

AMENDED IN SENATE MARCH 22, 2004

SENATE BILL

No. 1542

Introduced by Senator Figueroa

February 19, 2004

An act to amend ~~Section 9882~~ *Sections 9882 and 9884.17* of the Business and Professions Code, relating to automotive repair.

LEGISLATIVE COUNSEL'S DIGEST

SB 1542, as amended, 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. *Existing law requires the bureau to design and approve a required sign at all automotive repair dealer locations advising the public of the bureau's telephone number and other related matters. A violation of the Automotive Repair Act is a crime.*

This bill would ~~make nonsubstantive changes to these provisions~~ *also require the sign to include the bureau's Internet address. By changing the definition of a crime, the bill would impose a state-mandated local program. The bill would make nonsubstantive changes to the provisions governing the Joint Legislative Sunset Review Committee's review of the bureau.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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
10 system for the issuance of citations for violations of this chapter
11 as specified in Section 125.9. These rules and regulations shall be
12 adopted pursuant to Chapter 4.5 (commencing with Section
13 11371) of Part 1 of Division 3 of Title 2 of the Government Code.

14 (b) In 2003 and every four years thereafter, the Joint
15 Legislative Sunset Review Committee shall hold a public hearing
16 to receive testimony from the Director of Consumer Affairs and
17 the bureau. In those hearings, the bureau shall have the burden of
18 demonstrating a compelling public need for the continued
19 existence of the bureau and its regulatory program, and that its
20 function is the least restrictive regulation consistent with the public
21 health, safety, and welfare. The committee shall evaluate and
22 review the effectiveness and efficiency of the bureau based on
23 factors and minimum standards of performance that are specified
24 in Section 473.4. The committee shall report its findings and
25 recommendations as specified in Section 473.5. The bureau shall
26 prepare an analysis and submit a report to the committee as
27 specified in Section 473.2.

28 SEC. 2. Section 9884.17 of the Business and Professions Code
29 is amended to read:

30 9884.17. The bureau shall design and approve of a sign which
31 shall be placed in all automotive repair dealer locations in a place



1 and manner conspicuous to the public. That sign shall give notice
2 that inquiries concerning service may be made to the bureau and
3 shall contain the telephone number *and Internet Web site address*
4 of the bureau. The sign shall also give notice that the customer is
5 entitled to a return of replaced parts upon his or her request therefor
6 at the time the work order is taken.

7 *SEC. 3. No reimbursement is required by this act pursuant to*
8 *Section 6 of Article XIII B of the California Constitution because*
9 *the only costs that may be incurred by a local agency or school*
10 *district will be incurred because this act creates a new crime or*
11 *infraction, eliminates a crime or infraction, or changes the penalty*
12 *for a crime or infraction, within the meaning of Section 17556 of*
13 *the Government Code, or changes the definition of a crime within*
14 *the meaning of Section 6 of Article XIII B of the California*
15 *Constitution.*

