

AMENDED IN SENATE JANUARY 4, 2016

AMENDED IN SENATE APRIL 20, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 778

Introduced by Senator Allen

February 27, 2015

An act to ~~add Section 48610.2 to, and to add Article 4.5 12~~ (commencing with Section ~~48635~~) 9890) to Chapter ~~4 20.3~~ of Part 7 of Division ~~30~~ of, 3 of the ~~Public Resources~~ *Business and Professions Code*, relating to ~~hazardous waste~~. *professions and vocations*.

LEGISLATIVE COUNSEL'S DIGEST

SB 778, as amended, Allen. ~~Automotive oil source reduction~~. *repair: oil changes: notification to customers*.

Existing law, ~~the California Oil Recycling Enhancement Act~~, establishes a program, to encourage the recycling of oil, administered by the Department of Resources Recycling and Recovery. A violation of the act is a crime. *the Automotive Repair Act*, provides for the registration and regulation of automotive repair dealers by the Bureau of Automotive Repair, which is under the supervision and control of the Director of Consumer Affairs. Existing law requires repair dealers to give the customer a written estimated price for labor and parts necessary for a specific job. Existing law makes a violation of that act, except as specified, punishable as a misdemeanor.

This ~~bill~~, on and after January 1, 2018, *bill* would require ~~all automotive oil sold in this state to be certified by the oil manufacturer to achieve a minimum useful life of 10,000 miles when used in accordance with the automobile manufacturer's recommendations, and~~

~~to meet current automotive industry standards. A violation of these provisions would be a crime, an automotive repair dealer to notify a customer, who is purchasing an oil change, of the recommended oil drain interval, oil grade, and viscosity specified in the maintenance schedule of the vehicle's owner's manual. The bill would also require, except as specified, an automotive repair dealer to use the oil drain interval specified in the maintenance schedule of the vehicle's owner's manual if the automotive repair dealer is recommending the date or mileage for the next oil change, as described. The bill would expand the definition of an existing crime by placing new requirements on automotive repair dealers, thereby imposing a state-mandated local program.~~

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: yes.
State-mandated local program: yes.

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

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
- 3 (a) Used automotive oil is one of the largest sources of
4 hazardous waste generated in California. While California has a
5 robust recycling program in place, about ~~40%~~ 40 percent of
6 automotive oil can never be collected for recycling because it is
7 lost in use, either burned in the combustion chamber or dripped
8 onto streets and parking lots. Of the oil that is collected, only a
9 small percentage is actually rerefined into new automotive oil.
- 10 ~~(b) Some brands and types of automotive oil currently sold in~~
11 ~~California fail to meet minimum quality standards for modern~~
12 ~~automobiles and their use may result in vehicle damage and voiding~~
13 ~~of vehicle manufacturer warranties.~~
- 14 ~~(c) It is the intent of the Legislature to ensure that all automotive~~
15 ~~oil marketed to consumers in this state meets minimum quality~~
16 ~~standards.~~
- 17 (b) Oil quality and engine technology have evolved significantly
18 in recent years. New motor oil formulations reduce repairs,

1 *prolong engine life, improve fuel economy, and enable significantly*
2 *longer oil change intervals than outdated 3,000-mile-oil-change*
3 *marketing campaigns.*

4 *(c) Most automakers currently specify oil change intervals at*
5 *either 7,500 or 10,000 miles, with intervals as high as 15,000 miles*
6 *in some cars. Motor oils that meet current American Petroleum*
7 *Institute (API) standards will have the capability to meet the*
8 *current automaker oil change interval recommendations.*

9 *(d) Changing oil more often than what is specified by the*
10 *automaker in the vehicle’s owner’s manual wastes oil and money*
11 *and compounds the environmental impact, especially to water.*

12 *(e) It is the intent of the Legislature to ensure that the oil drain*
13 *interval recommended by an automotive repair dealer be in*
14 *accordance with the maintenance schedule of the vehicle’s owner’s*
15 *manual and with the recommended oil grade and viscosity in order*
16 *to prevent deceiving or misleading consumers with unnecessary*
17 *and costly oil changes.*

18 ~~(e)~~

19 *(f) It is further the intent of the Legislature to source-reduce the*
20 *amount of used automotive oil that is generated in California in*
21 *order to reduce our dependence on petroleum products, avoid*
22 *damage to the environment and threats to public health, and be*
23 *consistent with the state’s hierarchy for waste management*
24 *practices pursuant to Section 40051 of the Public Resources Code.*

25 ~~SEC. 2.—Section 48610.2 is added to the Public Resources Code,~~
26 ~~to read:~~

27 ~~48610.2.—“Automotive oil” means oil intended for use in an~~
28 ~~internal combustion gasoline or diesel engine used in passenger~~
29 ~~cars, light-duty trucks, or vans.~~

30 ~~SEC. 3.—Article 4.5 (commencing with Section 48635) is added~~
31 ~~to Chapter 4 of Part 7 of Division 30 of the Public Resources Code,~~
32 ~~to read:~~

33
34 ~~Article 4.5. Automotive Oil~~

35
36 ~~48635.—On and after January 1, 2018, all automotive oil sold~~
37 ~~in this state shall be certified by the oil manufacturer to achieve a~~
38 ~~minimum useful life of 10,000 miles when used in accordance~~
39 ~~with the automobile manufacturers’ recommendations and shall~~
40 ~~meet current automotive industry standards.~~

1 SEC. 2. Article 12 (commencing with Section 9890) is added
2 to Chapter 20.3 of Division 3 of the Business and Professions
3 Code, to read:

4

5

Article 12. Oil Change

6

7 9890. (a) Prior to performing any work, an automotive repair
8 dealer shall notify a customer purchasing an oil change of the
9 recommended oil drain interval, oil grade, and viscosity specified
10 in the maintenance schedule of the vehicle's owner's manual.

11 (b) Except as provided in subdivision (c), if the automotive
12 repair dealer recommends the date or mileage for the next oil
13 change, the automotive repair dealer shall follow the oil drain
14 interval specified in the maintenance schedule of the vehicle's
15 owner's manual when making that recommendation to the customer
16 verbally, in the form of a window sticker, thorough settings in a
17 vehicle's oil sensor, or any other means.

18 (c) If a customer chooses an oil for the oil change that has a
19 recommended drain interval different from the oil drain interval
20 specified in the maintenance schedule of the vehicle's owner
21 manual, the customer may choose to have that different drain
22 interval used for purposes of subdivision (b).

23 ~~SEC. 4.~~

24 SEC. 3. No reimbursement is required by this act pursuant to
25 Section 6 of Article XIII B of the California Constitution because
26 the only costs that may be incurred by a local agency or school
27 district will be incurred because this act creates a new crime or
28 infraction, eliminates a crime or infraction, or changes the penalty
29 for a crime or infraction, within the meaning of Section 17556 of
30 the Government Code, or changes the definition of a crime within
31 the meaning of Section 6 of Article XIII B of the California
32 Constitution.