

**BUREAU OF AUTOMOTIVE REPAIR
PROPOSED REGULATION**

STORAGE FEES FOR AUTOMOTIVE REPAIR DEALERS

Legend: Added text is indicated by underlining.
 Deleted text is indicated by ~~strikethrough~~.
 Omitted text is indicated by (* * *)

(1) Add Article 6.2, Chapter 1, Division 33 of Title 16 of the California Code of Regulations

Article 6.2 Storage Fees for Automotive Repair Dealers

(2) Add Section 3351.8, Article 6.2, Chapter 1, Division 33 of Title 16 of the California Code of Regulations

§ 3351.8 Storage Fees

- (a)(1) Prior to any authorized repair, an automotive repair dealer may charge storage fees when receiving possession of a motor vehicle for storage and safekeeping as referenced in Section 3068.1 of the Civil Code.
- (2) When an automotive repair dealer charges fees for the storage and safekeeping of a motor vehicle as a result of an accident or vehicle theft recovery, they shall charge those fees in accordance with Section 22524.5 of the Vehicle Code as related to the reasonableness of storage-related rates and fees and daily storage charges, and Section 3068.1 of the Civil Code as related to the imposition of daily storage charges.
- (b)(1) Following the completion of any authorized repair, an automotive repair dealer may charge storage fees for an unpaid repair debt, after the customer is provided an invoice, or 15 days after the authorized repairs are completed, whichever occurs first as referenced in Section 3068 of the Civil Code.
- (2) To charge storage fees due to an unpaid debt, the automotive repair dealer shall have:
- (A) Obtained customer authorization as specified in Section 3353.1 of the California Code of Regulations for the specific repair(s) being performed;
- (B) Generated an invoice with all repair work performed and parts supplied upon completion of the authorized repairs; and

- (C) Notified the customer in written or electronic form and/or with a posted sign that is displayed in a place and manner conspicuous to all customers of the facility's storage rates and policies.
- (3) When an automotive repair dealer charges storage fees due to completed repairs resulting from an accident or vehicle theft recovery, they shall charge those fees in accordance with Section 22524.5 of the Vehicle Code as related to the reasonableness of storage-related rates and fees and daily storage charges.
- (4) An automotive repair dealer shall not charge storage fees while the vehicle is undergoing repairs, including the teardown of a vehicle or part in accordance with Section 3353 of the California Code of Regulations.
- (5) Upon completion of authorized repairs, an automotive repair dealer shall not dismantle, disengage, remove, or strip from the vehicle any of the parts used to complete the repairs as referenced in Section 3068 of the Civil Code.

Note: Authority: Sections 9882 and 9884.16, Business and Professions Code.
Reference: Sections 9884.6, 9884.8, 9884.9, and 9884.16, Business and Professions Code, Sections 3068, and 3068.1, Civil Code, Section 22524.5, Vehicle Code.