks

This rulemaking action by the California Fish and Game Commission amends the Market Squid Vessel and Market Squid Light/Brail Logbooks located in title 14 of the California Code of Regulations.

Title 14
AMEND: 149
Filed 01/13/2016
Effective 04/01/2016
Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2015-1216-01
NATIVE AMERICAN HERITAGE COMMISSION
Conflict-of-Interest code

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
AMEND: 48000
Filed 01/06/2016
Effective 02/05/2016
Agency Contact:
Terrie L. Robinson (916) 373-3716

File# 2015-1130-01
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Hazard Communication

This change without regulatory effect by the Occupational Safety and Health Standards Board (the "Board") amends section 5194 in title 8 of the California Code of Regulations. A cite to Section 5194(g) in the definition for "Safety data sheet (SDS)" in subdivision (c) is incorrectly stated as "section 5914(g)." The Board is correcting this cite as a change without regulatory effect.

Title 8
AMEND: 5194(c)
Filed 01/06/2016
Effective
Agency Contact: Michael Manieri (916) 274-5721

File# 2015-1201-04
STATE TEACHERS RETIREMENT SYSTEM
Employer Direct Reporting

This rulemaking by the California State Teachers' Retirement System (CalSTRS) adopts sections in Title 5 of the California Code of Regulations regarding the approval of local districts for the purpose of direct reporting of member and pension contribution data and directly remitting contributions to CalSTRS.

Title 5
ADOPT: 27700, 27701, 27702, 27703, 27704, 27705
Filed 01/12/2016
Effective 04/01/2016
Agency Contact: Ellen Maurizio (916) 414-1994

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN August 12, 2015 TO
January 13, 2016**

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 2

01/06/16 AMEND: 48000
 12/30/15 AMEND: 53900
 12/23/15 AMEND: 1859.2, 1859.107, 1859.164.2,
 1859.195, 1859.198
 12/23/15 AMEND: 1859.70.4, 1859.93,
 1859.93.1, 1859.190
 12/22/15 AMEND: 51000
 12/21/15 AMEND: 58200
 12/21/15 AMEND: 59100
 12/21/15 AMEND: 1859.76
 12/15/15 ADOPT: 18360 AMEND: 18362
 REPEAL: 18360
 12/15/15 AMEND: 57500
 12/15/15 REPEAL: 18413
 12/14/15 ADOPT: 5.1, 5.2, 90, 248, 548.2, 548.5
 REPEAL: 548.77
 12/09/15 ADOPT: 11023 AMEND: 11005.1
 (renumbered to 10500), 11006, 11008,
 11009, 11019, 11023 (renumbered to
 11024), 11028, 11029, 11030, 11031,
 11034, 11035, 11036, 11039, 11040,
 11041, 11042, 11043, 11044, 11045,
 11046, 11047, 11049, 11050, 11051,
 11059, 11060, 11062, 11064, 11065,
 11066, 11067, 11068, 11070, 11071,
 11075, 11100, 11101, 11103, 11104,
 11105, 11111, 11113, 11114, 11121,
 11122, 11123, 11128, 11131, 11132,
 11133 (renumbered to 10250), 11134
 (renumbered to 10251), 11135
 (renumbered to 10252), 11136
 (renumbered to 10253), 11137
 (renumbered to 10254), 11138
 (renumbered to 10255), 11139
 (renumbered to 10256), 11140
 (renumbered to 10257), 11141
 (renumbered to 10258) REPEAL: 11024
 12/08/15 ADOPT: 59790
 12/03/15 REPEAL: 28010
 12/02/15 ADOPT: 25, 26
 12/02/15 ADOPT: 11, 12, 12.1, 155, 156, 157, 158,
 159 AMEND: 547.52
 11/19/15 ADOPT: 59550
 11/09/15 AMEND: 18225.7 REPEAL: 18550.1
 11/04/15 AMEND: 37000
 11/03/15 AMEND: 1859.2, 1859.71.4, 1859.78.1,
 1859.79.2, 1859.82, 1859.83, 1859.125,
 1859.125.1, 1859.145, 1859.163.1,
 1859.163.5, 1859.167.2, 1859.193
 10/28/15 AMEND: 52400
 10/19/15 AMEND: 18422
 10/19/15 AMEND: 18422.5
 10/12/15 AMEND: 599.500

09/24/15 AMEND: 1181.1, 1181.2, 1181.3,
 1181.4, 1181.6, 1181.7, 1181.8, 1181.9,
 1181.10, 1181.11, 1181.12, 1181.13,
 1182.1, 1182.2, 1182.3, 1182.4, 1182.5,
 1182.6, 1182.7, 1182.8, 1182.10,
 1182.12, 1182.13, 1183.1, 1183.2,
 1183.4, 1183.5, 1183.7, 1183.8, 1183.9,
 1183.11, 1183.12, 1183.13, 1183.14,
 1183.15, 1183.16, 1183.17, 1183.18,
 1184.1, 1185.1, 1185.2, 1185.3, 1185.4,
 1185.5, 1185.6, 1185.7, 1185.8, 1185.9,
 1186.1, 1186.2, 1186.3, 1186.4, 1186.5,
 1186.6, 1186.7, 1187.1, 1187.2, 1187.3,
 1187.4, 1187.5, 1187.6, 1187.7, 1187.8,
 1187.9, 1187.10, 1187.11, 1187.12,
 1187.13, 1187.14, 1187.15, 1188.1,
 1188.2, 1190.1, 1190.2, 1190.3, 1190.4,
 1190.5
 09/21/15 AMEND: 35101
 09/16/15 AMEND: 54100
 09/14/15 AMEND: 55200
 09/10/15 AMEND: 60000, 60010, 60510, 60550,
 60560
 09/09/15 ADOPT: 59750
 09/08/15 AMEND: 560
 08/13/15 AMEND: 1859.163.1

Title 3

01/06/16 AMEND: 3435(b)
 01/05/16 AMEND: 3435(b)
 12/30/15 AMEND: 3435(b)
 12/23/15 ADOPT: 3441
 12/21/15 AMEND: 3435(b)
 12/16/15 AMEND: 3435(b)
 12/15/15 AMEND: 3435(b)
 12/14/15 AMEND: 3435
 12/07/15 AMEND: 3435(b)
 12/02/15 AMEND: 6170.5, 6723, 6724, 6761
 11/24/15 AMEND: 3435(b)
 11/24/15 AMEND: 3435(b)
 11/18/15 AMEND: 6260, 6262, 6264, 6266
 11/13/15 AMEND: 3435(b)
 11/12/15 AMEND: 3435(b)
 11/09/15 AMEND: 1358.4
 11/04/15 AMEND: 6000, 6188, 6742, 6746, 6793
 10/29/15 AMEND: 3435(b)
 10/22/15 ADOPT: 1280.11 AMEND: 1280,
 1280.1, 1280.7, 1280.8
 09/30/15 AMEND: 3435(b)
 09/30/15 AMEND: 1380.19, 1430.10, 1430.12,
 1430.14, 1430.26, 1430.27, 1430.45
 09/16/15 AMEND: 3435(b)
 08/27/15 AMEND: 3435
 08/26/15 AMEND: 6502

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08/20/15 AMEND: 3435(b)
08/17/15 AMEND: 2100
08/14/15 ADOPT: 450, 450.1, 450.2, 450.3, 450.4,
451, 452

Title 4

01/04/16 AMEND: 130
12/29/15 AMEND: 1887
12/24/15 AMEND: 10302, 10315, 10317, 10320,
10322, 10325, 10326, 10327, 10328,
10337
12/10/15 AMEND: 1632
12/03/15 ADOPT: 10091.1, 10091.2, 10091.3,
10091.4, 10091.5, 10091.6, 10091.7,
10091.8, 10091.9, 10091.10, 10091.11,
10091.12, 10091.13, 10091.14, 10091.15
11/30/15 ADOPT: 7125.1 AMEND: 7113, 7116,
7118, 7119, 7125, 7127
11/17/15 AMEND: 2000
11/09/15 ADOPT: 5258, 5271, 5273 AMEND:
5033, 5052, 5100, 5102 (renumbered to
5101), 5103 (renumbered to 5102), 5104
(renumbered to 5103), 5105 (renumbered
to 5104), 5106 (renumbered to 5105),
5107 (renumbered to 5106), 5132, 5170,
5190, 5191, 5192, 5200, 5205, 5210,
5230, 5232, 5250, 5255, 5260, 5267
REPEAL: 5101
11/02/15 ADOPT: 8078.3, 8078.4, 8078.5, 8078.6,
8078.7
10/27/15 AMEND: 8035
10/26/15 AMEND: 10170.2, 10170.3, 10170.4,
10170.5, 10170.6, 10170.7, 10170.8,
10170.9, 10170.10, 10170.11
10/05/15 AMEND: 1843.2
09/08/15 ADOPT: 8130, 8131, 8132, 8133, 8134,
8135, 8136, 8137, 8138
09/08/15 ADOPT: 10091.1, 10091.2, 10091.3,
10091.4, 10091.5, 10091.6, 10091.7,
10091.8, 10091.9, 10091.10, 10091.11,
10091.12, 10091.13, 10091.14, 10091.15
08/31/15 AMEND: 1844
08/19/15 AMEND: 1433

Title 5

01/12/16 ADOPT: 27700, 27701, 27702, 27703,
27704, 27705
12/14/15 AMEND: 80057.5, 80089, 80089.1,
80089.2
12/08/15 AMEND: 3030(b)(10)
11/23/15 ADOPT: 71105, 71105.5, 71410, 71471,
71775, 71775.5, 74240, 74250, 75140
AMEND: 70000, 71400, 71650, 75150
11/23/15 ADOPT: 851.5, 853.6, 853.8 AMEND:
850, 851, 853, 853.5, 853.7, 855, 857,
858, 859, 860, 861, 862, 862.5, 863, 864

11/18/15 ADOPT: 80002 AMEND: 80001
11/03/15 AMEND: 1505
10/06/15 AMEND: 80225
10/05/15 AMEND: 19810
09/10/15 AMEND: 19810

Title 8

01/06/16 AMEND: 5194(c)
12/30/15 ADOPT: 1950, 1951, 1952, 1953, 1954,
1955, 1956, 1957, 1958, 1959, 1960,
1961, 1962
11/23/15 AMEND: 10133.32
11/05/15 AMEND: 333, 336
10/21/15 AMEND: 15600, 15609
09/21/15 ADOPT: 14006.1 AMEND: 14003,
14007
09/21/15 ADOPT: 9785.2.1, 9785.3.1, 9785.4.1,
AMEND: 9770, 9785, 9785.4, 9792.5.1
09/15/15 AMEND: 3437, 3441, 3664(b)
08/28/15 AMEND: 3411
08/27/15 AMEND: 8397.4
08/27/15 AMEND: 1710
08/24/15 AMEND: 9810, 9811, 9812, 9814, 9815,
9881.1, 10139 REPEAL: 9813
08/20/15 AMEND: 14300.2
08/12/15 AMEND: 30, 30.5, 31.1, 100, 104, 105,
106, 109

Title 9

11/05/15 AMEND: 4210
10/07/15 ADOPT: 3200.245, 3200.246, 3510.010,
3560, 3560.010, 3560.020, 3700, 3701,
3705, 3706, 3710, 3715, 3720, 3725,
3726, 3730, 3735, 3740, 3745, 3750,
3755, 3755.010
10/02/15 AMEND: 10701
08/31/15 AMEND: 881
08/26/15 AMEND: 513, 524, 530, 541, 553, 620,
620.1, 1900, 1901, 1904, 1913, 1921
08/24/15 AMEND: 1810.110, 1810.214,
1810.215, 1810.218, 1810.219,
1810.223.5, 1810.224, 1810.230,
1810.236, 1810.237, 1810.239,
1810.246, 1810.252, 1810.355,
1810.380, 1810.425, 1820.110,
1820.115, 1820.200, 1830.115,
1840.100, 1840.210, 1840.302,
1840.312, 1850.210, 1850.213,
1850.505, 1850.515, 1850.520,
1850.530, 1850.535 REPEAL:
1810.214.1

Title 10

01/07/16 ADOPT: 5508, 5509, 5510, 5511, 5512,
5513, 5514, 5515, 5516
12/23/15 ADOPT: 6650, 6652, 6656, 6657, 6658,
6660, 6662, 6664, 6666, 6668, 6670

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12/14/15 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620

12/04/15 ADOPT: 1422.3, 1950.122.4.2

11/02/15 AMEND: 2498.5

11/02/15 AMEND: 2498.4.9

11/02/15 AMEND: 2498.6

10/26/15 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5

10/15/15 ADOPT: 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516

09/17/15 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622

08/19/15 AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1, 1950.122.5.3

Title 11

12/09/15 AMEND: 1070(c)

12/09/15 AMEND: 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1016, 1018, 1019, 1051, 1054, 1055, 1056, 1057, 1058, 1060, 1070, 1071, 1080, 1081, 1082, 1083, 1084, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960

11/23/15 ADOPT: 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259

10/27/15 ADOPT: 313, 314, 315, 316, 999.9, 999.9.1, 999.9.2, 999.9.3, 999.9.4, 999.9.5 AMEND: 999.6, 999.7, 999.8

10/20/15 AMEND: 1005, 1007, 1008

08/31/15 ADOPT: 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259

08/26/15 AMEND: 1011

08/17/15 AMEND: 1009

Title 12

12/02/15 AMEND: 800.1, 803, 804, 809 REPEAL: 808

Title 13

12/21/15 AMEND: 423.00

12/09/15 ADOPT: 1157.21 AMEND: 1157, 1157.4, 1157.6, 1157.8, 1157.10, 1157.12, 1157.13, 1157.14, 1157.16, 1157.18, 1157.20

11/16/15 ADOPT: 2293, 2293.1, 2293.2, 2293.3, 2293.4, 2293.5, 2293.6, 2293.7, 2293.8, 2293.9, Appendix 1 AMEND: 2290, 2291, 2293 (renumbered to 2294), 2293.5 (renumbered to 2295)

11/09/15 AMEND: 551.21

10/21/15 ADOPT: 551.22 AMEND: 550, 551.2

10/12/15 AMEND: 1962.1, 1962.2

10/08/15 AMEND: 1900, 1956.8, 1961.2, 1962.2, 1965, 1976, 1978

09/21/15 AMEND: 1.00

08/12/15 AMEND: 268.12, 285.06, 330.08

Title 14

01/13/16 AMEND: 149

12/30/15 AMEND: 180.6

12/29/15 AMEND: 1038

12/28/15 ADOPT: 8.01

12/15/15 AMEND: 4970.00, 4970.01, 4970.04, 4970.05, 4970.06.1, 4970.07, 4970.08, 4970.09, 4970.10.4, 4970.17, 4970.23, 4970.24.1, 4970.25.1

12/10/15 AMEND: 1.92, 703

11/30/15 AMEND: 1665.7

11/30/15 AMEND: 163, 164

11/24/15 AMEND: 29.85

11/23/15 AMEND: 1052.1

11/23/15 AMEND: 895.1, 916.9, 917.2, 937.2, 957.2, 937.3, 957.3, 929.1, 949.1, 969.1, 1038, 1039.1, 1041, 1092.01, 1092.26, 1092.28, 1109.4

11/19/15 AMEND: 890

11/13/15 AMEND: 478, 479

11/06/15 AMEND: 29.80, 29.85

11/06/15 ADOPT: 131

11/05/15 AMEND: 29.85

11/03/15 AMEND: 895.1, 1038, 1038.2

11/03/15 AMEND: 870.15, 870.17, 870.19, 870.21

10/19/15 ADOPT: 1760.1, 1779.1

10/16/15 AMEND: 17354, 17356

10/12/15 AMEND: 819, 819.01, 819.02, 819.03, 819.04, 819.05, 819.06, 819.07

10/05/15 ADOPT: 18660.44, 18660.45, 18660.46 AMEND: 18660.7

09/28/15 AMEND: 310.5

09/24/15 AMEND: 1665.7

09/22/15 AMEND: 502

09/21/15 AMEND: 18419

09/04/15 AMEND: 916.2, 936.2, 956.2

09/03/15 ADOPT: 798 AMEND: 791, 791.6, 791.7, 792, 793, 794, 795, 796, 797

09/03/15 ADOPT: 820.02

09/03/15 ADOPT: 817.04 AMEND: 790

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08/31/15 AMEND:4800
 08/21/15 AMEND: 18660.5, 18660.6, 18660.21,
 18660.22,18660.23,18660.24

Title 14, 27

11/10/15 ADOPT: Title 14: 17017, 17854.1,
 17863.4.1, 17868.3.1, 17896.1, 17896.2,
 17896.3, 17896.4, 17896.5, 17896.6,
 17896.7, 17896.8, 17896.9, 17896.10,
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 17896.20, 17896.21, 17896.22,
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 17896.53, 17896.54, 17896.55,
 17896.56, 17896.57, 17896.58,
 17896.59, 17896.60, 17896.61,
 18221.5.1, 18221.6.1 AMEND: Title 14:
 17362.2, 17377.2, 17381.1, 17383.3,
 17383.4, 17383.7, 17388.3, 17403.1,
 17403.2, 17403.3, 17409.2, 17852,
 17855, 17855.2, 17855.3, 17856,
 17857.1, 17857.2, 17859.1, 17862,
 17862.1, 17863, 17863.4, 17867,
 17868.1, 17868.2, 17868.3, 17868.5,
 17869, 18083, 18100, 18101, 18102,
 18103, 18103.1, 18103.2, 18104,
 18104.1, 18104.2, 18104.3, 18104.6,
 18104.9, 18105, 18105.1, 18105.2,
 18105.3, 18105.5, 18105.6, 18105.8,
 18105.9, 18105.11, 18227, 18302; Title
 27: 21620, Appendix 1 REPEAL: Title
 14: 17855.4

Title 15

12/30/15 AMEND: 3000,3268,3268.1,3268.2
 12/24/15 ADOPT: 1712.3, 1714.3, 1730.3, 1740.3
 AMEND: 1700, 1706, 1712.2, 1714.2,
 1730.2, 1731, 1740.2, 1747, 1747.1,
 1748, 1748.5, 1749, 1749.1, 1750,
 1750.1, 1751, 1752, 1753, 1754, 1756,
 1760, 1766, 1767, 1768, 1770, 1772,
 1776, 1778, 1788, 1790, 1792
 12/14/15 AMEND: 3124
 12/14/15 ADOPT: 3999.20
 12/03/15 ADOPT: 3340, 3341, 3341.1, 3341.2,
 3341.3, 3341.4, 3341.5, 3341.6, 3341.7,

3341.8, 3341.9 AMEND: 3000, 3044,
 3269, 3269.1, 3335, 3335.5, 3336, 3337,
 3338, 3339, 3340 (Renumbered to
 3335.5), 3342, 3343, 3344 REPEAL:
 3341,3341.5
 11/23/15 AMEND: 3173.2
 11/17/15 ADOPT: 3317.1, 3317.2 AMEND: 3310,
 3315,3317
 11/05/15 AMEND: 3349 REPEAL: 3349.1.1,
 3349.1.2, 3349.1.3, 3349.1.4, 3349.2.1,
 3349.2.2, 3349.2.3, 3349.2.4, 3349.3,
 3349.3.1, 3349.3.2, 3349.3.3, 3349.3.4,
 3349.3.5, 3349.3.6, 3349.3.7, 3349.4.1,
 3349.4.2, 3349.4.3, 3349.4.4, 3349.4.5,
 3349.4.6
 09/28/15 AMEND: 8199
 09/15/15 AMEND: 3375.1,3377
 09/01/15 AMEND: 8113
 09/01/15 ADOPT: 3999.19
 08/26/15 ADOPT: 8115,8116,8116.1,8117

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01/11/16 AMEND: 995
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