

ASCCA Legislative Update – by Jack Molodanof

Legislation:

Electric Vehicle Batteries

SB 615 – Electric Vehicle Batteries – Concerns

This bill, among other things, requires that automotive repair dealers who remove electric battery from a vehicle for repair, remanufacturing, or recycling must ensure that the battery is disposed of properly, adhering to the end-of-life requirements specified in the legislation.

Status: Senate Environmental Committee.

AB 841 – Battery Storage – Watch

This bill would declare the intent of the Legislature to enact legislation relating to battery storage requirements for private businesses. Status: Introduced.

AB 855 – Commercial Electric Vehicle Safety – Watch

This bill would require the Office of Emergency Services, on or before January 1, 2027, to develop and post on its website, an action plan for responding to electric commercial motor vehicle battery fires that covers specified topics, including best practices for reducing wildfire risk and mitigating the risk of battery reignition. Status: Assembly Transportation Committee.

Employment

AB 845 – Heat Illness Prevention – Watch

This bill would declare the intent of the Legislature to enact legislation that would ensure that workers know their rights and are prepared to protect themselves during extreme heat-related events.

Status: Introduced.

AB 1331 – Workplace Surveillance – Concerns

This bill would limit the use of workplace surveillance tools, as defined, by employers, including by prohibiting an employer from monitoring or surveilling workers in private, off-duty areas, as specified, and requiring workplace surveillance tools to be disabled during off-duty hours, as specified.

Status: Introduced.

AB 1371 – Occupational Safety: Hazardous Waste – Watch

This bill would, among other things, allow an employee, acting in good faith, to refuse to perform a task assigned by an employer if it would violate those prescribed safety standards or if the employee has a reasonable apprehension that the performance of the assigned task would result in injury or illness to the employee or other employees. Status: Assembly Labor & Employment Committee.

SB 310 – Failure to Pay Wages: Penalties – Concerns

Existing law allows wage claim penalties to either be recovered by an employee as a statutory penalty or by the Labor Commissioner as a civil penalty, as prescribed. This bill also would permit the penalty to be recovered through an independent civil action, as specified.

Status: Senate Labor, Public Employment & Retirement Committee.

Employment continued

SB 446 – Data Breaches: Customer Notification – Watch

This bill would require that data breach disclosure to be made within 30 calendar days of discovery or notification of the data breach but would authorize a business to delay the disclosure to accommodate the legitimate needs of law enforcement, as specified, or as necessary to determine the scope of the breach and restore the reasonable integrity of the data system. Status: Senate Judiciary Committee.

SB 590 – Paid Family Leave – Watch

This bill would, commencing July 1, 2027, expand eligibility for benefits under the paid family leave program to include individuals who take time off work to care for a seriously ill designated person. Status: Senate Labor, Public Employment & Retirement Committee.

SB 642 – Employment: Payment of Wages – Watch

This bill, among other things, would prohibit an employer from paying employees at wage rates less than the rates paid to employees of another sex instead of the opposite sex, and would require a civil action to recover wages to be commenced no later than 3 years after the cause of action occurs or 4 years if the cause of action arises out of a willful violation.

Status: Senate Labor, Public Employment & Retirement Committee.

Vehicle Emissions

AB 272 – Heavy-Duty Vehicle Inspection Program – Watch

This bill would require within 4 years following the full implementation of the Heavy-Duty Vehicle Inspection and Maintenance program, but not later than December 31, 2026, the state board provide the first of the 2 biennial reports on its internet website. Status: Assembly Transportation Committee.

SB 712 – Smog Check: Exemption – Watch

This bill would fully exempt a collector motor vehicle from the smog check requirement if the vehicle is at least 35 model years old and proof is submitted that the motor vehicle is insured as a collector motor vehicle, as specified. Status: Senate Transportation Committee.

Ignition Interlock Devices

AB 71 – Ignition Interlock Devices – Watch

This bill would extend the sunset of the ignition interlock device program currently in place from January 1, 2026, to January 1, 2033. Status: Assembly Appropriations Committee.

AB 366 – Ignition Interlock Devices – Watch

This bill would extend the operation of the ignition interlock device provisions indefinitely and would repeal related reporting requirements. Status: Assembly Public Safety Committee.

Career Technical Education

AB 401 – Career Technical Education – Watch

This bill is intended to provide greater stability in funding for career technical education by automatically renewing grants awarded pursuant to the California Career Technical Education Incentive Grant Program for three years if the grant recipient meets specified requirements. Status: Assembly Education Committee.

Career Technical Education continued

SB 343 – Career Technical Education Teaching Credentials – Watch

This bill would require the commission to grant a waiver from the minimum requirements for the 3-year preliminary designated subjects career technical education teaching credential and the 5-year clear designated subjects career technical education teaching credential to an individual meeting prescribed requirements, including, among other things, having a valid industry-recognized certification in a trade designated by the commission. Status: Senate Education Committee.

SB 845 – Career Technical Education – Watch

This bill, among other things, would require the Superintendent to set forth those standards in terms of a wide range of specific competencies in each career technical education subject area, rather than in each academic subject area, as specified. Status: Senate Education Committee.

Other Bills of Interest

AB 476 – Junk Dealers and Recyclers – Watch

This bill, among other changes, would require the statement indicating ownership or the name of the person from whom the seller obtained the junk from to be signed and would require the statement to include specified information, including the legal name, date of birth, and place of residence of the seller. Status: Assembly Business & Professions Committee.

AB 646 – Insurance: Warranty: Catalytic Converter – Watch

This bill would limit the warranty benefit to the actual cost of replacing the catalytic converter if the warranty covers only the vehicle's catalytic converter. Status: Assembly Transportation Committee.

AB 987 – Towing – Watch

This bill would state the intent of the Legislature to enact legislation to ensure towing operators have reasonable standards. Status: Introduced.

AB 1338 – Hazardous Waste – Watch

The bill, among other things, would require the department, on or before July 1, 2026, to convene a stakeholder working group to identify potential technologies to reduce the generation of hazardous waste. Status: Assembly Environmental, Safety & Toxic Material Committee.

AB 1355 – Location Privacy – Watch

This bill would prohibit a covered entity, as defined, from collecting or using the location information of an individual unless doing so is necessary to provide goods or services requested by that individual and the individual has expressly opted into the collection or use of their location information for that purpose. Status: Assembly Privacy & Consumer Protection.

SB 480 – Autonomous Vehicles – Watch

This bill would, commencing January 1, 2026, authorize an autonomous vehicle to be equipped with automated driving system (ADS) marker lamps in accordance with specified standards.

Status: Senate Transportation Committee.

Other Bills of Interest continued

SB 682 – Environmental Health: Product Safety – Concerns

Prohibits a person from distributing, selling or offering for sale in the state a product that contains Polyfluoroalkyl substance, unless currently unavoidable. These substances are used in many products, including automotive products such as gaskets, shock absorbers and bushings. This bill is similar to last year's SB 903, which died in the Senate Appropriations Committee. Status: Senate Environmental Quality Committee.

SB 766 – California Combating Auto Retail Scams Act – Watch

This bill would enact the California Combating Auto Retail Scams (CARS) Act. The bill would make it a violation of the act for a dealer to make any misrepresentation regarding material information about specified matters relating to the vehicle sale, including the costs or terms of purchasing, financing, or leasing a vehicle, the availability of vehicles at an advertised price, and the remedy available if a dealer fails to sell or lease a vehicle at the offering price. Status: Senate Transportation Committee.

Regulations:

California Energy Commission (CEC) – Replacement Tire Regulations

The California Energy Commission (CEC) continues working on replacement tire efficiency regulations that require tire retailers, including all automotive repair dealers, to display signs, provide tire efficiency disclosures to consumers and to include this information in all advertising, and ensure retailers receive training on the sale of these new efficient tires. We worked with CEC to pursue exemptions for tire sellers who engage in occasional sales and to clarify requirements relating to signs, disclosures and advertising. We submitted suggested amendments and met with CEC to express concerns. We are waiting the release of the revised tire regulation text and will provide updates as they become available. For more details, see link below. <https://www.energy.ca.gov/programs-and-topics/programs/replacement-tire-efficiency-program>

Bureau of Automotive Repair

Vehicle Storage Fee Regulations. The BAR is proposing new regulations that will significantly impact how automotive repair dealers charge for vehicle storage fees. Under the proposed regulations, repair dealers that perform repairs resulting from accidents or theft recoveries must report their daily storage rate to BAR annually. The proposal has raised many concerns, including how storage fees are calculated and whether BAR's oversight could limit the rates that repair dealers can charge. For more details, see link below. <https://www.bar.ca.gov/public-workshops/>

Tear Down Regulations.

The BAR is proposing regulations to revise the tear-down process (disassembly to prepare and estimate) to include a description of the area of the vehicle being disassembled. If the payment amount by a third-party insurer is known, it must be included in the estimate. If the amount from the third-party insurer is not known, the repair dealer must provide a disclaimer stating that it is the customer's responsibility to contact the third party for approval of payment for the repairs. The regulations also include provisions that discourage repair shops from adopting the exact insurer estimate and instead encourage shops to create their own estimate. For more information, see link below. <https://www.bar.ca.gov/regulatory-actions>

Bureau of Automotive Repair continued

BAR Citation & Fine Program. The BAR continues to increase the number of citations and fines issued to California automotive repair dealers. Automotive repair dealers may be eligible to attend an 8-hour BAR-approved remedial training course. Successful completion of this course removes the citation from the BAR website.

<https://www.bar.ca.gov/arsc/newsletters/newsletter/fall-2023/citation-and-remedial-training-programs>

Right to Repair – Congress

Two competing bills are being proposed in Congress: The Right to Equitable and Professional Auto Industry Repair (REPAIR) Act (H.R. 1566) and the Safety and First Emphasis (SAFE) Repair Act, which is expected to be introduced soon. These bills are part of ongoing efforts to legislate fair competition and consumer choice within the auto repair industry, balancing the interests of independent repair providers, manufacturers, and dealerships.