

AMENDED IN ASSEMBLY AUGUST 21, 1995

AMENDED IN ASSEMBLY JULY 15, 1995

AMENDED IN SENATE MAY 9, 1995

AMENDED IN SENATE APRIL 4, 1995

SENATE BILL

No. 827

Introduced by Senator Kelley

February 23, 1995

An act to amend *repeal, and add* Section 9880.2 of the Business and Professions Code, relating to automotive repair.

LEGISLATIVE COUNSEL'S DIGEST

SB 827, as amended, Kelley. Automotive repair.

Under existing law, a person engaged in automotive repair is generally required to register with the Director of Consumer Affairs, unless exempt from the requirement.

This bill would exempt from this registration requirement, a person whose primary business is the wholesale supply of new or rebuilt automotive parts who solely engages in the remachining of individual automotive parts *without compensation for warranty adjustments* and who does not engage in repairing or diagnosing malfunctions of motor vehicles or motorcycles. This bill would further provide that such a person, prior to commencing work, ~~billing for that work, or receiving payment,~~ shall provide the customer with a specified notice and estimate, ~~and obtain an authorization to perform the work from the customer~~ *description of the remachining services to be performed. These provisions*

would be repealed on January 1, 1998, and existing law would be reinstated on that date.

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

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

1 SECTION 1. Section 9880.2 of the Business and
2 Professions Code is amended to read:

3 9880.2. The following persons are exempt from the
4 requirement of registration:

5 (a) An employee of an automotive repair dealer if the
6 employee repairs motor vehicles only as an employee.

7 (b) A person who solely engages in the business of
8 repairing the motor vehicles of a single commercial,
9 industrial, or governmental establishment, or two or
10 more establishments related by common ownership or
11 corporate affiliation.

12 (c) A person who is registered pursuant to Chapter 20
13 (commencing with Section 9800) where the persons'
14 work is limited to the installation or replacement of a
15 motor vehicle radio, antenna, audio recorder, audio
16 playback equipment, or burglar alarm.

17 (d) A person whose primary business is the wholesale
18 supply of new or rebuilt automotive parts who solely
19 engages in the remachining of individual automotive
20 parts *without compensation for warranty adjustments to*
21 *those parts* and who does not engage in repairing or
22 diagnosing malfunctions of motor vehicles or
23 motorcycles. However, a person described in this
24 subdivision, prior to commencing work ~~and prior to~~
25 ~~billing for that work or receiving payment,~~ shall do all
26 *both* of the following:

27 (1) Provide a notice *containing the bureau's toll-free*
28 *telephone number* to the customer that the person is not
29 regulated by the bureau.

30 (2) Provide a written ~~estimated price description of~~
31 *the remachining services to be performed* to the
32 customer ~~for whom the specific remachining work will be~~
33 ~~performed.~~



1 ~~(3) Obtain an authorization from the customer to~~
2 ~~perform the work for which the estimate has been~~
3 ~~provided.~~

4 *(e) This section shall remain in effect until January 1,*
5 *1998, and as of that date is repealed, unless a later enacted*
6 *statute, which is enacted before January 1, 1998, deletes*
7 *or extends that date.*

8 *SEC. 2. Section 9880.2 is added to, the Business and*
9 *Professions Code read:*

10 *9880.2. The following persons are exempt from the*
11 *requirement of registration:*

12 *(a) Any employee of an automotive repair dealer if the*
13 *employee repairs motor vehicles only as an employee.*

14 *(b) Any person who solely engages in the business of*
15 *repairing the motor vehicles of a single commercial,*
16 *industrial, or governmental establishment, or two or*
17 *more establishments related by common ownership or*
18 *corporate affiliation.*

19 *(c) Any person who is registered pursuant to Chapter*
20 *20 (commencing with Section 9800) where the persons'*
21 *work is limited to the installation or replacement of a*
22 *motor vehicle radio, antenna, audio recorder, audio*
23 *playback equipment, or burglar alarm.*

24 *(d) This section shall become operative on January 1,*
25 *1998.*

