



State Regulations Affecting Auto Repair Facilities

California

Accepted Trade Standards

§ 3352 Definitions

In this article, unless the context otherwise requires:

a) "Written estimate" means a document that contains a written estimated price for labor and parts for a specific job.

B) "Work order" means a document that contains the estimate and memorializes the customer's authorization for a specific job.

C) "Invoice" means a document given to the customer that meets the invoice requirements of Business and Professions Code Section 9884.8 and California Code of Regulations Section 3356.

Note: Authority cited: Section 9882, Business and Professions Code. Reference: Sections 9884.8, 9884.9, 9889.50 and 9889.52, Business and Professions Code.



§ 3360.1 Ball Joints

This section and Sections 3360.2 and 3360.3 apply to the inspection, sale, and installation of ball joints, which for the purpose of this article are defined as ball-and-socket assemblies designed to carry the vertical and horizontal stresses in the front suspension system of a motor vehicle while permitting steering and suspension movement.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference: Sections 9884.7 and 9884.19, Business and Professions Code.

§3360.2. General Requirements

All automotive repair dealers engaged in the sale and installation of ball joints shall be subject to the following requirements:

a) Measurement of Wear or Looseness. Except as set forth in (e) and (f) of this section, any determination that a ball joint is worn or loose shall be made with an instrument specifically designed and manufactured for measurement of ball joint wear or looseness.

B) Care and Use of Instrument. The instrument required by (a) of this section shall be used, calibrated, and maintained in accordance with the instructions issued by its manufacturer. The manufacturer shall be the original equipment manufacturer or a manufacturer who is generally known within the automotive repair industry as a supplier of such instruments.

C) Accuracy of Measurement. The measurement of wear or looseness of a ball joint shall be stated in thousandths of an inch (.001) or in millimeters, whichever is appropriate to the vehicle and to the specifications of the original equipment manufacturer or of the replacement parts manufacturer.

D) Invoice Requirements. If a ball joint is sold and installed, the degree of wear or looseness of the ball joint being replaced must be recorded on the customer's invoice in accordance with © of this section. The maximum allowable wear or looseness permitted by the original equipment manufacturer or by the replacement parts manufacturer must be stated.

E) Measurement of Wear-Indicating Ball Joints. If a ball joint is equipped with an integral means of measuring wear or looseness, such measurement shall be made and reported in accordance with the manufacturer's directions.

F) Adjustment of Mechanically Adjustable Ball Joints. A ball joint that has been manufactured with a means of manual adjustment to compensate for wear shall be adjusted in accordance with the instructions of the manufacturer.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference: Sections 9884.7 and 9884.19, Business and Professions Code.

□§ 3360.3. Recommendations Permitted

The foregoing requirements are not to be construed as prohibiting the sale and installation of ball joints when the sale and installation are made with the consent of the customer, provided that a full disclosure of the requirements of this article is made to the customer.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference: Sections 9884.7 and 9884.19, Business and Professions Code



§ 3361.1. Automatic Transmissions

The following minimum requirements specifying accepted trade standards for good and workmanlike rebuilding of automatic transmissions are intended to define terms that have caused confusion to the public and unfair competition within the automotive repair industry. The term "automatic transmission" shall also apply to the automatic transmission portion of transaxles for the purposes of this regulation, unless both the automatic transmission portion and the differential portion of the transaxle share a common oil supply, in which case the term "automatic transmission" shall apply to both portions of the transaxle. These minimum requirements shall not be used to promote the sale of "rebuilt" automatic transmissions when a less extensive and/or less costly repair is desired by the customer. Any automotive repair dealer who represents to customers that the following sections require the rebuilding of automatic transmissions is subject to the sanctions prescribed by the Automotive Repair Act. All automotive repair dealers engaged in the repair, sale, or installation of automatic transmissions in vehicles covered under the Act shall be subject to the following minimum requirements:

a) Before an automatic transmission is removed from a motor vehicle for purposes of repair or rebuilding, it shall be inspected. Such inspection shall determine whether or not the replacement or adjustment of any external part or parts will correct the specific malfunction of the automatic transmission. In the case of an electronically controlled automatic transmission, this inspection shall include a diagnostic check, including the retrieval of any diagnostic trouble codes, of the electronic control module that controls the operation of the transmission. If minor service and/or replacement or adjustment of any external part or parts and/or of companion units can reasonably be expected to correct the specific malfunction of the automatic transmission, then prior to removal of the automatic transmission from the vehicle, the customer shall be informed of that fact as required by Section 3353 of these regulations. Before removing an automatic transmission from a motor vehicle, the dealer shall also comply with the provisions of section 3353(d), and disclose any applicable guarantee or warranty as provided in sections 3375, 3376 and 3377 of these regulations. If a diagnostic check of an electronic control module cannot be completed due to the condition of the transmission, the customer shall be informed of that fact and a notation shall be made on the estimate, in accordance with Section 3353 of these regulations.

b) When the word "exchanged" is used to describe an automatic transmission, it shall mean that the automatic transmission is not the customer's unit that was removed from the customer's vehicle. Whenever the word "exchanged" is used to describe an automatic transmission, it shall be accompanied by a word or descriptive term such as "new," "used," rebuilt," "remanufactured," "reconditioned," or "overhauled," or by an expression of like meaning.

c) Any automotive repair dealer that advertises or performs, directly or through a sublet contractor, automatic transmission work and uses the words "exchanged," "rebuilt," "remanufactured," "reconditioned," or "overhauled," or any expression of like meaning, to describe an automatic transmission in any form of advertising or on a written estimate or invoice shall only do so when all of the following work has been done since the transmission was last used:

1) All internal and external parts, including case and housing, have been thoroughly cleaned and inspected.

2) The valve body has been disassembled and thoroughly cleaned and inspected unless otherwise specified by the manufacturer.

3) All bands have been replaced with new or relined bands

4) All the following parts have been replaced with new parts:

A) Lined friction plates

B) Internal and external seals including seals that are bonded to metal parts

C) All sealing rings

D) Gaskets

E) Organic media disposable type filters (if the transmission is so equipped)

5) All impaired, defective, or substantially worn parts not mentioned above have been restored to a sound condition or replaced with new, rebuilt, or unimpaired parts. All measuring and adjusting of such parts has been performed as necessary.

6) The transmission's electronic components, if so equipped, have been inspected and found to be functioning properly or have been replaced with new, rebuilt, or unimpaired components that function properly.



7) The torque converter has been inspected and serviced in accordance with subsection (d) of this regulation.

D) The torque converter is considered to be part of the automatic transmission and shall be examined, cleaned, and made serviceable before the rebuilt, remanufactured or overhauled transmission is installed. If the torque converter cannot be restored to a serviceable condition, then the customer shall be so informed. With the customer's authorization, the converter shall be replaced with a new, rebuilt, remanufactured, reconditioned, overhauled, or unimpaired used torque converter. A torque converter shall not be represented as rebuilt, remanufactured, reconditioned, or overhauled unless the torque converter shell has been opened, all components of the overrunning clutch assembly have been inspected and replaced as required, all friction materials have been replaced as required, all rotating parts have been examined and replaced as required, the shell has been resealed, and the unit has been pressure tested.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference: Sections 9884.7(a), 9884.8, 9884.9(a) and 9884.19, Business and Professions Code.

§ 3366. Automotive Air Conditioning.

(a) Except as provided in subsection (b) of this section, any automotive repair dealer that advertises or performs, directly or through a sublet contractor, automotive air conditioning work and uses the words service, inspection, diagnosis, top off, performance check or any expression or term of like meaning in any form of advertising or on a written estimate or invoice shall include and perform all of the following procedures as part of that air conditioning work:

- (1) Exposed hoses, tubing and connections are examined for damage or leaks;
- (2) The compressor and clutch, when accessible, are examined for damage, missing bolts, missing hardware, broken housing and leaks;
- (3) The compressor is rotated to determine if it is seized or locked up;
- (4) Service ports are examined for missing caps, damaged threads and conformance with labeling;
- (5) The condenser coil is examined for damage, restrictions or leaks;
- (6) The expansion device, if accessible, is examined for physical damage or leaks;
- (7) The accumulator receiver dryer and in-line filter have been checked for damage, missing or loose hardware or leaks;
- (8) The drive belt system has been checked for damaged or missing pulleys or tensioners and for proper belt routing, tension, alignment, excessive wear or cracking;
- (9) The fan clutch has been examined for leakage, bearing wear and proper operation;
- (10) The cooling fan has been checked for bent or missing blades;
- (11) Accessible electrical connections have been examined for loose, burnt, broken or corroded parts;
- (12) The refrigerant in use has been identified and checked for contamination;
- (13) The system has been checked for leakage at a minimum of 50-PSI system pressure;
- (14) The compressor clutch, blower motor and air control doors have been checked for proper operation;
- (15) High and low side system operating pressures, as applicable, have been measured and recorded on the final invoice; and,
- (16) The center air distribution outlet temperature has been measured and recorded on the final invoice.

(b) Whenever the automotive air conditioning work being advertised or performed does not involve opening the refrigerant portion of the air conditioning system, refrigerant evacuation, or full or partial refrigerant recharge, the procedures specified in subsection (a) need be performed only to the extent required by accepted trade standards.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference: Sections 9884.7(a)(7), 9884.8 and 9884.9, Business and Professions Code.

§ 3368. Commissions, Consideration, Inducements, or Referral Fees; Towing Services.

a) An Automotive Repair Dealer shall not directly or indirectly pay or agree to pay any money or anything of value as a commission, referral fee, inducement, or in any manner a consideration, to a towing service for the delivery or the arranging of a delivery of a vehicle not owned by the repair shop or towing service, for the purpose of storage or repair.

b) An Automotive Repair Dealer shall not directly or indirectly accept or agree to accept any money or anything of value as a commission, referral fee, inducement or in any manner a consideration, from a towing service for arranging or requesting the services of a tow truck.

c) Any violation of this section shall be cause for administrative disciplinary action. The authority of the bureau to impose discipline pursuant to this section shall be in addition to, and not a limitation on, its authority to take disciplinary action or other legal action, pursuant to any other provision of law.

Note: Authority cited: Sections 9882 and 9884.19, Business and Professions Code. Reference: Sections 490 and 9884.7, Business and Professions Code; and Section 12110, Vehicle Code.

§ 3321 Brake Adjusting Station Operation and Equipment Requirements.

The operation of official brake adjusting stations shall be subject to the following provisions:

a) Each station shall be equipped with the following tools according to the class of station.

1) All stations shall be equipped with:

A) Suitable hand tools.

B) A brake drum diameter gauge capable of measuring increments of 0.005 inch.

C) A disc brake rotor thickness gauge capable of measuring increments of 0.001 inch.

D) A disc brake rotor runout gauge capable of measuring increments of 0.001 inch.

E) Brake lining gauges capable of measuring thickness of remaining usable brake lining either in fractions of an inch or in percentage of lining remaining.

F) Torque wrenches capable of measuring torsion in accordance with vehicle manufacturer's installation and adjustment specifications.

2) Class A and B stations shall be equipped with:

A) A vacuum brake test kit with a gauge capable of measuring in inches of mercury

B) An airbrake pressure test gauge accurate to +1 psi.

B) Each station shall maintain in a location readily accessible to its licensed adjusters a current copy of the following:

1) The bureau's Handbook for Brake Adjusters and Stations, referenced in subsection (a) of Section 3305 of this Chapter.

2) All appropriate and current standards, specifications, directives, manuals, bulletins, and instructions issued by motor vehicle, brake, and brake equipment manufacturers that are applicable to vehicles for which the station adjusts brakes.

3) Service manuals and operating instructions issued by the manufacturers for all brake inspection tools, instruments, machines, devices and equipment used by the station.

C) Effective April 1, 1999, licensed stations shall purchase certificates of adjustment from the bureau for a fee of three dollars and fifty cents (\$3.50) and shall not purchase or otherwise obtain such certificates from any other source. A licensed station shall not sell or otherwise transfer unused certificates of adjustment. Full payment is required at the time certificates are ordered. Certificates are not exchangeable following delivery. Issuance of a brake adjustment certificate shall be in accordance with the following provisions:

1) When a brake adjustment certificate is issued to an applicant for an authorized emergency vehicle permit, the certificate shall certify that the vehicle has been road-tested and that the entire braking system meets all requirements of the Vehicle Code and bureau regulations.

2) Where the entire brake system on any vehicle has been inspected or tested and found to be in compliance with all requirements of the Vehicle Code and bureau regulations, and the vehicle has been road-tested, the certificate shall certify that the entire system meets all such requirements.

3) When a customer asks for a certificate of brake adjustment in conjunction with clearance of an enforcement form, the adjuster may, if requested, inspect and certify only the portion of the brake system specified as defective on the enforcement form. Where the entire system has not been tested or inspected or one or more defects have been corrected, the certificate shall indicate which tests or inspections have been performed, or which defect or defects have been corrected.

4) A certificate shall be valid for 90 days after its issuance to a consumer.

(d) After correcting specified defects, official brake adjusters shall certify that defects indicated on citations or other enforcement forms have been corrected.

1) The adjuster shall inform the customer of any other defective conditions present or likely to occur in the future, which have come to the adjuster's attention in conjunction with inspection of the vehicle and correction of specified defects. The adjuster shall inform the customer of the percentage of braking material left on pads/shoes, as appropriate.

2) If the customer does not authorize additional repairs to correct other defects found during the inspection, the adjuster shall certify that only the specific defects listed on the enforcement form have been corrected.

3) Only a licensed adjuster employed at an official adjusting station may sign an enforcement form as an official adjuster. The adjuster's license number, the license class, and the official station license number shall be included with the signature.

4) Certification by a licensed adjuster on an enforcement form that a violation has been corrected shall include the date of correction, the station's and the adjuster's license numbers, and the adjuster's signature.

Note: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professions Code. Reference: Sections 9887.1, 9888.2 and 9889.16, Business and Professions Code; and Section 40616, Vehicle Code.

§3356.1 Toxic Waste Disposal Costs.

An automotive repair dealer may charge a customer for costs associated with the handling, management and disposal of toxic wastes or hazardous substances under California or federal law which directly relate to the servicing or repair of the customer's vehicle. Such charge must be disclosed to the customer by being separately itemized on the estimate prepared pursuant to Section 9884.9(a) of the Business and Professions Code and on the invoice prepared pursuant to Section 9884.8 of the Business and Professions Code. In order to assess this charge, the automotive repair dealer must note on the estimate and invoice the station's Environmental Protection Agency identification number required by Section 262.12 of Title 40 of the Code of Federal Regulations.

Note: Authority cited: Section 9882, Business and Professions Code. Reference: Sections 9882, 9884.8, and 9884.9(a), Business and Professions Code.

§ 3320 Classes of Official Brake Adjusting Stations.

Classes of official brake adjusting stations are established as follows:

a) Class A official brake adjusting stations shall be equipped to test, inspect, adjust, and repair all brakes and brake systems on all vehicles.

B) Class B official brake adjusting stations shall be equipped to test, inspect, adjust, and repair all brakes and brake systems on all buses, trucks, truck tractors, trailers, and semitrailers.

C) Class C official brake adjusting stations shall be equipped to test, inspect, adjust, and repair all brakes and brake systems on all trucks or truck tractors having a manufacturer's gross vehicle weight rating of less than 10,000 pounds, all trailers and semitrailers that do not use compressed air or vacuum to actuate the brakes, and all passenger vehicles including motorcycles and motor-driven cycles.

Note: Authority cited: Sections 9882, 9887.1 and 9888.2, Business and Professions Code. Reference: Sections 9887.1, 9887.3 and 9888.2, Business and Professions Code.

Additional Notices/Disclosures

Every repair shop must post a sign to inform customers of their rights. This sign must list the rights as follows:

- (1) a written estimate for repair work;
- (2) a detailed invoice of work done and parts supplied;
- (3) return or replaced parts, if requested at the time a work order is placed;
- (4) questions concerning the above should be directed to the manager of this repair facility;
- (5) unresolved questions regarding service work may be submitted to: Bureau of Automotive Repair Toll Free telephone: 800-952-5210.

The sign must meet the following requirements:

- 24-gauge steel or aluminum or synthetic material of equivalent rigidity may be used. Synthetic material may be acceptable provided it meets all of the requirements herein, including durability.
- The background must be semi-gloss white. All print, border stripe and divider stripes, including the State Seal shall be gloss black in color.
- Paint must be a premium grade exterior acrylic enamel or equivalent. The silk screen/bake-on process or an acceptable equivalent may be used.
- All bare metal shall be etched and coated with white primer or equivalent to insure proper paint adhesion and corrosion protection.
- Largest lettering must be 72 pt. Futura Demi "condensed;" medium lettering shall be 48 pt. Futura Bold; and smallest lettering shall be 36 pt. Futura Bold for the signs shown in Figures 1 and 3. The lettering of the supplementary sign shown in Figure 5 must be 48 pt. Futura Bold for the message and 72 pt. Futura Demi "condensed" for the Web site address.
- A three and one-half inch diameter State Seal is required for the signs shown in Figures 1 and 3.
- The use of embossed letters or a clear protective finish coat is permitted, but not required.
- There must be a one-quarter inch mounting hole in each corner.

A copy of the required sign can be found at:

http://www.bar.ca.gov/80_BARResources/07_AutoRepair/Auto_Repair_Guide.html

Additional Resources

Write it Right: A Guide for Automobile Repair Dealers, available at:

http://www.autorepair.ca.gov/80_BARResources/07_AutoRepair/writeAutoRepDir.pdf

Bureau of Automotive Repair Guidelines For Disciplinary Penalties And Terms Of Probation, summary available at:

Part 1: http://www.bar.ca.gov/80_BARResources/09_Enforcement/Disciplinary_Penalties_pt_1.html and

Part 2: http://www.bar.ca.gov/80_BARResources/09_Enforcement/Disciplinary_Penalties_Pt_2.html

Required Sign: (See "Additional Notices/Disclosures Section")

Advertising



Disclosure of Business Name, Address, and Phone Number (16 CCR 3371): All advertisements and advertising signs must clearly show the dealer's firm name and address as they appear on the State registration certificate as an automotive repair dealer. Additionally, if a telephone number appears in an advertisement or on an advertising sign, the number must be the same number as that listed for the dealer in the telephone directory.

Price Advertising (16 CCR 3372.1): Automotive repair dealers may not advertise automotive service at a price which is misleading. According to the California rules, circumstances in which price advertising is misleading include, but are not limited to, the following:

- The automotive repair dealer does not intend to sell the advertised service at the advertised price but intends to entice the consumer into a more costly transaction;
- The advertisement for service has the capacity to mislead the public as to the extent that anticipated parts, labor or other services are included in the advertised price;
- The advertisement for service or repair has the capacity to mislead the public as to the need for additional related parts, labor or other services; or
- The automotive repair dealer knows or should know that the advertised service cannot usually be performed in a good and workmanlike manner without additional parts, services or labor; provided, however, that an advertisement, which clearly and conspicuously discloses that additional labor, parts or services are often needed will, to that extent, not be regarded as misleading. Any such disclosure statement shall indicate that many instances of performance of the service involve extra cost and if the automotive dealer reasonably expects that the extra cost will be more than 25% of the advertised costs, that the extra cost may be substantial. The type size of the disclosure statement shall be at least 1/2 the type size used in the advertised price and the statement shall either be shown near the price or shall be prominently footnoted through use of an asterisk or similar reference.

New, Rebuilt, Reconditioned, or Used Parts/Components (16 CCR 3374): Repair shops may not advertise, represent, or in any manner imply that a used, rebuilt or reconditioned part or component is new unless such part and all of the parts of any component are in fact new.

Guarantees and Warranties (16 CCR §§ 3375, 3377): California rules prohibit advertisements from containing any false or misleading representation concerning the nature, extent, duration, terms or cost of a guarantee of a motor vehicle part, component or repair service.

Any guarantee or any advertisement of a guarantee, which provides for adjustment on a pro-rata basis, is considered false and misleading unless the guarantee and/or the advertisement conspicuously and clearly discloses this fact and the basis on which the guarantee will be pro-rated. If adjustments are based on a price other than that paid by the customer, clear disclosure must be made of the amount. However, a fictitious price must not be used even where the sum is adequately disclosed.

Equipment Requirements

Equipment Requirements for Auto Body Repair Shops [16 CCR 3351.5]

An auto body repair shop that performs automotive painting shall have all equipment and current reference manuals necessary to paint and repair non-structural damage, including but not limited to: (1) corrosion protection application equipment, and (2) equipment capable of applying exterior corrosion resistant primers, anticorrosion compounds and topcoats.

An auto body repair shop that is performing structural repairs shall have all repair, measuring, and testing equipment and current reference manuals necessary to diagnose, section, replace or repair structural damage, including but not limited to:

- (1) A three dimensional measuring system that can locate points with the dimensions of length, width, and height, relative to three defined reference planes;
- (2) A four-point anchoring system capable of holding a vehicle in a stationary position during structural and body pulls which is suitable for the types of vehicles being repaired.
- (3) Equipment capable of making multiple body and structural pulls;
- (4) A Metal Inert Gas (MIG) welder with an output of at least 110 amps for unibody repairs and an output of 200 amps for conventional frame repairs or capable of meeting trade standards for the work being performed;
- (5) Corrosion protection equipment for treating enclosed areas on unibodies and frame assemblies including pressurized spray equipment, flexible and rigid wands capable of reaching full length inside enclosed areas, spray heads capable of 360 degree spray application and spray heads capable of a fan-shaped pattern.

Lamp and/or Brake Adjusters: The Consumer Affairs Department prescribes the equipment required by any station seeking to be licensed as an official lamp or brake adjusting station. (See Cal Bus & Prof Code §§ 9888.1-9888.4)

Estimates (Designation of Person to Authorize Additional Work or Parts)

A customer may designate another individual to authorize work not estimated or parts not included in the written estimate. If a customer so designates, the dealer must record the designation either on the estimate or a separate form. If a separate form is used for the designation, the form and content of the designation shall be as follows:

"DESIGNATION OF PERSON TO AUTHORIZE ADDITIONAL WORK OR PARTS

I hereby designate the individual named below to authorize any additional work not specified or parts not included in the original written estimated price for parts and labor:

Name of Designee:_____ Phone Number:_____

Fax Number:_____ E-Mail Address:_____

Name of Customer:_____ Work Order No.:_____

Date: _____ (Customer's Signature)_____ "

Copies of the signed designation form must be given to the customer and attached to the dealer's copy of the estimate.

Cal Bus & Prof Code § 9884.9; 16 CCR 3353

Estimates (General)



Before any work can begin, a written estimate must be given to the customer that meets the following requirements:

- Parts and labor shall be described separately;
- Each part must be individually identified;
- Each part must be identified as new, used, rebuilt, or reconditioned;
- The estimate must also identify replacement crash parts as original equipment manufacturer (OEM) crash parts or non-OEM aftermarket crash parts;
- Charges for allowable environment waste disposal (discussed below), which also requires listing the dealer's Environmental Protection Agency identification number; and
- A statement of any repair service that will be done by someone other than the dealer.

If a vehicle is delivered for repair after hours or it is towed to the dealer, the dealer must prepare an estimate, give the information to the customer either by phone, fax or e-mail and receive the customer's approval, which must be documented.

Cal Bus & Prof Code § 9884.9; 16 CCR 3353

Estimates (Teardowns)

If it is necessary to tear down a vehicle component in order to prepare a written estimated price for required repair, the dealer must:

- Give the customer a written estimated price for the teardown, which must include the cost of reassembly of the component.
- The estimated price must include the cost of parts and necessary labor to replace items such as gaskets, seals and O-rings that are normally destroyed by teardown of the component.
- If the act of teardown might prevent the restoration of the component to its former condition, the dealer must write that information on the work order containing the teardown estimate before the work order is signed by the customer.
- The repair dealer shall notify the customer orally and conspicuously in writing on the teardown estimate the maximum time it will take the dealer to reassemble the vehicle or component in the event the customer elects not to proceed with the repair of the vehicle and shall reassemble the vehicle within that time period if the customer elects not to proceed with the repair. The maximum time shall be counted from the date of authorization of teardown.
- After the teardown, the dealer must prepare a written estimated price for labor and parts for the required repair and obtain the customer's authorization for either repair or reassembly before any further work is done.

Cal Bus & Prof Code § 9884.9; 16 CCR 3353

Filter Recycling and Disposal

Used oil filters are required to be managed as hazardous waste in California unless the following conditions are met:

- (1) The used oil filters are drained of free-flowing oil;
- (2) The drained filters are properly containerized (rainproof, non-leaking containers with tightly-sealed lids, tightly secured to prevent spillage during transportation);
- (3) The containerized filters are properly labeled ("Drained Used Oil Filters" and the initial date of accumulation or receipt is marked on each container);
- (4) The Labeled containers of drained filters are transported (under a bill of lading containing specified information) to an allowed destination for metals reclamation, such as a smelter or scrap metal processor.
- (5) Generator storage time limits are met: less than 1 ton - 1 year; 1 ton or more - 180 days;
- (6) A copy of each bill of lading is maintained by the generator, transporter and receiving facility for three years; and
- (7) Any drained used oil is managed as hazardous waste according to Article 13, Ch. 6.5 Health and Safety Code, commencing with Section 25250.1.

22 CCR 6266.130

Fluid Disposal



Automobile repair shops may only charge a customer for costs associated with the handling, management and disposal of hazardous substances if they are directly related to the servicing or repair of the customer's vehicle. The charge must be disclosed to the customer by being separately itemized on the estimate and invoice. Additionally, in order to assess the charge, the auto repair shop must include its Environmental Protection Agency identification number on the estimate and invoice.

16 CCR 3356.1

Invoices

All invoices must contain dealer's registration number, business name and address. A telephone number is optional. The invoice must also contain the following information:

All service and repair work performed, including all diagnostic and warranty work, and the price for each described service and repair.

- Each part supplied and its price. The description of each part shall state whether the part was new, used, reconditioned, rebuilt, or an OEM crash part, or a non-OEM aftermarket crash part.
- The subtotal price for all service and repair work performed.
- The subtotal price for all parts supplied, not including sales tax.
- The applicable sales tax, if any.

A dealer may not bill in an invoice for items generically noted as shop supplies, miscellaneous parts, or the like.

An automotive repair dealer may charge a customer for costs associated with the handling, management and disposal of toxic wastes or hazardous substances under California or federal law, which directly relate to the servicing or repair of the customer's vehicle. Such charge must be disclosed to the customer by being separately itemized on the estimate. In order to assess this charge, the dealer must note on the estimate and invoice the station's Environmental Protection Agency identification number.

Upon the request of a customer, the dealer must disclose the location at which any repair work will be done other than repair work to be done at the dealer's location and by the dealer or his/her employees. The customer must be given a legible copy of the invoice. The dealer is required to keep a copy of the invoice for at least three (3) years.

Cal Bus & Prof Code § 9884.8; 16 CCR 3356

Licensing and Registration

All auto repair shops in California must be registered with the Department of Consumer Affairs' Bureau of Automotive Repair. Applications must be made on forms prescribed by the state. Businesses maintaining more than one repair facility may file a single application annually. (See Cal Bus & Prof Code §§ 9884 thru 9884.7 for more details)

The California Business and Professions Code § 9889.50-9889.53 also prescribes licensing requirements for auto body repair shops.

Mechanic Certification

The Consumer Affairs Department licenses lamp and brake adjusters.

Cal Bus & Prof Code §§ 9887.1-9887.4

Other Mandatory State Fees

No Statutes/Regulations available at this time

Parts Return



If the customer requests that parts be returned at the time the work order is placed, the dealer must return the parts except if the following applies:

- Those parts and components that are replaced and that are sold on an exchange basis; provided the customer is informed that said parts are not returnable orally and by written record on the work order and invoice.
- Size, weight or similar facts make it impractical to return the part.
- The parts are required to be returned to the manufacturer or distributor under a warranty agreement.

Cal Bus & Prof Code § 9884.10; 16 CCR 3355

Record Retention

Repair dealers must maintain records that are required by the California Business & Professions Code for at least three years. See Estimate and Invoice requirements (above).

Cal Bus & Prof Code § 9884.11

Revised Estimates

If a repair requires additional work not included in the written estimate and the cost increases, the dealer must obtain the customer's authorization before the additional work is done or parts not estimated are supplied. This authorization must be in written, oral, or electronic form, and describe the additional repairs, parts, labor and the total additional cost. The invoice must contain a statement that additional repairs were authorized and by what means (orally, e-mail, fax). If the customer has authorized repairs according to a work order on which parts and labor are itemized, the dealer cannot change the method of repair or parts supplied without the written, oral, or electronic authorization of the customer.

The following record keeping requirements apply to additional work estimates:

- If obtained orally, the dealer must also make a notation on the work order and on the invoice of the date, time, name of the person authorizing the additional repairs, and the telephone number called, if any, together with the specification of the additional repairs, parts, labor and the total additional cost. When the work is completed, the dealer must either:

- (1) make a notation on the invoice with this same information, or
- (2) have the customer sign a statement that says "I acknowledge notice and oral approval of an increase in the original estimated price" along with the customer's signature or initials.

- If obtained by fax, the dealer must also attach to the work order and the invoice, a faxed document that is signed and dated by the customer and shows the date and time of transmission and describes the additional repairs, parts, labor and the total additional cost.
- If obtained by e-mail, the dealer must print and attach to the work order and invoice, the e-mail authorization, which shows the date and time of transmission and describes the additional repairs, parts, labor and the total additional cost.

Cal Bus & Prof Code § 9884.9; 16 CCR 3353

Shop Fees

There is no specific prohibition against collecting shop fees in any amount. However, California's rules prohibit invoices from containing a separate item generically noted as shop supplies, miscellaneous parts, or the like. As such, items that are normally included in "shop fees" must be broken down and listed separately on all invoices.

Additionally, all businesses must comply with California's Unfair Competition Law. Therefore, any advertisements containing a price for a service should also disclose any applicable shop fees.

16 CCR 3356©

State Battery Recycling and Fees



Dealers selling new lead acid batteries must accept, at the point of transfer, used lead acid batteries from its customers. California does not have a state battery fee.

Cal Health & Saf Code §§ 25215.2, 25215.3

Tire Recycling and Disposal (Including Fees)

California has enacted two separate statutory schemes pertaining to tire disposal fees. Under the first scheme, which is operative until January 1, 2015, retailer sellers of new tires must collect a \$1.75 fee per tire sold. Retailers may retain 1 ½ percent of the fees collected as reimbursement for costs associated with the fee collection and must remit the remainder of fees to the State for deposit in the California Tire Recycling Management Fund on a quarterly basis.

The California tire fee must be separately stated by the retailer on the invoice given to the customer at the time of sale. Therefore, the state tire fee may not be included in calculating shop fees. Retailers may charge additional disposal or transaction fees, but these must be identified separately from the state tire fee. There is no express prohibition from including such additional fees in calculating shop fees.

The second statutory scheme, effective on and after January 1, 2015, is the same as the first with two exceptions. First, the tire fee is reduced to \$.75 per tire. Second, the retailer may retain 3% of the fee before remitting the remainder to the State.

The tire fee does not apply to retreaded, reused, or recycled tires.

Cal Pub Resources Code § 42885

Under Inflated Vehicle Tires

Section 95550 of article 1, chapter 1, subchapter 10, division 3, title 17, California Code of Regulations, to read as follows:

Section 95550 Purpose and Definitions

(a) Purpose. The purpose of this regulation is to reduce greenhouse gas emissions from vehicles operating with under inflated tires.

(b) Applicability.

(1) This regulation applies to all automotive service providers performing or offering to perform automotive maintenance or repair services in California.

(2) This regulation does not apply to:

- (A) auto body and paint facilities;
- (B) auto glass installers;
- (C) auto parts distributors or retailers;
- (D) auto wreckers or dismantlers;
- (E) vehicles with a GVWR over 10,000 lbs.;
- (F) tires determined to be unsafe by an automotive service provider;

(c) Definitions.

(1)"ANSI B40.1 Grade B Tire Pressure Gauge" means a dial-type tire gauge that meets or exceeds the American National Standards Institute mechanical accuracy rating.

(2) "ARB" means the California Air Resources Board.

(3)"Auto Body and Paint Facility" means a business that repairs, reconstructs, or paints motor vehicles and does not perform or offer to perform automotive maintenance or repair services.

(4)"Auto Glass Installer" is a business that repairs or replaces damaged automotive windshields and windows and does not perform or offer to perform automotive maintenance or repair services.

(5)"Auto Parts Distributer" is a business that sells replacement parts or performance accessories for cars, trucks, vans and sport utility vehicles and does not perform or offer to perform automotive maintenance or repair services.

(6)"Auto Wrecker or Dismantled means an automotive dismantler, as defined in title 13, California Code of Regulations section 220 of the vehicle code and does not perform or offer to perform automotive maintenance or repair services.

(7)"Automotive Maintenance or Repair Services" includes, but is not limited to, the performance of any automotive diagnostics of or repairs made to a motor vehicle.

(8) "Automotive Service Provider (ASP)" is any business or person who performs or offers to perform automotive maintenance or repair services (including, but not limited to, automotive dealerships, maintenance garages, oil change facilities, tire centers, and smog check or test only facilities).

(9) "Gross Vehicle Weight Rating (GVWR)" is defined in Vehicle Code Section 350.

(10) "Tire Inflation Guidebook or Yearbook" is a book that contains tire inflation specifications for original equipment tires and wheels and non-original equipment sized tires and wheels. Tire inflation Guidebooks and Yearbooks can be purchased online, from local tire dealers, or from most tire manufacturers.

(11)"Under Inflated Tire" means a tire that is one pound per square inch (psi) or more below the manufacturer's recommended pressure.

(12)"Unsafe Tires" means any tire deemed unsafe by the Automotive Service Provider due to tire wear, age, tread irregularity, or damage. Examples include any tire with exposed ply or cord, sidewall crack, bulge, knot, or ply separation.



(13)"Vehicle Service Invoice" is a document given to the customer that meets the invoice requirements of Business and Professions Code section 9884.8 of the California Code of Regulations section 3356.

(d) Requirements and Compliance Deadlines. Automotive service providers must meet the following requirements:

(1) By July 1, 2010, all automotive service providers are required to:

(A) Check and inflate each vehicle's tires to the manufacturer's recommended pressure at the time of performing any automotive maintenance or repair service; and

(B) indicate on the vehicle service invoice that a tire inflation service was completed and the tire pressures after the service was performed. If a tire inflation service was not performed (i.e. tire(s) were deemed unsafe the automotive service provider must indicate on the vehicle service invoice why the service was not completed; and

(C) use and maintain a ANSI B40.1 Grade B tire gauge for checking tire pressure; and

(D) maintain, on the premises, a tire inflation guidebook or yearbook that is current within three years; and

(E) keep the vehicle service invoice onsite in accordance with the Business and Professions Code Section 9884.11 of the California Code of Regulations section 3356; and

(F) provide documentation of the vehicle service invoice to authorized enforcement personnel upon demand.

Any tires inflated with pure nitrogen gas are also subject to the requirements in section (d)(1)(A-F), but may refuse the inflation portion of the service if a nitrogen inflation system is not available at the time of the service.

(e) Penalties. Any automotive service provider or owner or operator who fails to comply with the requirements of this regulation may be subject to penalties pursuant to Section 38580 of the Health and Safety Code.

(f) Enforcement. Enforcement of this section may be carried out by ARB personnel, and any authorized representatives of ARB.

(g) Relationship To Other Law. Nothing in this section allows automotive service providers to operate in violation of other applicable laws, including but not limited to:

(1) California Vehicle Code

(2) any applicable ordinance, rule or requirement as stringent as, or more stringent than the requirements in section (d) of this regulation.

(h) Severability. If any subsection, paragraph, subparagraph, sentence, clause, phrase, or portion of this regulation is, for any reason, held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion will be deemed as a separate, distinct, and independent provision, and such holding will not affect the validity of the remaining portions of the regulation.

Note: Authority cited: Sections 38510, 38560, 39600, and 39601, Health and Safety Code. Reference: Sections 38510, 38560, 39600, Health and Safety Code.

Warranties



All guarantees must be in writing and given to the consumer with the invoice. The guarantee must disclose:

- The nature and extent of the guarantee including a description of parts, characteristics or properties covered by or excluded from the guarantee.
- The duration of the guarantee.
- Any obligations on the customer before he or she can exercise the guarantee.
- The manner in which the guarantor will perform i.e. whether the guarantee is for repair, replacement or refund and whether this is at the consumer choice.
- The guarantor's identity and address.

16 CCR 3376

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