

**Introduced by Senator Figueroa**

February 19, 2004

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An act to amend Section 9882 of the Business and Professions Code, relating to automotive repair.

LEGISLATIVE COUNSEL'S DIGEST

SB 1542, as introduced, Figueroa. Bureau of Automotive Repair.

The Automotive Repair Act creates the Bureau of Automotive Repair in the Department of Consumer Affairs, with certain powers and duties relative to the licensing and regulation of automotive repair dealers and various other licensees. Existing law requires the Joint Legislative Sunset Review Committee to hold a public hearing every 4 years to receive testimony from the Director of Consumer Affairs and the bureau, and to evaluate the bureau's effectiveness and efficiency.

This bill would make nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 9882 of the Business and Professions  
2 Code is amended to read:  
3 9882. (a) There is in the Department of Consumer Affairs a  
4 Bureau of Automotive Repair under the supervision and control of  
5 the director. The duty of enforcing and administering this chapter  
6 is vested in the chief who is responsible to the director. The director  
7 may adopt and enforce those rules and regulations that he or she  
8 determines are reasonably necessary to carry out the purposes of  
9 this chapter and declaring the policy of the bureau, including a

1 system for the issuance of citations for violations of this chapter  
2 as specified in Section 125.9. These rules and regulations shall be  
3 adopted pursuant to Chapter 4.5 (commencing with Section  
4 11371) of Part 1 of Division 3 of Title 2 of the Government Code.  
5 *(b) In 2003 and every four years thereafter, the Joint Legislative*  
6 *Sunset Review Committee shall hold a public hearing to receive*  
7 *testimony from the Director of Consumer Affairs and the bureau.*  
8 *In those hearings, the bureau shall have the burden of*  
9 *demonstrating a compelling public need for the continued*  
10 *existence of the bureau and its regulatory program, and that its*  
11 *function is the least restrictive regulation consistent with the public*  
12 *health, safety, and welfare. The committee shall evaluate and*  
13 *review the effectiveness and efficiency of the bureau based on*  
14 *factors and minimum standards of performance that are specified*  
15 *in Section 473.4. The committee shall report its findings and*  
16 *recommendations as specified in Section 473.5. The bureau shall*  
17 *prepare an analysis and submit a report to the committee as*  
18 *specified in Section 473.2.*

