



Automotive Service Councils of California  
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November 2025

## ASCCA Legislative Update – by Jack Molodanof

The Legislature has adjourned for the year and will reconvene in January. In the interim, several key regulatory proposals remain pending. Below is the **November Regulatory and Legislative Report**:

### Regulations:

#### BAR Vehicle Storage Fee Regulations

The BAR is moving forward with new regulations that will significantly impact how automotive repair dealers charge vehicle storage fees. *These regulations are expected to be released very soon for public comment.* Under the proposed rules, repair dealers performing repairs resulting from accidents or theft recoveries will be required to report their daily storage rates to BAR annually. BAR will then conduct a survey to determine the average daily storage rate. The proposal has raised several concerns, including how storage fees will be calculated and whether BAR's oversight could limit the rates that repair dealers may charge. Once the revised regulations are made public, we will forward them for review and comment.

See link for details: <https://www.bar.ca.gov/public-workshops/>

#### BAR Change of Address Regulations

The BAR is proposing amendments to its regulations that would update and align notification timeframes for licensees reporting address or material changes, remove outdated or duplicative language, eliminate an obsolete form, and make minor technical edits for clarity and consistency. For more details, see the link: <https://www.bar.ca.gov/regulatory-actions>

#### BAR Biometric Device Updates

The BAR is proposing to amend its regulations and update the Smog Check and Vehicle Safety Systems Inspection (VSSI) Manuals to: (1) allow use of the Fujitsu palm vein scanner model FAT13FPS01 or any newer versions, including future Fujitsu models, and (2) update the version dates of the Vehicle Safety Systems Inspection and Smog Check Manuals to reflect these revisions.

For more details, see the link: <https://www.bar.ca.gov/regulatory-actions>

#### California Energy Commission (CEC) – Replacement Tire Regulations

The California Energy Commission (CEC) has indicated its desire to create 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. There has been no public announcement of when they will release the revised tire regulation text. We will continue to monitor and provide updates as they become available. See link for details:

<https://www.energy.ca.gov/programs-and-topics/programs/replacement-tire-efficiency-program>

## Legislation:

### Bureau of Automotive Repair

**SB 774** – Bureau of Automotive Repair (BAR) – Support. AB 471 (Low) (2021), among other things, authorized the BAR to establish an informal citation conference for automotive repair dealers and to create a program allowing remedial training in lieu of posting minor violations online until July 1, 2026. The bill included a sunset provision (automatically terminates) for the BAR remedial training program for citations. This remedial program, modeled after the DMV’s traffic school, allows an automotive repair dealer to avoid public disclosure of BAR citations if they successfully complete a BAR-accepted 8-hour remedial training course. Originally set to expire July 1, 2026, this provision will now remain in effect until January 1, 2028, aligning with the BAR Sunset Review process and allowing for evaluation and potential adoption as a permanent program.

Status: Signed by the Governor and chaptered into law.

### Towing and Storage

**AB 987** – Towing and Storage –Concerns/Amendments. This bill would prohibit automotive repair dealers from charging storage fees on holidays and when the repair shop is closed. We met with the Assembly member's staff and requested amendments. The bill was amended to address concerns.

Status: Signed by the Governor and chaptered into law.

### Electric Vehicle Batteries

**SB 615** – Electric Vehicle Batteries – Concerns. This bill, among other things, requires that automotive repair dealers who remove electric batteries 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: Assembly Floor - Inactive File-Two-year bill.

**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’ internet website an action plan for responding to electric commercial motor vehicle battery fires that cover specified topics, including best practices for reducing wildfire risk and mitigating the risk of battery reignition.

Status: Assembly Appropriations Committee – Held in Committee.

### Employment

**AB 1221** – Workplace Surveillance Tools. Concerns. This bill would require an employer, at least 30 days before introducing workplace surveillance tools, to provide a worker written notice that includes, among other things, a description of the worker data to be collected, the intended purpose of the workplace surveillance tool, and how this form of surveillance is necessary to meet that purpose.

Status: Assembly Appropriations Committee – Held in Committee.

**AB 1234** – Employment – Nonpayment of Wages. Concerns. This bill would impose up to a 30% administrative penalty fee on every order, decision, or award issued by the Labor Commissioner.

Status: Senate Floor – Inactive File – Two-year bill.

## Employment Continued

**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 employee-only, employer-designated areas, as specified. The bill would provide workers with the right to leave behind workplace surveillance tools that are on their person or in their possession when entering certain employee-only areas and public bathrooms and during off-duty hours, as specified. The bill would prohibit a worker from removing or physically tampering with any component of a workplace surveillance tool that is part of or embedded in employer equipment or vehicles. Status: Senate Floor – Inactive File – Two-year-bill.

**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. Two-year bill.

**SB 294** – The Workplace Know Your Rights Act – Watch. Requires employers to provide a written notice annually to each employee, and upon hire, informing them of their rights under state and federal law, as specified. It directs the Labor Commissioner to develop a template notice, as well as videos for employers and employees informing them of their responsibilities and rights; requires employers, if authorized by an employee, to contact an employee's designated emergency contact if the employee is arrested or detained. Status: Signed by the Governor and chaptered into law.

**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 by an independent civil action through the Private Attorneys General Act (PAGA). Status: Senate Floor – Inactive File.

## Vehicle Emissions

**AB 1368** – Smog Check- Exemption – Watch. This bill would extend the smog check exemption from vehicles that were manufactured prior to the 1976 model year, to any motor vehicle that is 30 or more model years old. Status: Assembly Transportation Committee. Two-year bill.

## Vehicle Emissions Continued

**SB 712** – Smog Check: Exemption - Watch. This bill, known as the Jay "Leno's Law", would, commencing on January 1, 2027, fully exempt from the smog check requirements, both biennially and at transfer, a motor vehicle that is at least 35 model years old, was manufactured prior to the 1981 model year, has been assigned a special identification plate indicating that it is a historical vehicle, and is insured as a collector motor vehicle. vehicle, as specified. The bill, beginning January 1, 2028, would expand this exemption by one model year, every year, for 5 years. Status: Assembly Appropriations Committee – Held in 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 – Held in Committee.

**AB 366** – Ignition Interlock Devices – Watch. This bill would extend the operation of the ignition interlock device provisions until January 1, 2033, and would instead reinstate the law to how it read prior to January 1, 2019, on January 1, 2033. Status: Signed by the Governor and chaptered into law.

## 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 Appropriations Committee – Held in Committee.

**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 with prescribed requirements, including, among other things, having a valid industry-recognized certification in a trade designated by the commission. Status: Senate Education Committee. Two-year bill.

**SB 845** – Career Technical Education – Watch. This bill, among other things, makes several changes to the state's framework for career technical education and work-based learning.

Status: Assembly Education Committee – Two-year bill.

## Other Bills of Interest

**AB 646** – Insurance: Warranty: Catalytic Converter - Watch. This bill will 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 Appropriations Committee – Held in 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 Appropriations Committee – Held in Committee.

**SB 354** – Insurance Consumer Privacy Protection Act of 2025 – Watch. This bill would create and update standards for the collection, processing, retaining, or sharing, collectively known as "processing", of consumers' personal information by licensees and their third-party service providers. Status: Assembly Insurance Committee – Two-year bill.

### **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 like last year’s SB 903, which died in the Senate Appropriations Committee. Status: Vetoed by Governor.

**SB 766** – California Combating Auto Retail Scams Act – Watch. The bill sets new requirements for motor vehicle dealers including customer disclosures, document retention, and a 10-day right to cancel for customers. Status: Signed by the Governor and chaptered into law.

**SB 791** - Vehicle Dealers – Watch. This bill would authorize a dealer to charge a document processing charge that exceeds those amounts if the charge does not exceed 1% of the total price of the vehicle and does not exceed \$260. Status: Vetoed by Governor.

**SB 861** – Consumer Affairs – Watch. This is the annual omnibus bill for the Department of Consumer Affairs and makes non-substantive, and non-controversial changes to the Business and Professions Code. Status: Signed by the Governor and chaptered into law.