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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: North Orange County
Community College District
Monterey Bay Area Self
Insurance Authority

A written comment period has been established commencing on December 18, 2015, and closing on February 1, 2016. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for her review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon her or its own motion or at the request of any interested person, will approve, or revise and approve, or return the

proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than February 1, 2016. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the “Commission”), under the authority vested in it under the Political Reform Act (the “Act”)¹ by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulations at a public hearing on or after **January 21, 2016**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on January 18, 2016**.

BACKGROUND/OVERVIEW

Government Code Section 86116 requires any lobbyist employer or person spending \$5,000 or more to influence legislative or administrative action to file periodic reports disclosing payments in the following categories: (1) Payments to lobbying firms, (2) Payments to lobbyists, (3) Activity expenses, and (4) Other payments to influence legislative or administrative action. Section 86110 requires the filers to keep detailed accounts, records, bills and receipts in these categories as required by regulations adopted by the Commission.

Regulations 18615 and 18616 provide the accounting and reporting requirements for each reporting category under Section 86116. This proposal deals with reporting requirements for the “other payments to influence legislative or administrative action” category as specified in Regulation 18616.

Regulation 18616(a)(4) requires all lobbyist employers and \$5,000 filers to report “other payments to influ-

ence legislative or administrative action,” which includes payments for or in connection with:

- “(A) Support or assistance of lobbyists;
- (B) Direct communication with a legislative, agency, or elective state official for the primary purpose of influencing legislative or administrative action; and
- (C) Soliciting or urging persons other than the filer or the filer’s employees to enter into direct communication with a legislative, agency, or elective state official for the primary purpose of influencing legislative or administrative action.”

Currently, even though filers are required to maintain detailed records of all payments to influence, they disclose “other payments to influence” as a lump sum with no detail. These payments can cover a range of expenditures, including advertising campaigns, grass-roots advocacy, contracts with “consultants” not registered as lobbyists, and other activities designed to “influence” directly or indirectly.

Various published reports detail the growing amount of payments classified under “other payments to influence.” Lump sum reporting of this catchall category does not provide the public the ability to know how and where that money is spent. Commission staff is therefore recommending regulatory changes to require itemization of specified payments to help provide more transparency and information to the public consistent with the purposes of the statutory provision.

I. Information and Threshold for Itemization:

Commission staff is recommending that lobbyist employers and \$5,000 filers that file periodic reports under Section 86116 to itemize on a separate form provided by the Commission (current Form 640) “other payments to influence” totaling \$2,500 or more to a payee. Form 640 would be submitted with the report required under Section 86116. The filer would be required to disclose:

- (A) The name and business address of the payee;
- (B) The total payments made during the reporting period;
- (C) The cumulative amount paid during the calendar year; and
- (D) A payment code to describe the primary purpose of the payment.

II. Payment Codes:

The amendments to Regulation 18616 also would require the filer to use a specified payment code to identify the primary purpose of the itemized payment of \$2,500 or more listed on Form 640. The proposed codes are based on the type of payments for which the filers are currently required to maintain detailed records. The payment codes are categorized as follows:

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

- Compensation — compensation of employees other than lobbyists as defined under Regulation 18616(f)(1);
- Expenses — includes expenses incurred by a lobbyist and paid directly by the filer, or expenses incurred by the filer for goods or services used by a lobbyist or used to support or assist a lobbyist in connection with his or her activities as a lobbyist;
- Legislative related-services — including legislative-related services performed by a lobbying firm in the absence of express or implied authorization to engage in direct communication related to researching, monitoring, analyzing or drafting statutes, or recommending strategy, providing advice, or similar services concerning pending or proposed legislative or administrative action under Regulation 18614(b)(2);
- Advertising — including billboards, print, radio, television, text, email and other electronic advertising;
- Public Affairs — including public relations, political consulting, grassroots campaigns, coalition building, publications and media relations; and
- Other — for all other payments.

III. Overhead Expenses and Other Lump Sum Payments:

Certain payments are considered regular, ongoing business expenses that would continue to be incurred in substantially similar amounts regardless of the filer’s activities to influence legislative or administrative action. These payments may continue to be reported as lump sum totals under “overhead expenses” on the Form 640, and all other payments under \$2,500 will be reported as a lump sum. They include:

- Rent;
- Electricity;
- Internet/Phone bills;
- Office supplies;
- Subscriptions to legislative tracking services;
- Compensation for office support staff in a solely secretarial, clerical, or manual role or limited solely to the compilation of data and statistics; and
- All other payments of less than \$2,500 will continue to be reported as a lump sum.

REGULATORY ACTION

- (1) Amend 2 Cal. Code Regs. Section 18616. The proposed amendments incorporate the above changes into Regulation 18616.

SCOPE

The Commission may adopt or reject all or part of the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues. The Commission may delete provisions, adopt the language noticed herein, or choose new language to implement its policy regarding implementation.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of these regulations is to implement, interpret, and make specific Sections 82015 and 85312.

CONTACT

You may send inquiries to Emelyn Rodriguez, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814, telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

TITLE 4. CALIFORNIA HORSE RACING BOARD

RULE 1699, RIDING RULES

The California Horse Racing Board (Board/CHRB) proposes to amend the regulation described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 1699, Riding Rules, to more specifically define the term “interference,” and to also limit the stewards’ ability to disqualify a horse to only those situations where the horse interfered with lost the opportunity for a better placing according to the distribution of the purse or the order of finish in a trial heat. Additionally, the amendments require stewards to issue enhanced penalties against jockeys who commit multiple infractions within a 90-day period or who jeopardize the safety of another horse or jockey.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, February 25, 2016**, or as soon after that as business before the Board will permit, at the **Santa Anita Park Race Track, Baldwin Terrace Room, 285 West Huntington Drive, Arcadia, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m., on February 1, 2016**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Philip Laird, Staff Counsel
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone (916) 263-6025
Fax: (916) 263-6022
E-Mail: pjlaird@chr.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Section 19562, Business and Professions Code. Reference: Sections 19461 and 19562, Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in California. Business and Professions Code section 19461 states that every license granted under this chapter is subject to suspension or revocation by the Board if the Board has reason to believe that any condition has not been complied with, or if any law, rule, or regulation of the Board has been broken or violated.

The proposed amendment to Rule 1699 will better define “interference,” and also limit the stewards’ ability to disqualify a horse to only those situations where the horse interfered with lost the opportunity for a better placing according to the distribution of the purse or the order of finish in a trial heat. Additionally, the proposed amendment will require stewards to issue enhanced penalties against jockeys who commit multiple infractions within a 90-day period or who jeopardize the safety of another horse or jockey.

Specifically, the proposed amendment will remove current subsection (a) and replace it with an enhanced version of current subsection (b), which defines “interference” as “bumping, impeding, forcing or floating in or out or otherwise causing any other horse to lose stride, ground, momentum or position.” This is necessary because the text does not presently define “interfere,” which has caused much of the discrepancy in disqualifications between the various Boards of Stewards. The proposed amendment also re-labels current subsection (c) as subsection (b), and changes the language to allow the stewards to disqualify a horse only if, in their opinion, “the horse interfered with was not at fault and due to the interference lost the opportunity for a better placing according to the distribution of the purse or the order of finish in a trial heat.” This is necessary because it clarifies the specific circumstances in which a

horse may be disqualified. Furthermore, it limits such disqualifications to instances where the horse interfered with would have placed for better purse distribution or in a better position during a trial heat than it did. This is necessary because otherwise stewards would be allowed to disqualify an interfering horse when the horse interfered with would have still finished in a position not earning purse money or not in a better position during a trial heat than it did. In such instances, the interference causes the innocent horse little harm in the sense that it does not lose any purse money, nor does it lose an opportunity to qualify for a race in a trial heat. The proposed amendment also re-labels current subsections (d) through (f) as new subsections (c) through (e), and removes the term “willfully” from current subsection (e). This is necessary because it removes the intent element, which is nearly impossible to prove without admission by the jockey. By removing the term “willfully,” jockeys are held to a higher standard that requires they do not strike to impede, interfere with, intimidate, or injure under any circumstances, which will ultimately improve the welfare and safety of the horses and riders. Finally, the proposed amendment adds new subsection (f), which requires stewards to issue enhanced penalties against jockeys who commit multiple infractions within a 90-day period or who jeopardize the safety of another horse or jockey. This is necessary because it gives jockeys additional incentive to ride as safely as possible knowing that they will otherwise receive greater penalties for redundant or egregious violations of this rule.

POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The proposed amendment to Rule 1699 promotes the safety and welfare of horse and rider, provides clarity and direction for the stewards evaluating the performance of horse and rider, and improves public understanding of what specific actions will cause a horse to be disqualified from a race.

The proposed amendment to Rule 1699 will benefit the welfare of jockeys and horses by incentivizing safer riding on the track. By defining “interference” as “bumping, impeding, forcing or floating in or out or otherwise causing any other horse to lose stride, ground, momentum or position,” jockeys will be on notice of what specific actions can cause their horse to be disqualified in a race. Because a horse’s disqualification can cause that horse to lose its place — which directly affects the amount of purse money that the jockey earns for the race — jockeys will be incentivized to make every effort to prevent their horse from causing such interference. Furthermore, by requiring the stew-

ards to increase penalties against jockeys for multiple or reckless infractions of Rule 1699, jockeys are given additional incentive to ride as safely as possible. Consequently, these measures will reduce the risk of injury to both horse and jockey.

The proposed amendment will also benefit the stewards by better defining what specific actions qualify as “interference.” With the definition described above, the stewards will have increased guidance in how they decide disqualifications, which will cause greater consistency between the various Boards of Stewards by reducing the potential for varied interpretations.

Finally, the proposed amendment will benefit the public by clarifying which actions can cause disqualification and by reducing discrepancies in the stewards’ interpretations of the rule. When a horse is disqualified for interference, every person who wagers on that horse is affected. By identifying exactly which actions qualify as “interference,” stewards will interpret and apply the rule more consistently. In turn, the public will better understand the cause of each disqualification, and be in a position to better evaluate which horses they are willing to wager on with this enhanced understanding of the riding rules that horses and jockeys are subject to.

CONSISTENCY EVALUATION

During the process of developing these regulation amendments, the Board has conducted a search of any similar regulations on this topic and has concluded that the regulation is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURE REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Sections 17500 through 17630: none.

Other non-discretionary costs or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed amendment to Rule 1699 will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: none.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

RESULT OF ECONOMIC IMPACT ANALYSIS

The adoption of the proposed amendment to Rule 1699 will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California. The proposed amendment to Rule 1699 is a benefit to the health and welfare of California residents because it incentivizes safer riding by jockeys and enhances public understanding of the riding rules that competitors are subject to in a horse race. By explicitly stating which acts may cause a horse to be disqualified and mandating increased penalties against jockeys for multiple or reckless infractions of Rule 1699, the proposed amendment incentivizes jockeys to ride more safely, which protects horse, rider, and the wagering public. Furthermore, by defining which specific acts qualify as “interference,” the proposed amendment will also cause stewards to disqualify horses in California more uniformly. This will enhance the public’s understanding of the rule and grow public confidence in wagering on California races, which may result in increased wagering. An increase in wagering will have a positive economic impact on the industry by increasing handle, which in turn increases purses and commissions.

Effect on small businesses: none. The proposal to amend Rule 1699 does not affect small businesses because horse racing associations in California are not classified as small businesses under Government Code Section 11342.610.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome on affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Philip Laird, Staff Counsel
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6025
E-mail: pjlaird@chr.ca.gov

If the person named above is not available, interested parties may contact:

Andrea Ogden, Manager
Policy and Regulations
Telephone: (916) 263-6033

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies may be obtained by contacting Philip Laird, or the alternative contact person at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulation should be sent to the attention of Philip Laird at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be made available after the Board has

adopted the proposed regulation in its current or modified form, should be sent to the attention of Philip Laird at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed text of the regulation and the initial statement of reasons. The Board's web site address is: www.chrb.ca.gov.

TITLE 10. DEPARTMENT OF INSURANCE

**REG-2015-00016
December 18, 2015**

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REVISIONS TO CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN PLAN OF OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Dave Jones will hold a public hearing to address the proposed amendments to the California Automobile Assigned Risk Plan (CAARP) Plan of Operations and Simplified Rules and Rates Manual.

AUTHORITY TO ADOPT RULES AND PROCEDURES AND REFERENCE

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Insurance Code Section 11620(c) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

Date and Time: February 9, 2016
10:00 a.m.
Location: Department of Insurance
Hearing Room
300 South Spring Street
Los Angeles, California 90013

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Michael Riordan, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Emily Gallagher, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
gallagher@insurance.ca.gov
Telephone: (415) 538-4108
Facsimile: (415) 904-5490

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on February 9, 2016**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or fac-

simile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538–4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

CA–15–05

Automobile Insurance Plan Service Office (“AIPSO”) proposes to eliminate the printing and shipping of paper applications. In 2001, AIPSO introduced electronic Plan manuals and forms on its website www.aipso.com, including each state’s Plan Manual and Manual of Rules and Rates, Symbol and Identification Manuals, Personal Auto Portfolio of Forms and Endorsements, and the Countrywide Commercial Auto Portfolio of Forms and Endorsements. These electronic publications are available in both interactive and PDF format free of charge to registered users of AIPSO.com by logging into www.aipso.com and accessing the Plan sites link. AIPSO also provides a free e–mail update service.

Due to lower printing volumes and continual increases in the cost of paper and postage, the unit costs to produce and distribute paper publications have increased significantly. This makes the cost of printing and shipping of paper Plan manuals and other paper publications excessive.

CA–15–06

In the past when Plan assignment volumes were high, an insurer with a quota would write and service their own assignments. Plans commonly made household assignments to these insurers. However, in recent years, as a result of low application volumes, the number of insurers entering Limited Assignment Distribution (LAD) arrangements has increased. Their assignment obligations are assumed by the LAD servicing company. For this reason, the Plan may not assign an applicant to the household insurer.

AIPSO proposes to clarify Plan rules to clearly state that the insurer must have a quota and be taking assignments in order for a household assignment to be made.

CA 15–07

Current Plan rules do not clearly state the \$35 minimum earned commission is applicable only to California Automobile Assigned Risk Plan (CAARP) personal and commercial new business policies.

AIPSO proposes language clarifying that the \$35 minimum commission per policy is applicable to only CAARP (private passenger and commercial auto) new business policies.

CA 15–08

2013 Cal. Stat. 380 (former A.B. 1804) requires an insurer to maintain a verifiable process or adopt a procedure that allows the applicant or policyholder of a personal auto policy to designate one additional person to receive notices of lapse, termination, expiration, nonrenewal, or cancellation for nonpayment of premium.

AIPSO proposes a new procedure that will allow CAARP private passenger applicants and insureds to designate a third party to receive notices of lapse, termination, expiration, nonrenewal, or cancellation for nonpayment of premium on their behalf at the time of application and at any time during the policy period.

CA 15–09

AIPSO proposes updating the private passenger and commercial territory listings to reflect an additional zip code for the city of Sacramento.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR
SCHOOL DISTRICTS OR COSTS WHICH MUST
BE REIMBURSED PURSUANT TO
GOVERNMENT CODE SECTIONS 17500
THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY;
FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES AND
THE ABILITY OF CALIFORNIA BUSINESSES
TO COMPETE

The Commissioner has initially determined that the proposal will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS
OR ENTITIES

The Insurance Commissioner has initially determined that the proposal will not affect private persons or entities.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not affect housing costs.

IMPACT ON SMALL BUSINESS

The Insurance Commissioner has initially determined that the proposal will not affect small business.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The Insurance Commissioner has initially determined that specific technologies or equipment will not be needed.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's website.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

TITLE 10. DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REGARDING COMMERCIAL AUTOMOBILE INSURANCE PROCEDURE RATES FOR THE CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN

**REG-2015-00014
December 18, 2015**

SUBJECT OF HEARING

California's Insurance Commissioner will hold a public hearing to consider the application of the California Automobile Assigned Risk Plan ("CAARP" or "Plan") for approval of increased rates for the five commercial sub-lines for the Commercial Automobile Insurance Procedure ("CAIP").

AUTHORITY AND REFERENCE TO ADOPT RATES

The Commissioner will consider the application pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's

decision on the application will implement, interpret, or make specific the requirements of Insurance Code Section 11624(e). Government Code § 11340.9(g) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the application at the following date, time, and place:

Date: February 9, 2016
Time: 10:00 a.m.
**Place: Department of Insurance
Hearing Room
300 South Spring Street
Los Angeles, CA 90013**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

All persons are invited to submit written comments to the Insurance Commissioner on the application prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Michael Riordan, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Emily Gallagher, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
gallagher@insurance.ca.gov
Telephone: (415) 538-4108

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on February 9, 2016**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Spring Street, 12th Floor
Los Angeles, CA 90013
Telephone: (213) 346–6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to California Insurance Code Section 11624, the Commissioner establishes rates to be charged to those obtaining commercial automobile coverage through CAIP. Section 11624 provides: “Premium charges for the plan shall not be excessive, inadequate, nor unfairly discriminatory, and shall be actuarially sound so as to result in no subsidy of the plan.” Title 10, California Code of Regulations, § 2498.5 references the commercial automobile rate manual, which is approved by the Commissioner but not printed in full in the California Code of Regulations.

The Commissioner is holding the hearing referenced above to accept comments on CAARP’s recent rate application. CAARP has proposed rate changes for five CAIP sub-lines, amounting to an overall average **14.5 percent rate increase**. The five sub-lines are:

Trucks, Tractor and Trailers;
Taxis, Limousines and Van Pools;
All Buses Combined;
Zone Rated Risks and
Employers Non–Ownership Liability.

Further details appear in the rate application on file with the Commissioner and available for review as set forth below.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the application will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

CAARP is proposing overall rate increases for Trucks, Tractor and Trailers; Taxis, Limousines and Van Pools; All Buses Combined; Zone Rated Risks and Employers Non–Ownership Liability. Although the number of commercial auto applications placed by CAARP is small the proposed rate changes could have a statewide economic impact directly affecting businesses, including the ability of California businesses to

compete with businesses in other states. The proposed rate changes could also impact competition or competitiveness. The proposal could also affect the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California. However, California Insurance Code section 11624(e) requires that premium charges for the plan shall be actuarially sound so as to result in no subsidy of the plan by the voluntary market. Therefore, if and to the extent that CAARP is able to demonstrate that certain existing rates are no longer actuarially sound and that rate increases are warranted, the Commissioner is required to approve increased rates. Of course, the Commissioner also recognizes that section 11624(e) requires that rates not be excessive, and the Commissioner will not approve an increase that results in excessive rates.

COST IMPACTS ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has determined that there could be potential cost impacts on businesses directly affected by the proposed rate increases. Although the rate application involves commercial automobile insurance rates, to the extent a rate increase impacts business, it could also impact private persons employed by those businesses. The rate increase could also impact private persons wishing to purchase goods or services from businesses if the price of goods or services is increased to cover the increased cost of insurance coverage.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the application will not affect housing costs.

IMPACT ON SMALL BUSINESS

The proposed rate changes could affect small business.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The application would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself based on technical actuarial principles.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed rate application in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's website.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

**AVAILABILITY OF DOCUMENTS ON
THE INTERNET**

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

**AVAILABILITY OF MODIFIED TEXT
OF REGULATIONS**

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

**TITLE 10. DEPARTMENT
OF INSURANCE**

**REG-2015-00017
December 18, 2015**

**NOTICE OF PROPOSED ACTION AND
NOTICE OF PUBLIC HEARING REVISIONS
TO THE CALIFORNIA LOW COST
AUTOMOBILE PLAN PLAN OF OPERATIONS**

SUBJECT OF HEARING

California Insurance Commissioner Dave Jones will hold a public hearing to address the proposed amendments to the California Low Cost Automobile ("LCA") Plan of Operations.

**AUTHORITY TO ADOPT RULES AND
PROCEDURES AND REFERENCE**

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret, or make specific the requirements of Insurance Code section 11624(e). Insurance Code section 11620(c) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing,

with respect to the proposed changes at the following date, time, and place:

**Date
and Time:** **February 9, 2016
10:00 a.m.**
Location: **Department of Insurance
Hearing Room
300 Spring Street
Los Angeles, California 90013**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

All persons are invited to submit written comments to the Insurance Commissioner on the proposal prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Michael Riordan, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (415) 904-5490

The backup agency contact person for this proceeding will be:

Emily Gallagher, Attorney
California Department of Insurance
Rate Enforcement Bureau
45 Fremont Street, 21st Floor
San Francisco, CA 94105
gallagher@insurance.ca.gov
Telephone: (415) 538-4108
Facsimile: (415) 904-5490

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on February 9, 2016**. Any written materials received after that

time will not be considered. Written comments may also be submitted to the contact person by e-mail or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1 –2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4190

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

LC-15-03

In the past when Plan assignment volumes were high, an insurer with a quota would write and service their own assignments. Plans commonly made household assignments to these insurers. However, in recent years, as a result of low application volumes, the number of insurers entering Limited Assignment Distribution (LAD) arrangements has increased. Their assignment obligations are assumed by the LAD servicing company. For this reason, the Plan may not assign an applicant to the household insurer.

Automobile Insurance Plan Service Office (“AIPSO”) proposes to clarify Plan rules to clearly state that the insurer must have a quota and be taking assignments in order for a household assignment to be made.

LC-15-04

AIPSO proposes to eliminate the printing and shipping of paper applications. In 2001, AIPSO introduced electronic Plan manuals and forms on its website www.aipso.com, including each state’s Plan Manual and Manual of Rules and Rates, Symbol and Identifica-

tion Manuals, Personal Auto Portfolio of Forms and Endorsements, and the Countrywide Commercial Auto Portfolio of Forms and Endorsements. These electronic publications are available in both interactive and PDF format free of charge to registered users of AIPSO.com by logging into www.aipso.com and accessing the Plan sites link. AIPSO also provides a free e-mail update service.

Due to lower printing volumes and continual increases in the cost of paper and postage, the unit costs to produce and distribute paper publications have increased significantly. This makes the cost of printing and shipping of paper Plan manuals and other paper publications excessive.

LC-15-05

AIPSO proposes updating the private passenger and commercial territory listings to reflect an additional zip code for the city of Sacramento.

LC-15-06

The minimum commission rate has been increased from \$35 to \$50 for LCA policies. AIPSO proposes clarification acknowledging the new minimum commission is applicable to both new and renewal LCA policies. A reference linking the Low Cost Program commission rates to the CAARP commission rates is eliminated.

LC-15-07

2013 Cal. Stat. 380 (former A.B. 1804) requires an insurer to maintain a verifiable process or adopt a procedure that allows the applicant or policyholder of a personal auto policy to designate one additional person to receive notices of lapse, termination, expiration, nonrenewal, or cancellation for nonpayment of premium.

AIPSO proposes a new procedure that will allow LCA applicants and insureds to designate a third party to receive notices of lapse, termination, expiration, nonrenewal, or cancellation for nonpayment of premium on their behalf at the time of application and at any time during the policy period.

LC-15-08

When the Low Cost Program was implemented on June 19, 2001, the minimum premium for insured or insurer cancellation of a Low Cost Auto Policy was set identical to that of a California Automobile Assigned Risk Plan personal auto policy. Low Cost Plan of Operations Sections 29.F and 34.A and B.2 state the return premium is calculated based on the pro rata unearned premium for the period of coverage subject to a minimum premium as set forth in the corresponding section of the CAARP Plan of Operation. The minimum premium for a CAARP personal auto policy is \$15 per vehicle or policy, whichever is greater.

The current Low Cost minimum premium does not consider the future increase in minimum earned com-

mission from \$35 to \$50 and transition to a new single installment payment option which offers a 20% deposit and seven monthly installments. To reflect insurer obligation for commission payment as well as insurer costs associated with policy issuance and cancellation, AIPSO proposes a separate minimum premium of \$50 per policy be adopted for the Low Cost Program.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the proposal will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the proposal will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other areas. This proposal will have no effect on the creation or elimination of jobs in California,

the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has initially determined the proposal will have no cost impact on private persons or entities.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the proposal will not impact housing costs.

IMPACT ON SMALL BUSINESS

The Insurance Commissioner has initially determined that the proposal will not impact small business.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The Insurance Commissioner has initially determined that proposal will require no specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The proposed changes describing CAARP's proposals are in plain English.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed amendments in addition to the Informative Digest included in this notice. The Initial Statement of Reasons and this Notice of Proposed Action are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or e-mail request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's website.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's proposed amendments, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

If the Department amends the proposed regulations with changes that are sufficiently related to the original text, the Department will make the full text of the amended regulations, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended regulations.

TITLE 22/MPP. DEPARTMENT OF SOCIAL SERVICES

ORD#0815-10

ITEM #1 Admission Agreements in Residential Care Facilities for the Elderly (RCFE)

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held February 3, 2016, as follows:

Office Building # 8
744 P St. Room 105
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on February 3, 2016.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

CONTACT

Office of Regulations Development
 California Department of Social Services
 744 P Street, MS 8-4-192
 Sacramento, California 95814
 TELEPHONE: (916) 657-2586
 FACSIMILE: (916) 654-3286
 E-MAIL: ord@dss.ca.gov

CHAPTERS

Title 22, Chapters 87100, 87400, 87500, 87700

INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW

Current RCFE regulations include specific requirements for admission agreements between RCFE licensees and residents, such as services made available, payment provisions, modification conditions, refund conditions and other policies and procedures that pertain to the admission agreement.

These proposed regulations will enact the following specified legislations: (1) Senate Bill (SB) 1898, Statute of 2002; (2) SB 211, Statute of 2003; (3) SB 540, Statute of 2003; (4) SB 1662, Statute of 2004; (5) Assembly Bill (AB) 179, Statute of 2005; (6) SB 141, Statute of 2005; (7) AB 949, Statute of 2007; (8) SB 781, Statute of 2009; and (9) AB 261, Statute of 2013.

SB 1898 added requirements regarding fees, deposits and refund conditions.

SB 211 added admission agreement requirements pertaining to format, descriptions and conditions for provisions, prohibitions, billing, payment, refund policies, termination conditions and rate increases.

SB 540 added a requirement that RCFE licensees provide, under specified circumstances, written information about health-related programs and services prior to admission and specified the manner in which it is to be provided to the prospective resident.

SB 1662 required RCFE licensees to provide notice to a resident of a rate increase and specified what must be contained in the notice.

AB 179 required the personal rights form attached to admission agreements to include information on the reporting of suspected/known elder and dependent adult abuse. This bill also required that the form included information on how to contact the Long-Term Care Ombudsman.

SB 141 required admission agreements to include information regarding preadmission fee refunds, including the conditions, timeframes and amounts.

AB 949 required admission agreements to include an explanation of the RCFE licensee's responsibilities regarding preadmission fee refunds, relocations, closures and evictions. This bill also required admission agreements to state licensee responsibilities and resident rights when a facility evicts a resident.

SB 781 required a RCFE licensee who sends an eviction notice to a resident to include in the notice to quit the reasons for the eviction, with specific facts regarding the date, place, witnesses and circumstances concerning the reasons.

AB 261 prohibited a RCFE from requiring advance notice to terminate an admission agreement upon the death of a resident.

Admission agreements specify the type of care that a resident will receive during their stay at a RCFE. Therefore, these agreements are an important consumer protection for RCFE residents and prospective residents.

These regulations will expand requirements for admission agreements, increase understanding of the roles and responsibilities of residents and licensees and empower residents and prospective residents with the knowledge they need to make informed decisions about their care.

During the process of developing these regulations, CDSS has conducted a search of any similar regulations on this topic (Admission Agreement, RCFE) and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

Anticipated Benefits

This regulatory action will benefit families in California in need of services provided at RCFEs, as these amendments provide them with information necessary to make informed choices related to basic services, rate increases and fees as provided in the Admission Agreement and clarifies provisions that are prohibited.

COST ESTIMATE

1. Costs or Savings to State Agencies: No fiscal impact exists.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500-17630: No fiscal impact exists.
3. Nondiscretionary Costs or Savings to Local Agencies: No fiscal impact exists.
4. Federal Funding to State Agencies: No fiscal impact exists.

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in this order that require reimbursement under the laws of California.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The changes reflected in these regulations codify statutes that have been in effect as far back as 2002, with the majority of bills being passed between 2002 and 2009. The most recent bill included in this package was passed in 2013 and reflects a single change in the regulations proposed. The CDSS has not received any facts, evidence, documents, testimony or other evidence to indicate there has been any significant, statewide adverse economic impact on business related to these laws. As such, CDSS has made an initial determination that the proposed action will not have significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any potential cost impacts on representative private persons or businesses as a result of the proposed action.

SMALL BUSINESS IMPACT STATEMENT

These regulations will affect RCFEs that are operating as small businesses. There are no discernable costs with these regulations.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The changes reflected in these regulations codify statutes that have been in effect as far back as 2002, with the majority of bills being passed between 2002 and 2009. The most recent bill included in this package was passed in 2013 and reflects a single change in the regulations proposed. As such, CDSS has determined that the adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. These regulations benefit the health and welfare of California residents by providing stronger consumer protections to the health and safety of California residents residing

in RCFEs, improving the state environment. These regulations have no direct impact on worker safety.

STATEMENT OF EFFECT ON HOUSING COSTS

The CDSS is not aware of any effect the proposed regulatory action will have on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

These regulations are developed in response to legislation — including SB 1898 (Chapter 557, Statutes of 2002); SB 211 (Chapter 409, Statutes of 2003); SB 540 (Chapter 322, Statutes of 2003); SB 1662 (Chapter 401, Statutes of 2004); SB 141 (Chapter 250, Statutes of 2005); SB 179 (Chapter 456, Statutes of 2005); AB 949 (Chapter 686, Statutes of 2007); SB 781 (Chapter 617, Statutes of 2009); and AB 261 (Chapter 290, Statutes of 2013), which amended requirements related to admission agreements.

The CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

AUTHORITY AND REFERENCE CITATIONS

Section 1569 of the Health and Safety (H&S) Code grants CDSS the authority to develop the regulations and Sections 1569.2, 1569.312, 1569.628, 1569.651, 1569.652, 1569.655, 1569.657, 1569.682, 1569.683, 1569.880, 1569.881, 1569.882, 1569.883, 1569.884, 1569.885, 1569.886, 1569.887, 1569.888 and 1569.889 of the H&S Code are being referenced to make the regulations more specific.

CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person:

Oliver Chu
(916) 657-2586

Backup:

Ying Sun
(916) 657-2586

GENERAL PUBLIC INTEREST

CALIFORNIA ENERGY COMMISSION

The California Energy Commission published a Notice of Proposed Action in the December 4, 2015 edition of the California Regulatory Notice Register (Register 2015, No. 49–Z, p. 2221) concerning the Power Source Disclosure Program Implementation. The original comment period deadline was January 19, 2016.

The Department is extending the written comment deadline to February 5, 2016.

Please submit all written comments to:

California Energy Commission
Docket No. 14–OIR–01
 Docket Unit
 1516 Ninth Street, MS–4
 Sacramento, CA 95814–5504

You may also FAX your comments
 Or e–mail them to:

DOCKET@energy.ca.gov

All written comments sent by e–mail must indicate **Docket No. 14–011R–01** in the subject line.

If you have any questions, please contact:

Kevin Chou
 Renewable Energy Office
 California Energy Commission
 1516 Ninth Street, MS–45
 Sacramento, CA 95814–5512
 (916) 653–1628
kevin.chou@energy.ca.gov

DEPARTMENT OF FISH AND WILDLIFE

Project: Bay Bank Retaining Wall Toe Scour Protection
Location: Sonoma County
Applicant: Constance Bay

Background

Constance Bay (Applicant) proposes to stabilize a failing, undercut cement retaining wall with wire mesh and riprap. The failing cement wall is the lower of two retaining walls within the bank of Sonoma Creek that support a private residence, located at 1004 Robertson Road, Glen Ellen, Sonoma County. The Bay Bank Retaining Wall Toe Scour Protection Project (Project) includes the installation of approximately 110 feet of galvanized mesh retaining fence supported by approximately 40, 8–foot galvanized, steel pipes spaced

approximately 30 inches apart. The fence will run parallel to the existing lower retaining wall and the steel pipes will be installed with a hydraulic jack. Approximately 25 cubic yards of riprap will be placed in the undercut between the retaining wall and the mesh fencing.

Work within the creek will consist of installing galvanized fencing and riprap for approximately six to eight linear feet along the bank of Sonoma Creek. This area extends about one to one and a half feet from the existing eroded wall and comprises a small scour pool, approximately six to 12 inches deep. All work will be conducted by hand, and heavy equipment will not be used for the Project. The Applicant will restore the site with live native dogwood plantings, placed every two feet along the length of the project. To ensure a successful vegetation effort, Applicant shall monitor and maintain all plantings as necessary for three years. Applicant expects to complete the project within five to seven days.

The Project activities described above are expected to incidentally take¹ California freshwater shrimp (*Synca-ris pacifica*) where those activities take place within the project site. In particular, California freshwater shrimp could be incidentally taken as a result of capture and relocation efforts, in–channel construction, and project related habitat loss. California freshwater shrimp is designated as an endangered species pursuant to the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.) and an endangered species pursuant to the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). (See Cal. Code Regs., tit. 14, § 670.5, subd. (a)(1)(A).)

California freshwater shrimp individuals are documented as present approximately one mile upstream and downstream of the Project site and there is suitable California freshwater shrimp habitat within and adjacent to the Project site. Because of the proximity of the nearest documented California freshwater shrimp, dispersal patterns of California freshwater shrimp and the presence of suitable California freshwater shrimp habitat within the Project site, the United States Fish & Wildlife Service (Service) determined that California freshwater shrimp is reasonably certain to occur within the Project site and that Project activities are expected to result in the incidental take of California freshwater shrimp.

According to the Service, the Project will result in the permanent alteration of 110 lineal feet (0.0088 acres) of

¹ Pursuant to Fish and Game Code section 86, “‘Take’ means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 CAL.4th 459, 507 (for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), “‘take . . . means to catch, capture or kill”).

aquatic California freshwater shrimp habitat, totaling 0.0088 acres of permanent habitat loss.

Because the Project is expected to result in take of a species designated as endangered under the federal ESA, U.S. Army Corp of Engineers (Corps) consulted with the Service as required by the ESA. On November 9, 2015, the Service issued a biological opinion (Service file No. 08ESMF00-2016-F-0203) (BO) to the Corp. The BO describes the Project, requires the Applicant to comply with terms of the BO and its incidental take statement (ITS), and incorporates additional measures.

On November 13, 2015, the Director of the Department of Fish and Wildlife (CDFW) received a notice from Applicant requesting a determination pursuant to Fish and Game Code section 2080.1 that the BO and its related ITS are consistent with CESA for purposes of the Project and California freshwater shrimp.

Determination

CDFW has determined that the BO, including the ITS, is consistent with CESA as to the Project and California freshwater shrimp because the mitigation measures contained in the BO and ITS, as well as the conditions in the Biological Assessment (BA), meet the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing incidental take of CESA-listed species. Specifically, CDFW finds that: (1) take of California freshwater shrimp will be incidental to an otherwise lawful activity; (2) the mitigation measures identified in the BO and ITS, and BA will minimize and fully mitigate the impacts of the authorized take; (3) adequate funding is ensured to implement the required avoidance minimization and mitigation measures and to monitor compliance with, and effectiveness of those measures; and (4) the Project will not jeopardize the continued existence of California freshwater shrimp. The mitigation measures in the BO and ITS and BA include, but are not limited to, the following:

Avoidance, Minimization, and Mitigation Measures

- Applicant will provide mitigation for permanent impacts by revegetating the site with live native dogwood plantings (*Cornuis sericea*). Dogwood plantings will be placed every two feet along the length of the Project area (110 feet).
- To ensure a successful revegetation effort, the Applicant will monitor and maintain the plantings as necessary for three years. The Applicant will take pre- and post-Project photos from a designated photo station. Monitoring reports and photographs will be submitted to the Service and CDFW by May 1 each year. If vegetation is not surviving, then the Applicant will be responsible

for replacement planting, additional watering, or weeding to ensure the area is vegetated successfully for three years.

- The applicant will ensure that all project related construction activities will occur with hand tools, and no heavy equipment will be used below “ordinary high water.”
- The Applicant will not work during wet weather or where saturated ground conditions exist. If there is a 60 percent chance of a one-half inch or greater rain event within the 24-hour forecast all activities shall cease until 24 hours after the rain ceases.
- The Applicant will ensure that all Service approvals must also be approved by CDFW.
- The Applicant will ensure that immediately prior to installation of the in-stream structure, a qualified biologist will survey for fish and other aquatic species within the wetted channel. A qualified biologist will remove California freshwater shrimp and other aquatic organisms. A seine net, silt fence, or other blocking net or exclusionary fencing will be used to surround the in-water work area to prevent organisms from entering the work area and sediment from entering the creek. If any individuals of listed species are within the work area, then the exclusionary fencing will be opened until the individuals are no longer there.
- The Applicant will ensure that immediately prior to installation of the in-stream structure, the Service-approved biologist will survey for California freshwater shrimp. If California freshwater shrimp are present in the immediate work area, the following procedures will be used.
 - a) California freshwater shrimp will be captured using hand-held nets (e.g., heavy-duty aquatic dip nests (12 inch D-frame net) or small minnow dip nets) and relocated out of the work area in the net or placed in buckets containing stream water and then moved directly to the nearest suitable habitat in the same branch of the creek. Suitable habitat will be identified prior to capturing the California freshwater shrimp to minimize holding time. Suitable habitat is defined as creek sections that will remain wet over the summer and where banks are structurally diverse with undercut banks, exposed fine roots systems, overhanging woody debris, or overhanging vegetation. No California freshwater shrimp will be placed in buckets with other aquatic species.

- b) Once the Service–approved biologist has determined that all shrimp have been effectively relocated, barrier seines or exclusion fencing will be installed to prevent shrimp from moving back in, as appropriate.
 - c) Only Service–approved biologists will participate in the capture, handling, and monitoring of the California freshwater shrimp. The Service–approved biologist will report the number of captures, releases, injuries, and mortalities to the Service within 30 days of project completion. If take exceeds the levels anticipated in the BO, work will stop immediately and the Service will be notified within one working day.
 - The Applicant will not remove large woody debris (LWD) from the active (wetted) channel. Trees may be removed for access routes for construction equipment. If trees need to be removed from other portions of the project site, willows over 3 inches in diameter at breast height will not be removed and there will be no reduction in canopy provided by hardwoods or conifers. The Applicant will replant any trees removed to achieve 1:1 successful vegetation by one of the following methods: a) trees removed can be replanted at 3:1, or b) site can be monitored for 2 years and replanted until 1:1 successful revegetation is achieved.
 - The Applicant will apply appropriate erosion control treatment (mulching, seeding, planting, etc.) prior to the end of construction, prior to a cease of operations due to forecasted wet weather, and within seven days of Project completion. The Applicant will use all feasible techniques to prevent any sediment from entering the drainage system.
 - The Applicant will not use erosion control measures that include monofilament netting or similar materials.
 - The Applicant will ensure that all fueling and maintenance of vehicles and equipment will occur at least 50 feet from any riparian or aquatic habitat. Prior to the start of construction, the Applicant will develop a plan to ensure a prompt and effective response to any accidental spills. The Applicant will inform all workers of the importance of preventing spills and of the appropriate measures to take should a spill occur.
 - The Applicant will revegetate all disturbed areas with an assemblage of native riparian, wetland and upland vegetation following construction.
 - The Applicant will limit access routes requiring tree removal and grading to no more than two. Access routes should not be along the top of the stream bank but relatively perpendicular (45 to 90 degrees is acceptable) to the bank.
 - The Applicant will ensure that, where available, the work areas will be accessed using existing ingress or egress points, or the work will be conducted from the top of the stream banks.
 - The Applicant will remove work pads, falsework, and other construction items from the 100–year floodplain by the end of the construction period.
 - The Applicant will ensure that the disturbance and removal of aquatic vegetation will be minimized to the extent practicable. Downed trees, stumps and other basing sites and refuges within these aquatic habitats should remain undisturbed as much as possible.
- Monitoring and Reporting Measures
- The BO requires the Applicant to submit to the Service a report of the number of captures, releases, injuries, mortalities, within 30 days of project completion. In addition, if take exceeds the levels anticipated in the BO, work will stop immediately and the Service will be notified within one working day. Although not a condition of the BO, CDFW also requests a copy of the post–construction compliance reports and notification of stop work due to take exceedance.
- Financial Assurances
- Prior to initiating Project activities, the Applicant will provide an Irrevocable Letter of Credit or other form of security (Security), approved by CDFW, in an amount sufficient to cover the cost of revegetation planting and monitoring of the Project.
 - The Applicant will obtain CDFW approval of the amount and language of the Security and will fund the Security prior to initiating any project activities that could result in incidental take of California freshwater shrimp. The Security will allow CDFW to draw on the principal sum if CDFW, at its sole discretion, determines that the applicant has failed to implement the required construction and revegetation activities. The Security estimate for funding assurance is approximately \$2,000, and is based on costs for the implementation of the revegetation and monitoring measures.
- Pursuant to Fish and Game Code section 2080.1, take authorization under CESA is not required for the Project for incidental take of California freshwater shrimp provided the Applicant implements the Project as de-

scribed in the BO, including adherence to all measures contained therein, and complies with the mitigation measures and other conditions described in the BO and ITS, and BA. If there are any substantive changes to the Project, including changes to the mitigation measures, or if the Service amends or replaces the BO and ITS or the BA, the Applicant shall be required to obtain a new consistency determination or a CESA incidental take permit for the Project from CDFW. (See generally Fish & G. Code, §§ 2080.1, 2081, subs. (b) and (c)).

DEPARTMENT OF FISH AND WILDLIFE

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

Recovery and Research of California Condor

The Department of Fish and Wildlife (Department) received a proposal on October 21, 2015, from Don Richardson, Curator at the California Living Museum (CALM), requesting authorization to take California Condor (*Gymnogyps californianus*) (condor), for scientific research purposes, consistent with the protection and recovery of the species. The condor is a Fully Protected bird, and is also listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act.

Mr. Richardson requests authorization for captive holding and exhibition of condor, consistent with CALM's state Restricted Species permit, and to provide support for the California Condor Recovery Program in medical care, research activities, and holding or transporting birds in conjunction with program operations and in accordance with the methods approved by the Department and the U.S. Fish and Wildlife Service (under a current Recovery Permit).

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) to authorize qualified professional wildlife personnel, with Mr. Richardson as the Principal Investigator, to carry out the proposed activities. The applicants are also required to have valid federal permits for the condor.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected bird species after a 30-day notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it would issue the authorization on or after January 15, 2016, for an initial and renewable term of up to, but not to exceed, four years.

Contact: Carrie Battistone, Carie.Battistone@wildlife.ca.gov, Phone (916) 445-3615.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Notice of the Department of Toxic Substances Control's Final Fee Decision for 2015 Annual Fee for Metal Shredding Facilities

WHAT IS BEING PROPOSED: The California Department of Toxic Substances Control (DTSC) is preparing to adopt emergency regulations to impose an annual fee on metal shredding facilities. This notice serves to alert the public, the regulated community, and other stakeholders of DTSC's Final Fee Decision for the 2015 Annual Fee for Metal Shredding Facilities.

BACKGROUND: DTSC is authorized by Health and Safety Code section 25150.84 to adopt emergency regulations to establish and administer a fee to be paid by metal shredding facilities at a rate sufficient to reimburse the department for its costs to implement chapter 6.5 of division 20 of the Health and Safety Code, as applicable to metal shredding facilities. DTSC anticipates adopting emergency regulations to establish and administer the fee in late 2015.

DTSC proposes to calculate the annual fee by dividing DTSC's annual projected costs by the number of metal shredding facilities operating in any portion of the calendar year to which the fee applies. The metal shredding facilities to which the fee applies is anticipated to be defined in the emergency regulation as any metal shredding facility operating under any of the following authorities: 1) Notification from the Department in accordance with Title 22 of the California Code of Regulations section 66260.200(f) that otherwise hazardous waste has been classified and may be managed as nonhazardous waste; 2) An order issued by the Department under chapters 6.5 or 6.8 of division 20 of the Health and Safety Code that authorizes a metal shredding facility to continue operations pursuant to specified management and operating conditions; 3) A judgment issued by a court with jurisdiction in a matter to which the Department and at least one metal shredding facility are parties that authorizes operations pursuant to specified management and operating conditions; or 4) A permit issued under chapter 6.5 of division 20 of the Health and Safety Code that authorizes metal shredding operations. The annual projected cost is anticipated to be defined in the emergency regulation as the Department's reasonable and necessary projected costs during each calendar year to implement sections 25150.82 and 25150.84 of chapter 6.5 of division 20 of the California Health and Safety Code.

DTSC published a Public Notice in the November 6, 2015 California Regulatory Notice Register concerning DTSC’s anticipated fee regulations on metal shredding facilities. The notice is available at: <http://www.oal.ca.gov/res/docs/pdf/notice/45z-2015.pdf>.

In the November 6, 2015 Public Notice, DTSC estimated that the annual projected costs for the calendar year January 1, 2015 through December 31, 2015, would be \$290,000, and that six (6) metal shredding facilities would be subject to the fee for 2015. Based on the annual projected costs, DTSC estimated that annual fee for each metal shredding facility would be \$48,333.

COMMENTS RECEIVED: DTSC accepted comments from the public, the regulated community, and other stakeholders concerning the Proposed Annual Fee on Metal Shredding Facilities from November 6, 2015 until November 20, 2015. DTSC received two comments, which represented input from the metal shredding industry, and from one member of the public. The comments are available on the DTSC Web page for Metal Shredding Facilities and Wastes at: <https://www.dtsc.ca.gov/HazardousWaste/MetalShredderPortal.cfm>.

FINAL FEE DECISION: DTSC considered all comments, and has decided to impose the proposed annual fee as presented on November 6, 2015, without modification. DTSC anticipates sending an invoice to each metal shredding facility subject to the annual fee by no later than December 31, 2015. The fee amount is anticipated to be due and payable to DTSC within sixty (60) days of the invoice date.

WHERE TO GET MORE INFORMATION: Additional information is available on the DTSC Web page for Metal Shredding Facilities and Wastes at: <https://www.dtsc.ca.gov/HazardousWaste/MetalShredderPortal.cfm>.

DECISION NOT TO PROCEED

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER 2015 MODIFICATIONS TO THE ZERO EMISSION VEHICLE REGULATION

By notice dated October 13, 2015, and published in the October 30, 2015, California Notice Register, Register 2015, No. 44-Z, the Air Resources Board announced it would conduct a public hearing on December 17, 2015, to consider the 2015 modifications to the Zero Emission Vehicle regulation.

PLEASE BE ADVISED that the proposed regulation on 2015 modifications to the Zero Emission Vehicle will no longer be on the calendar for the December 17, 2015, hearing. The proposed rulemaking action has been withdrawn.

Pursuant to Government Code section. 11347, publication of this Notice of Decision Not to Proceed hereby terminates the rulemaking action originally noticed on October 30, 2015, in the California Regulatory Notice Register.

DISAPPROVAL DECISIONS

DECISIONS OF DISAPPROVAL OF REGULATORY ACTIONS

Printed below are the summaries of Office of Administrative Law disapproval decisions. The full text of disapproval decisions is available at www.oal.ca.gov under the “Publications” tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

BOARD OF BEHAVIORAL SCIENCES

**State of California
Office of Administrative Law**

In re:

Board of Behavioral Sciences

Regulatory Action:

Title 16, California Code of Regulations

Adopt sections: 1805.01, 1805.05, 1822.50, 1822.51, 1822.52, 1829.1, 1829.2, 1829.3, 1877.1, 1877.2, 1877.3

Amend sections: 1805, 1806, 1816, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1829, 1877

DECISION OF DISAPPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL Matter Number: 2015-1014-02

OAL Matter Type: Regular (S)

SUMMARY OF REGULATORY ACTION

On October 14, 2015, the Board of Behavioral Sciences (Board) submitted to the Office of Adminis-

trative Law (OAL) its proposed regulatory action to make numerous changes in title 16 of the California Code of Regulations (CCR) including adopting several new sections and amending numerous sections. The proposed action would make changes to the examination process. Senate Bill 704 (Chapter 387, Statutes of 2011), Senate Bill 821 (Chapter 473, Statutes of 2013) and Senate Bill 1466 (Chapter 316, Statutes of 2014) restructure the examination process effective January 1, 2016.

DECISION

OAL disapproved the above-referenced regulatory action for failure to comply with the clarity standard of Government Code section 11349.1 and for failure to follow required Administrative Procedure Act (APA) procedures. This Decision of Disapproval of Regulatory Action explains the reasons for OAL's action.

CONCLUSION

For the reasons set forth above, OAL has disapproved this regulatory action.

Date: December 3, 2015

Peggy J. Gibson
Senior Attorney
FOR: DEBRAM. CORNEZ
Director
Original: Kim Madsen
Copy: Christy Berger

DEPARTMENT OF MOTOR VEHICLES

**State of California
Office of Administrative Law**

In re:
Department of Motor Vehicles
Regulatory Action:
Title 13, California Code of Regulations
Adopt section: 29.01
DECISION OF DISAPPROVAL OF
REGULATORY ACTION
Government Code Section 11349.3
OAL Matter Number: 2015-1016-01S
OAL Matter Type: Regular (S)

SUMMARY OF REGULATORY ACTION

Through this regular rulemaking, the Department of Motor Vehicles (the "Department") proposes to adopt section 29.01 in title 13 of the California Code of Regulations. In order to ensure safety guidelines are followed by commercial driver license holders, both federal regulations and the California Vehicle Code provide a period of commercial license disqualification when a license holder is convicted of a serious traffic violation. The Department proposes to adopt Section 29.01 to identify which types of California Vehicle Code violations and violations submitted by another state or Canada are considered serious traffic violations.

On October 16, 2015, the Department submitted the above-referenced rulemaking action to the Office of Administrative Law ("OAL") for review. On December 2, 2015, OAL notified the Department of OAL's decision to disapprove the proposed rulemaking. This Decision of Disapproval of Regulatory Action explains the reasons for OAL's action.

DECISION

OAL disapproved the above-referenced rulemaking action for the following reasons: the proposed regulations failed to comply with the clarity, consistency, and necessity standards of Government Code section 11349.1, and the Department failed to follow required Administrative Procedure Act ("APA") procedures.

All APA issues must be resolved prior to OAL's approval of any resubmission.

CONCLUSION

OAL disapproved the above-referenced rulemaking action for the foregoing reasons. Pursuant to Government Code section 11349.4, subdivision (a), the Department may resubmit revised regulations within 120 days of its receipt of this Decision of Disapproval. If you have any questions, please contact me at (916) 324-6948.

Date: December 9, 2015

Steven J. Escobar
Attorney
FOR: DEBRAM. CORNEZ
Director
Original: Jean Shiimoto
Copy: Randi Calkins

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2015-1026-01
BOARD OF EDUCATION

Special Ed., Individuals with Exceptional Needs — Eligibility Criteria

The State Board of Education amended subdivision (b)(10) of section 3030 of title 5 of the California Code of Regulations to add “phonological processing” to the description of basic psychological processes in order to comply with section 56334, which is to be added to the Education Code by Assembly Bill No. 1369 (Stats. 2015, ch. 647) on January 1, 2016. This regulatory action was submitted to the Office of Administrative Law pursuant to subdivision (a)(6) of section 100 of title 1 of the California Code of Regulations.

Title 5
AMEND: 3030(b)(10)
Filed 12/08/2015
Effective 01/01/2016
Agency Contact: Hillary Wirick (916) 319-0644

File# 2015-1029-02
BOARD OF EQUALIZATION
Membership Fees

The State Board of Equalization amended subdivisions (b)(1) and (b)(2) of section 1584 of title 18 of the California Code of Regulations to revise the definition of “nominal amount” for membership fees from \$55 to \$60 beginning January 1, 2016 pursuant to the provisions contained in subdivision (b)(2) of section 1584 of title 18 of the California Code of Regulations and to make other related changes. This regulatory action was submitted to the Office of Administrative Law pursuant to section 100 of title 1 of the California Code of Regulations.

Title 18
AMEND: 1584
Filed 12/08/2015
Agency Contact: Richard Bennion (916) 445-2130

File# 2015-1125-01
CALIFORNIA ALTERNATIVE ENERGY AND
ADVANCED TRANSPORTATION FINANCING
AUTHORITY
Residential Energy Efficiency Loan Assistance
Program

The California Alternate Energy and Advanced Transportation Finance Authority submitted this second emergency readopt action to maintain the regulations adopted in OAL File No. 2015-0227-01E and subsequently readopted in OAL File No. 2015-0827-02EE. The emergency rulemaking adopted sections in Title 4 of the California Code of Regulations for the purpose of implementing the Residential Energy Efficiency Loan Assistance Program, approved by the California Public Utilities Commission under the 2013-2014 Energy Efficiency Pilot Program. This action establishes affordable financing to homeowners and small business owners undertaking emergency efficiency retrofit projects to meet the energy efficiency goals of California.

Title 4
ADOPT: 10091.1, 10091.2, 10091.3, 10091.4,
10091.5, 10091.6, 10091.7, 10091.8, 10091.9,
10091.10, 10091.11, 10091.12, 10091.13,
10091.14, 10091.15
Filed 12/03/2015
Effective 12/07/2015
Agency Contact: Jennifer Gill (916) 653-3033

File# 2015-1110-01
CALIFORNIA DEPARTMENT OF TECHNOLOGY
Conflict-of-Interest Code

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
REPEAL: 28010
Filed 12/03/2015
Effective 01/02/2016
Agency Contact: Brianne Kilbane (916) 323-7527

File# 2015-1027-03
CALIFORNIA HIGHWAY PATROL
Inhalation Hazard Shipment: Routes and Stops

The California Highway Patrol is amending 11 sections and adopting one section in Title 13 of the California Code of Regulations to update the locations of required inspection stops, inspection stops, and stopping places to be used by carriers of inhalation hazards along the designated inhalation hazard routes. The updates are mainly due to business closures or ownership changes.

Title 13
 ADOPT: 1157.21 AMEND: 1157, 1157.4, 1157.6,
 1157.8, 1157.10, 1157.12, 1157.13, 1157.14,
 1157.16, 1157.18, 1157.20
 Filed 12/09/2015
 Effective 04/01/2016
 Agency Contact: Tian-Ting Shih (916) 843-3400

File# 2015-1023-04
 COMMISSION ON PEACE OFFICER STANDARDS
 AND TRAINING
 Minimum Training Standards for Instructors of POST
 — Certified Specialized Training

In this change without regulatory effect, the Commission amends section 1070, subdivision (c), of title 11 of the California Code of Regulations to add the words “is required.” This change would complete a sentence, emphasizing the existing requirement to submit to POST an attestation of equivalency.

Title 11
 AMEND: 1070(c)
 Filed 12/09/2015
 Agency Contact: Patti Kaida (916) 227-4847

File# 2015-1023-05
 COMMISSION ON PEACE OFFICER STANDARDS
 AND TRAINING
 Clarification and Various Corrections (see attached)

In this action, POST makes various changes without regulatory effect to Articles 1 and 3 of Division 2 of Title 11.

Title 11
 AMEND: 1001, 1003, 1004, 1005, 1006, 1007,
 1008, 1009, 1010, 1011, 1012, 1013, 1016, 1018,
 1019, 1051, 1054, 1055, 1056, 1057, 1058, 1060,
 1070, 1071, 1080, 1081, 1082, 1083, 1084, 1950,
 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958,
 1959, 1960
 Filed 12/09/2015
 Agency Contact: Patti Kaida (916) 227-4847

File# 2015-1020-01
 DEPARTMENT OF BUSINESS OVERSIGHT
 Non-depository Operating Subsidiaries

The Department of Business Oversight filed this action to adopt sections 1422.3 and 1950.122.4.2 to title 10 of the California Code of Regulations. The proposed action reverses in regulation previous Commissioner opinions that interpreted licensing exemptions under the California Finance Lender Law (CFL) (specifically, Financial Code section 22050(a) and predecessor statutes) and the California Residential Mortgage Lending Act (CRMLA) (specifically, Financial Code

section 50002(c) and predecessor statutes) to apply broadly to include subsidiaries of the financial institutions listed as exempt from licensure under these statutes. The action would now make institutions specified in section 1422.3 and in section 1950.122.4.2 subject to licensure under the CFL or CRMLA.

Title 10
 ADOPT: 1422.3, 1950.122.4.2
 Filed 12/04/2015
 Effective 09/28/2016
 Agency Contact: Daniel Warren (916) 322-3553

File# 2015-1019-02
 DEPARTMENT OF CORRECTIONS AND
 REHABILITATION
 Segregated Housing

This certificate of compliance action makes permanent the adoption, amendment, and repeal of provisions governing methods for placement and housing of inmates in segregated housing arising out of emergency action OAL file no. 2015-0513-04EON.

Title 15
 ADOPT: 3340, 3341, 3341.1, 3341.2, 3341.3,
 3341.4, 3341.5, 3341.6, 3341.7, 3341.8, 3341.9
 AMEND: 3000, 3044, 3269, 3269.1, 3335, 3335.5,
 3336, 3337, 3338, 3339, 3340 (Renumbered to
 3335.5), 3342, 3343, 3344 REPEAL: 3341, 3341.5
 Filed 12/03/2015
 Effective 12/03/2015
 Agency Contact: Anthony Carter (916) 445-2220

File# 2015-1021-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance filing by the Department of Food and Agriculture (DFA) makes permanent the prior emergency regulatory action (OAL file no. 2015-0428-03E) that expanded the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 106 square miles in San Benito County. The amendment provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the state already under quarantine for the ACP.

Title 3
 AMEND: 3435(b)
 Filed 12/07/2015
 Effective 12/07/2015
 Agency Contact: Sara Khalid (916) 403-6625

File# 2015-1029-06
 DEPARTMENT OF MANAGED HEALTH CARE
 Health Plan Financial Reporting and Monitoring

This rulemaking by the Department of Managed Health Care amends sections in Title 28 of the Califor-

nia Code of Regulations regarding the reporting requirements for, and monitoring of, health plans. More specifically, this action revises deposit requirements, removes phase in provisions for compliance, and clarifies financial reserve requirements for health plans.

Title 28
 AMEND: 1300.76, 1300.76.1, 1300.82.1,
 1300.84.06, 1300.84.2, 1300.84.3
 Filed 12/09/2015
 Effective 04/01/2016
 Agency Contact: Jennifer Willis (916) 324-9014

File# 2015-1020-03
DEPARTMENT OF PESTICIDE REGULATION
Safety Data Sheets

In these changes without regulatory effect, the Department amends four sections in title 3 of the California Code of Regulations to change the name of the document that standardizes chemical safety information requirements from "Material Safety Data Sheet" (MSDS) to "Safety Data Sheet" (SDS).

Title 3
 AMEND: 6170.5, 6723, 6724, 6761
 Filed 12/02/2015
 Agency Contact:
 Linda Irokawa-Otani (916) 445-3991

File# 2015-1019-01
DEPARTMENT OF VETERANS AFFAIRS
Selection Process for Private A/E Firms

This rulemaking by the Department of Veterans Affairs (CalVet) amends sections in Title 12 of the California Code of Regulations regarding contracting for architectural and engineering services by CalVet. More specifically, this action brings the regulations regarding the procedures for contracting these professional services into conformity with Proposition 35. Proposition 35 eliminated certain restrictions on contracting out for such services in public works contracts.

Title 12
 AMEND: 800.1, 803, 804, 809 REPEAL: 808
 Filed 12/02/2015
 Effective 04/01/2016
 Agency Contact: Deanna Beland (916) 651-5045

File# 2015-1023-01
FAIR EMPLOYMENT AND HOUSING COUNCIL
Fair Employment & Housing Act Regulations

The Fair Employment and Housing Council (Council) within the Department of Fair Employment and Housing (Department) filed this action to make comprehensive changes to regulations in division 4.1 of title 2 of the California Code of Regulations that implement,

interpret, and make specific the Fair Employment and Housing Act (FEHA), set forth in the Government Code commencing with section 12900. The action updates the FEHA regulations to conform to several recent legislative bills and court and administrative decisions, and makes other technical changes.

Additionally, the Council moved two articles that pertain to FEHA compliance review and enforcement proceedings under the Department from a subchapter containing Council substantive provisions to a new subchapter under an existing chapter pertaining to Department procedures, and moved one section that contains the Department conflict-of-interest code under another new chapter.

Title 2
 ADOPT: 11023 AMEND: 11005.1 (renumbered to 10500), 11006, 11008, 11009, 11019, 11023 (renumbered to 11024), 11028, 11029, 11030, 11031, 11034, 11035, 11036, 11039, 11040, 11041, 11042, 11043, 11044, 11045, 11046, 11047, 11049, 11050, 11051, 11059, 11060, 11062, 11064, 11065, 11066, 11067, 11068, 11070, 11071, 11075, 11100, 11101, 11103, 11104, 11105, 11111, 11113, 11114, 11121, 11122, 11123, 11128, 11131, 11132, 11133 (renumbered to 10250), 11134 (renumbered to 10251), 11135 (renumbered to 10252), 11136 (renumbered to 10253), 11137 (renumbered to 10254), 11138 (renumbered to 10255), 11139 (renumbered to 10256), 11140 (renumbered to 10257), 11141 (renumbered to 10258) REPEAL: 11024
 Filed 12/09/2015
 Effective 04/01/2016
 Agency Contact: Brian Sperber (213) 337-4495

File# 2015-1119-02
OFFICE OF EMERGENCY SERVICES
Conflict-of-Interest Code

This is a Conflict-of-Interest Code amendment that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 19
 AMEND: 2600
 Filed 12/07/2015
 Effective 01/06/2016
 Agency Contact:
 Jessica Kirschbraun (562) 795-2906

File# 2015-1201-03
OLIVE OIL COMMISSION OF CALIFORNIA
Conflict-of-Interest Code

This is a Conflict-of-Interest code and amendment that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
 ADOPT: 59790
 Filed 12/08/2015
 Effective 01/07/2016
 Agency Contact: Carly Stockman (916) 448-3826

File# 2015-1016-02
 STATE PERSONNEL BOARD
 Application of Merit to Appointments and Recordkeeping

This rulemaking action by the State Personnel Board is in regard to the application of merit to appointments and recordkeeping. This action is exempt from the APA and was submitted to OAL for filing with the Secretary of State and printing in the California Code of Regulations.

Title 2
 ADOPT: 25, 26
 Filed 12/02/2015
 Effective 01/01/2016
 Agency Contact: Jeanne Wolfe (916) 651-1043

File# 2015-1016-03
 STATE PERSONNEL BOARD
 LEAP referral lists and appointments

This rulemaking action by the State Personnel Board is in regard to the Limited Examination and Appointment Program (LEAP). This action is exempt from the APA and was submitted to OAL for filing with the Secretary of State and printing in the California Code of Regulations.

Title 2
 ADOPT: 11, 12, 12.1, 155, 156, 157, 158, 159
 AMEND: 547.52
 Filed 12/02/2015
 Effective 01/01/2016
 Agency Contact: Jeanne Wolfe (916) 651-1043

File# 2015-1016-05
 STATE WATER RESOURCES CONTROL BOARD
 Amendment to the Water Quality Control Plan for Ocean Waters

On April 7, 2015, the State Water Resources Control Board (SWRCB) adopted Resolution 2015-0019, which approved an "Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash" and "Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries" to provide a consistent regulatory approach to reduce trash in state waters. The amendments include six primary elements: a narrative water quality objective, a prohibition of discharge, corresponding applicability, implementation provisions, a

time schedule, and monitoring and reporting requirements.

Title 23
 ADOPT: 3008
 Filed 12/02/2015
 Effective 12/02/2015
 Agency Contact: Katherine Faick (916) 445-2317

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN July 8, 2015 TO
 December 9, 2015**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

- Title 2**
 12/09/15 ADOPT: 11023 AMEND: 11005.1 (renumbered to 10500), 11006, 11008, 11009, 11019, 11023 (renumbered to 11024), 11028, 11029, 11030, 11031, 11034, 11035, 11036, 11039, 11040, 11041, 11042, 11043, 11044, 11045, 11046, 11047, 11049, 11050, 11051, 11059, 11060, 11062, 11064, 11065, 11066, 11067, 11068, 11070, 11071, 11075, 11100, 11101, 11103, 11104, 11105, 11111, 11113, 11114, 11121, 11122, 11123, 11128, 11131, 11132, 11133 (renumbered to 10250), 11134 (renumbered to 10251), 11135 (renumbered to 10252), 11136 (renumbered to 10253), 11137 (renumbered to 10254), 11138 (renumbered to 10255), 11139 (renumbered to 10256), 11140 (renumbered to 10257), 11141 (renumbered to 10258) REPEAL: 11024
 12/08/15 ADOPT: 59790
 12/03/15 REPEAL: 28010
 12/02/15 ADOPT: 25, 26
 12/02/15 ADOPT: 11, 12, 12.1, 155, 156, 157, 158, 159 AMEND: 547.52
 11/19/15 ADOPT: 59550
 11/09/15 AMEND: 18225.7 REPEAL: 18550.1
 11/04/15 AMEND: 37000
 11/03/15 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.125,

	1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.167.2, 1859.193	12/02/15	AMEND: 6170.5, 6723, 6724, 6761
10/28/15	AMEND: 52400	11/24/15	AMEND: 3435(b)
10/19/15	AMEND: 18422	11/24/15	AMEND: 3435(b)
10/19/15	AMEND: 18422.5	11/18/15	AMEND: 6260, 6262, 6264, 6266
10/12/15	AMEND: 599.500	11/13/15	AMEND: 3435(b)
09/24/15	AMEND: 1181.1, 1181.2, 1181.3, 1181.4, 1181.6, 1181.7, 1181.8, 1181.9, 1181.10, 1181.11, 1181.12, 1181.13, 1182.1, 1182.2, 1182.3, 1182.4, 1182.5, 1182.6, 1182.7, 1182.8, 1182.10, 1182.12, 1182.13, 1183.1, 1183.2, 1183.4, 1183.5, 1183.7, 1183.8, 1183.9, 1183.11, 1183.12, 1183.13, 1183.14, 1183.15, 1183.16, 1183.17, 1183.18, 1184.1, 1185.1, 1185.2, 1185.3, 1185.4, 1185.5, 1185.6, 1185.7, 1185.8, 1185.9, 1186.1, 1186.2, 1186.3, 1186.4, 1186.5, 1186.6, 1186.7, 1187.1, 1187.2, 1187.3, 1187.4, 1187.5, 1187.6, 1187.7, 1187.8, 1187.9, 1187.10, 1187.11, 1187.12, 1187.13, 1187.14, 1187.15, 1188.1, 1188.2, 1190.1, 1190.2, 1190.3, 1190.4, 1190.5	11/09/15	AMEND: 1358.4
		11/04/15	AMEND: 6000, 6188, 6742, 6746, 6793
		10/29/15	AMEND: 3435(b)
		10/22/15	ADOPT: 1280.11 AMEND: 1280, 1280.1, 1280.7, 1280.8
		09/30/15	AMEND: 3435(b)
		09/30/15	AMEND: 1380.19, 1430.10, 1430.12, 1430.14, 1430.26, 1430.27, 1430.45
		09/16/15	AMEND: 3435(b)
		08/27/15	AMEND: 3435
		08/26/15	AMEND: 6502
		08/20/15	AMEND: 3435(b)
		08/17/15	AMEND: 2100
		08/14/15	ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452
		08/10/15	AMEND: 6148, 6148.5, 6170, 6216
		08/10/15	AMEND: 3435(b)
		08/10/15	AMEND: 3435(b)
		08/06/15	AMEND: 3435(b)
		08/04/15	AMEND: 3435(b)
09/21/15	AMEND: 35101	07/21/15	AMEND: 3439(b)
09/16/15	AMEND: 54100	07/08/15	AMEND: 3435(b)
09/14/15	AMEND: 55200		
09/10/15	AMEND: 60000, 60010, 60510, 60550, 60560		
09/09/15	ADOPT: 59750		
09/08/15	AMEND: 560		
08/13/15	AMEND: 1859.163.1		
07/30/15	ADOPT: 599.980, 599.981, 599.982, 599.983, 599.984, 599.985, 599.986 AMEND: 599.980 (renumbered to 599.987), 599.981 (renumbered to 599.988), 599.982 (renumbered to 599.989), 599.985 (renumbered to 599.990), 599.986 (renumbered to 599.991), 599.987 (renumbered to 599.992), 599.988 (renumbered to 599.993), 599.990 (renumbered to 599.994), 599.992 (renumbered to 599.995), 599.993 (renumbered to 599.996), 599.994 (renumbered to 599.997), 599.995 (renumbered to 599.998)		
07/16/15	AMEND: 548.42, 548.124		
07/15/15	AMEND: 59640		
07/15/15	AMEND: 18404.2		
07/10/15	AMEND: 18700, 18700.1, 18700.3, 18701, 18702, 18702.2, 18702.4, 18747		
Title 3			
12/07/15	AMEND: 3435(b)		
		Title 4	
		12/03/15	ADOPT: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15
		11/30/15	ADOPT: 7125.1 AMEND: 7113, 7116, 7118, 7119, 7125, 7127
		11/17/15	AMEND: 2000
		11/09/15	ADOPT: 5258, 5271, 5273 AMEND: 5033, 5052, 5100, 5102 (renumbered to 5101), 5103 (renumbered to 5102), 5104 (renumbered to 5103), 5105 (renumbered to 5104), 5106 (renumbered to 5105), 5107 (renumbered to 5106), 5132, 5170, 5190, 5191, 5192, 5200, 5205, 5210, 5230, 5232, 5250, 5255, 5260, 5267 REPEAL: 5101
		11/02/15	ADOPT: 8078.3, 8078.4, 8078.5, 8078.6, 8078.7
		10/27/15	AMEND: 8035
		10/26/15	AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11
		10/05/15	AMEND: 1843.2
		09/08/15	ADOPT: 8130, 8131, 8132, 8133, 8134, 8135, 8136, 8137, 8138

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09/08/15	ADOPT: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15	3726, 3730, 3735, 3740, 3745, 3750, 3755, 3755.010
08/31/15	AMEND: 1844	
08/19/15	AMEND: 1433	
07/31/15	ADOPT: 1866.1 AMEND: 1844	
07/28/15	AMEND: 10325	
07/23/15	AMEND: 1632	
07/22/15	AMEND: 400, 401, 402, 403, 404, 405, 406	
07/15/15	AMEND: 1588	
Title 5		
12/08/15	AMEND: 3030(b)(10)	
11/23/15	ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150	10/02/15 AMEND: 10701 08/31/15 AMEND: 881 08/26/15 AMEND: 513, 524, 530, 541, 553, 620, 620.1, 1900, 1901, 1904, 1913, 1921
11/23/15	ADOPT: 851.5, 853.6, 853.8 AMEND: 850, 851, 853, 853.5, 853.7, 855, 857, 858, 859, 860, 861, 862, 862.5, 863, 864	08/24/15 AMEND: 1810.110, 1810.214, 1810.215, 1810.218, 1810.219, 1810.223.5, 1810.224, 1810.230, 1810.236, 1810.237, 1810.239, 1810.246, 1810.252, 1810.355, 1810.380, 1810.425, 1820.110, 1820.115, 1820.200, 1830.115, 1840.100, 1840.210, 1840.302, 1840.312, 1850.210, 1850.213, 1850.505, 1850.515, 1850.520, 1850.530, 1850.535 REPEAL: 1810.214.1
11/18/15	ADOPT: 80002 AMEND: 80001	07/16/15 ADOPT: 3200.182, 3200.183, 3200.184, 3510.020, 3580, 3580.010, 3580.020, 3900, 3905, 3910, 3910.010, 3910.015, 3910.020, 3915, 3925, 3930, 3935
11/03/15	AMEND: 1505	
10/06/15	AMEND: 80225	
10/05/15	AMEND: 19810	
09/10/15	AMEND: 19810	
07/30/15	ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150	Title 10 12/04/15 ADOPT: 1422.3, 1950.122.4.2 11/02/15 AMEND: 2498.5 11/02/15 AMEND: 2498.4.9 11/02/15 AMEND: 2498.6 10/26/15 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5
07/20/15	ADOPT: 80054.1 AMEND: 80054	10/15/15 ADOPT: 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516
Title 8		
11/23/15	AMEND: 10133.32	
11/05/15	AMEND: 333, 336	
10/21/15	AMEND: 15600, 15609	
09/21/15	ADOPT: 14006.1 AMEND: 14003, 14007	09/17/15 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622
09/21/15	ADOPT: 9785.2.1, 9785.3.1, 9785.4.1, AMEND: 9770, 9785, 9785.4, 9792.5.1	08/19/15 AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1, 1950.122.5.3
09/15/15	AMEND: 3437, 3441, 3664(b)	
08/28/15	AMEND: 3411	
08/27/15	AMEND: 8397.4	
08/27/15	AMEND: 1710	
08/24/15	AMEND: 9810, 9811, 9812, 9814, 9815, 9881.1, 10139 REPEAL: 9813	08/11/15 ADOPT: 80.125.10, 80.129, 80.158.10, 80.166.10, 80.4100.10, 80.4105.10, 80.4105.11, 80.4118.10, 80.4118.11, 80.4305, 80.5100, 80.5200.1, 80.5210, 80.5304.1, 80.5305, 95.600 AMEND: 80.1, 80.2, 80.3, 80.4, 80.5, 80.6, 80.7, 80.8, 80.9, 80.100, 80.125, 80.126, 80.150, 80.151, 80.152, 80.153, 80.154, 80.155, 80.156, 80.157, 80.158, 80.159, 80.160, 80.161, 80.162, 80.163, 80.164, 80.165, 80.166, 80.167, 80.168, 80.169, 80.170, 80.172, 80.173, 80.174, 80.175,
08/20/15	AMEND: 14300.2	
08/12/15	AMEND: 30, 30.5, 31.1, 100, 104, 105, 106, 109	
08/10/15	AMEND: 333, 336	
07/30/15	ADOPT: 5184 AMEND: 5185	
Title 9		
11/05/15	AMEND: 4210	
10/07/15	ADOPT: 3200.245, 3200.246, 3510.010, 3560, 3560.010, 3560.020, 3700, 3701, 3705, 3706, 3710, 3715, 3720, 3725,	

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07/21/15 ADOPT: 18959, 18960, 18961, 18962, 18963, 18964, 18965, 18966, 18967, 18968, 18969, 18970, 18971

07/13/15 AMEND: 1038, 1052.1

07/10/15 ADOPT: 748.5

Title 14, 27

11/10/15 ADOPT: Title 14: 17017, 17854.1, 17863.4.1, 17868.3.1, 17896.1, 17896.2, 17896.3, 17896.4, 17896.5, 17896.6, 17896.7, 17896.8, 17896.9, 17896.10, 17896.11, 17896.12, 17896.13, 17896.14, 17896.15, 17896.16, 17896.17, 17896.18, 17896.19, 17896.20, 17896.21, 17896.22, 17896.23, 17896.24, 17896.25, 17896.26, 17896.27, 17896.28, 17896.29, 17896.30, 17896.31, 17896.32, 17896.33, 17896.34, 17896.35, 17896.36, 17896.37, 17896.38, 17896.39, 17896.40, 17896.41, 17896.42, 17896.43, 17896.44, 17896.45, 17896.46, 17896.47, 17896.48, 17896.49, 17896.50, 17896.51, 17896.52, 17896.53, 17896.54, 17896.55, 17896.56, 17896.57, 17896.58, 17896.59, 17896.60, 17896.61, 18221.5.1, 18221.6.1 AMEND: Title 14: 17362.2, 17377.2, 17381.1, 17383.3, 17383.4, 17383.7, 17388.3, 17403.1, 17403.2, 17403.3, 17409.2, 17852, 17855, 17855.2, 17855.3, 17856, 17857.1, 17857.2, 17859.1, 17862, 17862.1, 17863, 17863.4, 17867, 17868.1, 17868.2, 17868.3, 17868.5, 17869, 18083, 18100, 18101, 18102, 18103, 18103.1, 18103.2, 18104, 18104.1, 18104.2, 18104.3, 18104.6, 18104.9, 18105, 18105.1, 18105.2, 18105.3, 18105.5, 18105.6, 18105.8, 18105.9, 18105.11, 18227, 18302; Title 27: 21620, Appendix 1 REPEAL: Title 14: 17855.4

Title 15

12/03/15 ADOPT: 3340, 3341, 3341.1, 3341.2, 3341.3, 3341.4, 3341.5, 3341.6, 3341.7, 3341.8, 3341.9 AMEND: 3000, 3044, 3269, 3269.1, 3335, 3335.5, 3336, 3337, 3338, 3339, 3340 (Renumbered to 3335.5), 3342, 3343, 3344 REPEAL: 3341, 3341.5

11/23/15 AMEND: 3173.2

11/17/15 ADOPT: 3317.1, 3317.2 AMEND: 3310, 3315, 3317

11/05/15 AMEND: 3349 REPEAL: 3349.1.1, 3349.1.2, 3349.1.3, 3349.1.4, 3349.2.1, 3349.2.2, 3349.2.3, 3349.2.4, 3349.3, 3349.3.1, 3349.3.2, 3349.3.3, 3349.3.4, 3349.3.5, 3349.3.6, 3349.3.7, 3349.4.1, 3349.4.2, 3349.4.3, 3349.4.4, 3349.4.5, 3349.4.6

09/28/15 AMEND: 8199

09/15/15 AMEND: 3375.1, 3377

09/01/15 AMEND: 8113

09/01/15 ADOPT: 3999.19

08/26/15 ADOPT: 8115, 8116, 8116.1, 8117

08/06/15 ADOPT: 8005 AMEND: 8004, 8004.2, 8004.3

07/31/15 AMEND: 3043, 3044

07/27/15 ADOPT: 3410.2 AMEND: 3000, 3173.2, 3287, 3410.1

07/15/15 ADOPT: 1830.1, 1840.1, 1847.1, 1848.5, 1849.1, 1850.1 AMEND: 1800, 1806, 1812, 1814, 1830, 1831, 1840, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1856, 1860, 1866, 1867, 1868, 1870, 1872, 1876, 1878, 1888, 1890, 1892 REPEAL: 1857

Title 16

11/30/15 ADOPT: 1820.7 AMEND: 1820, 1820.5, 1822

11/25/15 AMEND: 1209, 1214, 1216, 1221, 1255, 1258, 1258.1, 1258.2, 1258.4 REPEAL: 1258.3

11/24/15 ADOPT: 2386.5 AMEND: 2382, 2383, 2384, 2385, 2386, 2387, 2388

11/23/15 AMEND: 109

11/20/15 AMEND: 4151, 4152

11/19/15 AMEND: 1793.5

10/28/15 AMEND: 1399.100, 1399.101, 1399.102, 1399.105, 1399.111, 1399.113, 1399.114, 1399.115, 1399.116, 1399.117, 1399.118, 1399.119, 1399.120, 1399.121, 1399.122, 1399.126, 1399.127, 1399.132, 1399.133, 1399.134, 1399.135, 1399.136, 1399.137, 1399.138, 1399.139, 1399.140, 1399.141, 1399.142, 1399.143, 1399.144, 1399.150.1, 1399.150.2, 1399.150.3, 1399.151, 1399.151.1, 1399.152, 1399.152.1, 1399.152.2, 1399.152.3, 1399.153, 1399.153.2, 1399.153.3, 1399.153.4, 1399.153.8, 1399.153.9, 1399.154, 1399.154.1, 1399.154.2, 1399.154.3, 1399.154.4, 1399.154.5, 1399.155, 1399.156, 1399.156.2, 1399.156.3, 1399.156.5,

1399.157.2, 1399.159, 1399.159.01,
1399.159.1, 1399.159.2, 1399.159.3,
1399.160.1, 1399.160.2, 1399.160.3,
1399.160.7, 1399.160.8, 1399.160.9,
1399.160.10, 1399.160.12, 1399.170.15,
1399.170.18, 1399.180, 1399.182

09/29/15 ADOPT: 1746.3

09/21/15 ADOPT: 1399.15, 1399.16 AMEND:
1398.1, 1398.3, 1398.11, 1398.13,
1398.26.5, 1398.31, 1398.37, 1398.44,
1398.47, 1398.52, 1399, 1399.12,
1399.24, 1399.94 REPEAL: 1399.15,
1399.16

09/21/15 AMEND: 639, 641

09/21/15 AMEND: 635

09/14/15 ADOPT: 12.1 AMEND: 12

09/03/15 AMEND: 1399.671, 1399.673, 1399.676

08/31/15 AMEND: 1364.10, 1364.12, 1364.13,
1364.14

08/24/15 AMEND: 12, 12.5, 37

08/20/15 AMEND: 3305

08/20/15 AMEND: 1417

08/19/15 ADOPT: 2744, 2744.1

08/18/15 ADOPT: 309, 309.1, 309.2, 309.3, 309.4

08/06/15 AMEND: 109

08/03/15 AMEND: 19

07/27/15 AMEND: 2517.5, 2575.5

07/23/15 AMEND: 98

Title 17

11/16/15 ADOPT: 95480, 95481, 95482, 95483,
95483.1, 95483.2, 95484, 95485, 95486,
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