

BUREAU OF AUTOMOTIVE REPAIR
 PROPOSED LANGUAGE
 VEHICLE SAFETY INSPECTION PROGRAM

Legend: Added text is indicated with an underline.
 Deleted text is indicated by ~~strikeout~~.
 Omitted text is indicated by (****)

(1) Amend Article 1, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:

§ 3303.2. Review of Applications for Licensure, Registration, and Certification; Processing Time.

(b) An applicant for initial licensure as an ~~official lamp, brake~~ vehicle safety or Smog Check station shall be informed in writing, within 45 days after completion of the application, of the ~~the~~ Bureau's decision whether the applicant meets the requirements for licensure. Inspection of the applicant's station shall be performed during that time period. In the event that the inspection indicates a deficiency, the time period may be extended by that time necessary for correcting the deficiency.

(d) An applicant for initial licensure as an ~~adjuster~~ vehicle safety technician shall be informed in writing, within 70 days after completion of the application, of the ~~the~~ Bureau's decision whether the applicant meets the requirements to take the technician examination ~~for licensure~~. This period may be extended by the time necessary for rescheduling an examination if the applicant fails the examination or fails to take the examination at the time first scheduled by the ~~the~~ Bureau.

(k) The minimum, maximum and median processing times for initial licensure, or a Gold Shield (GS) station certification from the time of receipt of the initial application until the ~~the~~ Bureau made a final decision on the application, or the GS station certification were:

-	<u>Lamp</u>	<u>Brake</u>	<u>Smog Check</u>
-	<u>Station</u>	<u>Station</u>	<u>Technician</u>
(1) <u>Minimum</u>	<u>14 days</u>	<u>15 days</u>	<u>21 days</u>
(2) <u>Median</u>	<u>20 days</u>	<u>21 days</u>	<u>50 days</u>
(3) <u>Maximum</u>	<u>44 days</u>	<u>29 days</u>	<u>120 days</u>
-	<u>Lamp</u>	<u>Brake</u>	-
-	<u>Adjuster</u>	<u>Adjuster</u>	-
(1) <u>Minimum</u>	<u>15 days</u>	<u>21 days</u>	-
(2) <u>Median</u>	<u>52 days</u>	<u>50 days</u>	-
(3) <u>Maximum</u>	<u>101 days</u>	<u>103 days</u>	-

-	-	-	Technician
-	Automotive	Smog Check	Training
-	Repair Dealer	Station	Institution
(1) Minimum	17 days	3 days	10 days
(2) Median	39 days	22 days	61 days
(3) Maximum	97 days	120 days	347 days
-	-	-	Technician
-	Fleet	Smog Check	Training
-	Facility	Inspector	Instructor
(1) Minimum	1 day	2 days	2 days
(2) Median	10 days	9 days	22 days
(3) Maximum	28 days	112 days	264 days
-	Gold Shield	-	-
-	Station	-	-
(1) Minimum	30 days	-	-
(2) Median	42 days	-	-
_____	_____		

<u>Application Type</u>	<u>Minimum Processing Time</u>	<u>Median Processing Time</u>	<u>Maximum Processing Time</u>
<u>Automotive Repair Dealer</u>	<u>17 days</u>	<u>39 days</u>	<u>97 days</u>
<u>Smog Check Inspector</u>	<u>2 days</u>	<u>9 days</u>	<u>112 days</u>
<u>Smog Check and Vehicle Safety Technician</u>	<u>21 days</u>	<u>50 days</u>	<u>120 days</u>
<u>Smog Check and Vehicle Safety Station</u>	<u>3 days</u>	<u>22 days</u>	<u>120 days</u>
<u>Fleet Facility</u>	<u>1 day</u>	<u>10 days</u>	<u>28 days</u>
<u>Technician Training Institution</u>	<u>10 days</u>	<u>61 days</u>	<u>347 days</u>
<u>Technician Training Instructor</u>	<u>2 days</u>	<u>22 days</u>	<u>264 days</u>
<u>Gold Shield Station</u>	<u>30 days</u>	<u>42 days</u>	<u>72 days</u>

Note: Authority cited: Sections 9882 and ~~9887.1~~ 9888.5, Business and Professions Code; Sections 44001.5, 44002, 44014, 44031, 44036.5 and 44045.5, Health and Safety Code; and ~~Section 15376, Government Code~~. Reference: ~~Section 15376, Government Code~~; Section 44014.2, Health and Safety Code; and Section 20, Title 1, Government Code.

(2) Amend Article 2, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:

Article 2. Licensing of Official Stations and Adjusters. (Inoperative on [OAL Insert inoperative date 6 months after adopted date of Article 2.5])

(3) Add new Article 2.5, Section 3311.1, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:

Article 2.5. Vehicle Safety Inspection Program

§ 3311.1 Vehicle Safety Station Performance, Work Area, and Safety Technician Requirement.

(a) All inspections of vehicle safety systems for the purpose of issuing any certificate of compliance under Section 9888.6 of the Business and Professions Code (Code) shall be performed at vehicle safety stations and by vehicle safety technicians licensed under Section 9888.5 of the Code.

(b) All vehicle safety inspections shall be performed in accordance with requirements and procedures prescribed in the Vehicle Safety Inspection Manual, dated January 1, 2024, which is hereby incorporated by reference. In addition to the requirements and procedures set forth in the Vehicle Safety Inspection Manual, the vehicle safety inspection shall include:

(1) An inspection of the On-Board Diagnostic (OBD) system for model year 2000 and newer vehicles. That OBD inspection shall include collection of the vehicle's identifying information, and all information related to the vehicle's safety systems, including any advanced driver-assistance systems (ADAS). A vehicle's OBD system that does not communicate with the Safety Inspection System (as used in this article hereafter, SIS) shall fail the vehicle safety inspection. For the purposes of this section, On-Board Diagnostics or OBD means a system of vehicle component and condition monitors controlled by an on-board computer designed to alert the motorist when vehicle systems are not functioning properly.

(2) A determination of whether any safety recalls have been identified by the National Highway Traffic Safety Administration (NHTSA) for the vehicle being inspected. A vehicle with an unrepaired safety recall shall fail the vehicle safety inspection.

(c) No person shall enter any vehicle identification information for any vehicle other than the one being inspected and/or any false information about the vehicle being inspected

into the SIS.

(d) The inspection specified in subdivision (a) for which a vehicle safety station is licensed shall be performed only in an area of the station the Bureau has approved. Other work may be performed in the approved area in addition to vehicle safety inspections, as desired. The work area shall be within a building and be large enough to accommodate the motor vehicle being inspected. The Bureau may make an exception to the preceding requirements by approving a work area adjacent to a building for purposes of inspecting equipment and devices on buses, trucks, truck tractors, trailers, and semitrailers. Any such exception shall be documented on the report of the inspection.

(e) The services of a licensed vehicle safety technician shall be available at each licensed station, except a fleet owner station, for not less than 40 hours weekly or not less than half of the hours the station is open for business weekly, whichever is less. Fleet owner stations shall provide the services of a licensed technician for the inspection specified in subdivision (a).

(f) A licensed station shall afford the Bureau or its representative access during normal business hours, and any time vehicle safety inspections are being performed outside of normal business hours.

Note: Authority cited: Sections 9882 and 9888.5, Business and Professional Code. Reference: Sections 9884.7, 9888.2 and 9888.5, Business and Professions Code.

§ 3311.2. Equipment Requirements and Electronic Transmission.

(a) A vehicle safety station shall meet the requirements for equipment and materials specified in chapter nine of the Vehicle Safety Inspection Manual referenced in section 3311.1.

(b) The OBD data acquisition device shall meet the specifications contained in the BAR OBD Inspection System Data Acquisition Device Specification dated January 2022, which is hereby incorporated by reference.

(c) Only Bureau-authorized representatives or authorized manufacturer representatives shall have access to the components or software located within the OBD Data Acquisition Device.

Note: Authority cited: Sections 9882 and 9888.6, Business and Professional Code. Reference: Sections 9884.7, 9888.2 and 9888.5, Business and Professions Code.

§ 3311.3. Vehicle Safety Inspection Certificates of Compliance.

(a) Effective January 1, 2024, the charge to be assessed to the vehicle safety station for a certificate of compliance is \$7.00.

(b) A licensed station shall purchase certificates of compliance from the Bureau or an

authorized agent of the Bureau only, and under the following terms and conditions:

(1) A certificate of compliance shall be purchased by a licensed station for the fee set forth in subdivision (a) of this section; and

(2) Full payment is required at the time the certificates are ordered from the Bureau.

(c) A licensed station shall not sell or otherwise transfer unissued certificates to another licensed station, to a new owner of the business, or to any person other than a customer whose vehicle has been inspected in accordance with the procedures specified in section 3311.1.

(d) A licensed station shall issue a certificate of compliance to the owner or operator of any vehicle that has passed a vehicle safety inspection in accordance with the procedures specified in section 3311.1. The following conditions shall apply to such issuance:

(1) Customers shall be charged the same price for certificates as paid by the licensed station to the Bureau; and

(2) The licensed station shall not assess sales tax on the price of certificates.

(e) No person shall sell, issue, cause or permit to be issued any certificate purported to be a valid certificate of compliance unless duly licensed to do so.

Note: Authority cited: Sections 9882, 9888.5, and 9888.6, Business and Professional Code. Reference: Sections 9884.7, 9888.2, 9888.5, and 9888.6, Business and Professions Code.

§ 3312.1. Licensing Vehicle Safety Stations; Inspection, Term, and Renewal.

(a) Any person or entity (“applicant”) seeking a license to operate a vehicle safety station shall submit a completed application that includes all of the following:

(1) A nonrefundable application fee of \$20.00.

(2) The following identifying information:

(A) The legal name of the applicant. An individual must apply using their full legal name: ((Last Name) (First Name) (Middle Name) and/or (Suffix)) and provide information from a government issued photo identification including issuing authority, document title, and number. A business entity must apply using the business' legal name.

(B) The applicant’s automotive repair dealer registration number.

(C) If the business is to be carried out under a fictitious name (i.e., the applicant intends to operate under a name other than their legal name), the fictitious name

shall be provided.

(i) If the business is a corporation, the corporate number assigned by the California Secretary of State.

(ii) If the business is an LLC, the domestic or foreign LLC number assigned by the California Secretary of State.

(D) Federal employer identification number (FEIN), if the applicant is a partnership, or the applicant's social security number or individual taxpayer identification number (ITIN) for all other applicants. If the applicant is a corporation or LLC, the applicant shall submit the social security numbers of its controlling individuals.

(E) If the applicant is a business entity, the full legal name, title, business address, telephone number, and information from a government issued photo identification including issuing authority, document title, and number for each controlling individual.

(F) Physical address of the location operated by the applicant ("location").

(G) Applicant's mailing address ("address of record"), if different than the physical address.

(H) Applicant's telephone number.

(I) Whether the applicant or any controlling individual of the business has ever been convicted of any crime or offense for which a license may be denied pursuant to section 480 of the Code, including:

(i) A criminal conviction for a serious felony under Penal Code section 1192.7;

(ii) A criminal conviction that qualifies as a registerable offense under Penal Code section 290(d)(2) or (d)(3);

(iii) A criminal conviction that occurred within the seven years preceding the application date;

(iv) A criminal conviction for which the applicant or responsible managing individual is presently incarcerated; or,

(v) Any conviction for which the applicant or responsible managing individual was released from incarceration within the preceding seven years.

(J) Applicants are not required to disclose any of the following convictions pursuant to this subdivision:

(i) Convictions dismissed pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code, or a comparable dismissal or expungement;

(ii) Convictions for which the person has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code;

(iii) Convictions for which the person has been granted clemency or a pardon by a state or federal executive;

(iv) Any traffic infraction for which the fine imposed was \$1,000 or less;

(v) Convictions that were adjudicated in the juvenile court; or,

(vi) Convictions under California Health and Safety Code sections 11357(b), (c), (d), (e), or section 11360(b) which are two years or older.

(K) Whether the applicant or any controlling individual of the business has ever had a license, registration, or certification that was formally disciplined by a licensing board in or outside of California, including the Bureau, or any program in the Department of Consumer Affairs. "Discipline" for purposes of this section includes reproof, suspension, revocation, probation or any other form of restriction placed on the license, registration, or certification.

(L) If the applicant answers affirmatively to any of the items in subdivision (a)(2)(J) or (a)(2)(L) the applicant shall provide a written statement explaining details regarding any criminal conviction or disciplinary action on a separate sheet of paper as provided in this subdivision. For criminal convictions, the statement shall include: the date and place of arrest, name of court, court case number, code section violated, brief explanation of the offense, and the sentence imposed. For discipline, the written statement shall include the date and nature of the disciplinary action, name and location of public agency, and the fine or sentence imposed.

(3) The following additional applicant identifying information to expedite the registration process, if applicable:

(A) Whether the applicant is serving, or has previously served, in the United States Armed Forces.

(B) Whether the applicant is an honorably discharged member of the United States Armed Forces. If the applicant affirmatively states they meet this criterion, they shall provide the following documentation with the application to receive expedited review: a certificate of release or discharge from active duty (DD-214) or other documentary evidence showing date and type of discharge.

(C) Whether the applicant is married to or in a domestic partnership or other

legal union with an active-duty member of the United States Armed Forces assigned to a duty station in California under official active-duty military orders. If the applicant affirmatively states they meet this criterion, they shall provide the following documentation along with the application to receive expedited review: certificate of marriage, certificate of domestic partnership, or proof of other legal union; a copy of your spouse's/partner's military orders reflecting assignment to a California duty station; and proof of being licensed as a security guard in another state, or U.S. territory or district.

(D) Whether the applicant is married to or in a domestic partnership or other legal union with an active-duty member of the United States Armed Forces assigned to a duty station in California under official active-duty military orders and is seeking a 12-month temporary license. If the applicant affirmatively states they meet these criteria, they shall provide the following documentation along with the application to receive expedited review: a certificate of marriage, certificate of domestic partnership, or proof of other legal union; a copy of their spouse's/partner's military orders reflecting assignment to a California duty station; and proof of being licensed as an automotive repair facility in another state, or U.S. territory or district. This paragraph shall become operative on July 1, 2023.

(E) Whether the applicant was admitted to the United States as a refugee, has been granted asylum by the Secretary of Homeland Security or the Attorney General of the United States, or has a special immigrant visa (SIV). If the applicant affirmatively states they meet any of these criteria, they shall provide any of the following items of documentation, as applicable, with the application to receive expedited review:

(i) Form I-94, arrival/departure record, with an admission class code such as "RE" (refugee) or "AY" (asylee) or other information designating the person a refugee or asylee;

(ii) Special Immigrant Visa that includes the "SI" or "SQ";

(iii) Permanent Resident Card (Form I-551), commonly known as a "green card," with a category designation indicating that the person was admitted as a refugee or asylee; or,

(iv) An order from a court of competent jurisdiction or other documentary evidence that provides reasonable assurances to the Bureau that the applicant qualifies for expedited licensure per Section 135.4 of the Code.

(4) A statement signed by the applicant under penalty of perjury that the information provided in the application is true and correct.

(b) The abandonment date for an application that has been returned to the applicant as incomplete shall be 12 months from the date of returning the application in accordance with Section 142 of the Code. An applicant who abandons an application shall submit a

new application meeting the requirements of this section to obtain licensure as a vehicle safety station.

(c) Each application shall be subject to the review procedures specified in section 3303.2(b).

(d) Licenses shall be issued only after an on-site inspection of the station by a Bureau representative confirms the applicant meets the qualifications prescribed in these regulations. A station license shall expire one year from date of issuance.

(e) A vehicle safety station shall notify the Bureau in writing of any material changes to the information submitted to the Bureau under subdivision (a)(2) within fourteen (14) days of the date of making any changes, or receiving notice of any change in the case of criminal conviction or disciplinary matters referenced in subdivisions (a)(2)(J) and (a)(2)(L). For the purposes of this section, "material" means any of the following:

(i) A change of ownership, as defined in Section 3306(c)(1) of these regulations;

(ii) A change to the legal or fictitious business name;

(iii) A change of address, as defined in section 3306(c)(2) of these regulations;

(iv) A change to controlling individuals;

(v) A new report of a conviction by the vehicle safety station or any of its controlling individuals as provided in section 490 of the code; or,

(vi) A new report of formal discipline against the vehicle inspection station or any of its controlling individuals by a licensing board.

(f) The notice of material changes required by subdivision (e) shall include all of the following for each change: a description of the change and the effective date of each change, or the date that notice of the change was received by the vehicle safety station in the case of reporting the convictions or formal discipline.

(g) An applicant that possesses a valid lamp and brake station licenses as of the effective date of this regulation, that are not on probation, and do not have any pending disciplinary action, may forego the application requirements in subdivisions (a)(1). An applicant's station shall be inspected in accordance with section 3303.2(b). This subdivision shall become inoperative on [OAL Insert inoperative date 6 months after adopted date of Article 2.5].

(h) A vehicle safety station shall renew its license prior to the expiration date and shall submit a renewal fee of \$20.00. If the station submits the renewal fee after the license expiration date, a delinquency fee of \$10.00 shall be assessed in addition to the \$20.00 renewal fee pursuant to section 163.5 of the Code. If more than 30 days has passed

since the license expiration date, the license shall not be renewed. The applicant shall submit a new application and fee as specified in subdivision (a).

(i) Upon expiration of a vehicle safety station license, a station shall not perform vehicle safety inspections until a valid license is obtained by either re-applying as specified in subdivision (a) or renewing as specified in subdivision (f).

(j) For the purposes of this section, "controlling individual" means owners, directors, officers, partners, members, trustees, managers, and any other persons the applicant identifies who directly or indirectly control or conduct the business.

Note: Authority: Sections 9882, 9888.5, Business and Professional Code. Reference: Sections 152.6, 163.5, 9888.2, and 9888.5, Business and Professions Code.

§ 3312.2. Display of Licenses and Posting of Prices; Equipment Maintenance; Records.

(a) A vehicle safety station license shall be placed under glass or other transparent cover and displayed in an area of the station frequented by customers.

(b) Licenses of all licensed vehicle safety technicians employed at a licensed station shall be mounted under glass or other transparent cover and displayed in an area of the station frequented by customers.

(c) Each licensed station, except a fleet owner station, shall display a vehicle safety station sign that meets the specifications in section 3313.1, and the sign shall be displayed in a location where the sign and text are clearly visible to the general public from outside the station.

(d) Each licensed station, except a fleet owner station, shall post conspicuously, in an area frequented by customers, the price(s) for a vehicle safety inspection. No charge relating to repair, replacement of parts, or adjustments shall be imposed in addition to the posted price for the inspection unless such additional work and added charges are authorized in advance by the vehicle owner or operator.

(e) All inspection machines, devices, and equipment shall be maintained in good condition. Machines, devices, and equipment requiring calibration or adjustment shall be calibrated or adjusted in accordance with the instructions of the manufacturers and the requirements of the Bureau.

(f) Each licensed station shall make, keep, and have available for inspection upon request of the Bureau, records showing the transactions as a licensee for a period of not less than three (3) years after completion of any vehicle safety inspections and certificates of compliance issued by the licensee.

Note: Authority: Sections 9882, 9888.5, and 9888.6, Business and Professional Code. Reference: Sections 9884.11, 9888.2, 9888.5, Business and Professions Code.

§ 3313.1. Vehicle Safety Station Signs.

(a) Each vehicle safety station shall display an identifying sign that meets the following specifications:

- (1) Dimensions. The sign shall be 24 inches wide and 30 inches high.
- (2) Sign Material. The sign shall be made of at least 0.040-inch aluminum or steel.
- (3) Content. The text of the sign and any graphics shall be supplied by the Bureau.

(b) The Bureau may require the replacement of any sign mandated by this section if such sign fails to meet the specifications in subdivision (a) or is no longer readily legible.

Note: Authority: Sections 9882 and 9888.5, Business and Professional Code.

Reference: Sections 9888.2 and 9888.5, Business and Professions Code.

§ 3313.2. Cessation of Operations as Vehicle Safety Station.

(a) A vehicle safety station shall not perform any vehicle safety inspections or issue any certificates of compliance when it no longer has the services of at least one licensed vehicle safety technician, when its station license has expired, or when its station license has been surrendered, suspended, or revoked.

(b) A vehicle safety station that no longer has the services of at least one licensed technician shall immediately remove or cover the station's sign(s). If the station does not employ a licensed technician within 60 days of the date on which they cease having the services of at least one licensed technician, the station shall voluntarily surrender its station license to the Bureau and shall return to the Bureau all unused certificates of compliance bought by the station.

(c) When a vehicle safety station license has expired or has been surrendered, suspended, or revoked, the station shall return to the Bureau all unused certificates of compliance.

Note: Authority: Sections 9882, 9888.5, and 9888.6, Business and Professional Code.

Reference: Sections 9888.2, 9888.5, and 9889.7 Business and Professions Code.

§ 3314. Licensing of Vehicle Safety Technicians; Term and Renewal.

(a) Any person ("applicant") seeking licensure as a vehicle safety technician shall submit a completed application which includes all of the following:

- (1) The nonrefundable application fee of \$10.00.
- (2) The following applicant identifying information:

(A) Full legal name,

(B) Social Security number,

(C) Information from a government issued photo identification including issuing authority, document title, and number,

(D) Physical address,

(E) Mailing address,

(F) Telephone number,

(G) Email address, if any, and,

(H) National Institute for Automotive Service Excellence (ASE) identification number with proof of certification in each of the following:

(i) Suspension and Steering (A-4);

(ii) Brakes (A-5); and

(iii) Electrical/Electronic Systems (A-6);

(3) Whether the applicant is serving, or has previously served, in the United States military.

(4) Whether the applicant is an honorably discharged member of the United States Armed Forces. If the applicant affirmatively states they meet this criterion, they shall provide the following documentation along with the application to receive expedited review: certificate of release or discharge from active duty (DD-214) or other documentary evidence showing date and type of discharge.

(5) Whether the applicant was admitted to the United States as a refugee, has been granted asylum by the Secretary of Homeland Security or the Attorney General of the United States, or has a Special Immigrant Visa (SIV). If the applicant affirmatively states they meet any of these criteria, they shall provide the applicable documentation below with the application to receive expedited review:

(A) Form I-94, arrival/departure record, with an admission class code such as "RE" (refugee) or "AY" (asylee) or other information designating the person a refugee or asylee;

(B) Special Immigrant Visa that includes the "SI" or "SQ";

(C) Permanent Resident Card (Form I-551), commonly known as a "green card," with a category designation indicating that the person was admitted as a refugee or asylee; or,

(D) An order from a court of competent jurisdiction or other documentary evidence that provides reasonable assurances to the Bureau that the applicant

qualifies for expedited licensure per Section 135.4 of the Code.

(6) Whether the applicant has ever been convicted of any crime or offense for which a license may be denied pursuant to section 480 of the Code, including:

(A) A criminal conviction for a serious felony under Penal Code section 1192.7;

(B) A criminal conviction that qualifies as a registerable offense under Penal Code section 290, subdivision (d)(2) or (3);

(C) A criminal conviction that occurred within the seven years preceding the application date;

(D) A criminal conviction for which the applicant is presently incarcerated; or,

(E) Any conviction for which the applicant was released from incarceration within the preceding seven years.

(7) Applicants are not required to disclose any of the following convictions pursuant to this subdivision:

(A) Convictions dismissed pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code, or a comparable dismissal or expungement;

(B) Convictions for which the person has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code;

(C) Convictions for which the person has been granted clemency or a pardon by a state or federal executive;

(D) Any traffic infraction for which the fine imposed was \$1,000 or less;

(E) Convictions that were adjudicated in the juvenile court; or,

(F) Convictions under California Health and Safety Code sections 11357(b), (c), (d), (e), or section 11360(b) which are two years or older.

(8) Whether the applicant has ever had a license, registration, or certification that was formally disciplined by a licensing board in or outside of California, including the Bureau, or any program in the Department of Consumer Affairs. "Discipline" for purposes of this section includes reproof, suspension, revocation, probation or any other form of restriction placed on the license, registration, or certification.

(9) If the applicant answers affirmatively to any of the items in subdivisions (a)(5) or (a)(7), the applicant shall provide a written statement explaining details regarding any criminal conviction or disciplinary action on a separate sheet of paper as

provided in this section. For criminal convictions, the statement shall include: the date and place of arrest, name of court, court case number, code section violated, brief explanation of the offense, and the sentence imposed. For discipline, the written statement shall include the date and nature of the disciplinary action, name and location of public agency, and the fine or sentence imposed.

(10) A certification by the applicant under penalty of perjury under the laws of the State of California that all statements made in the application and all documents provided by the applicant to the Bureau in support of the application are true and correct.

(b) The abandonment date for an application that has been returned to the applicant as incomplete shall be 12 months from the date of returning the application in accordance with Section 142 of the Code. An applicant who abandons an application must submit a new application to obtain Bureau certification as a certified provider.

(c) The applicant shall be subject to the following requirements:

(1) Each application shall be subject to the review procedures specified in section 3303.2(d).

(2) An applicant who receives a notice of qualification to take an examination, pursuant to section 3303.2(d), shall be deemed a "qualified applicant" and shall take the examination within 90 days of receipt of notification of qualification to take the examination. A qualified applicant may take the examination two times per application. After two unsuccessful attempts, the applicant shall submit a new application as specified in subdivision (a).

(3) The applicant shall successfully complete and pass the examination specified in section 3303.2(d) to receive a license.

(d) An applicant who possess currently valid lamp and brake adjuster licenses that are not on probation, and do not have any pending disciplinary action, may forego the application requirements in subdivisions (a)(1), (a)(2)(H), and (c). This subdivision shall become inoperative on [OAL Insert inoperative date 6 months after adopted date of Article 2.5].

(e) Vehicle safety technician licenses shall expire two years from the date of issuance. No person shall engage in the activities of a vehicle safety technician unless the person holds a valid license and is employed at a licensed vehicle safety station. Upon expiration of a license or when any person licensed as a vehicle safety technician ceases to be employed at a vehicle safety station, the person's right to act as a vehicle safety technician shall immediately cease.

(f) A vehicle safety technician shall notify the Bureau in writing of any changes to the information submitted to the Bureau under subdivision (a)(2) within fourteen (14) days of the date of making any changes, or receiving notice of any change in the case of criminal conviction or disciplinary matters referenced in subdivisions (a)(5) and (a)(7).

(g) A vehicle safety technician shall renew their license prior to the expiration date. They shall submit a renewal fee of \$10.00, and submit a renewal application as specified in subdivision (a). No additional testing shall be required for license renewal provided the licensee renews their technician license within 30 days after the date of the license expiration date. If the technician submits the renewal fee after the license expiration date, a delinquency fee of \$5.00 shall be assessed in addition to the \$10.00 renewal fee pursuant to section 163.5 of the Code. If more than 30 days have passed since the license expiration date, the license shall not be renewed. The applicant shall submit a new application and fee as specified in subdivision (a).

Note: Authority: Sections 9882, 9888.5, Business and Professional Code. Reference: Sections 152.6, 163.5, 9888.2 and 9888.5, Business and Professions Code.

(4) Amend Article 3, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:

Article 3. Official Lamp Adjusting Stations (Inoperative on [OAL Insert inoperative date 6 months after adopted date of Article 2.5])

(5) Amend Article 4, Chapter 1, Division 33, Title 16, California Code of Regulations, to read as follows:

Article 4. Official Brake Adjusting Stations (Inoperative on [OAL Insert inoperative date 6 months after adopted date of Article 2.5])