

**State of California  
Office of Administrative Law**

**In re:**  
California Highway Patrol

**Regulatory Action:**

**Title 13, California Code of Regulations**

**Adopt sections:**

**Amend sections: 1239**

**Repeal sections:**

**NOTICE OF APPROVAL OF CHANGES  
WITHOUT REGULATORY EFFECT**

**California Code of Regulations, Title 1,  
Section 100**

**OAL Matter Number: 2024-0117-01**

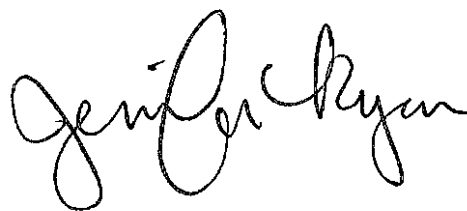
**OAL Matter Type: Nonsubstantive (N)**

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In this filing for a change without regulatory effect pursuant to section 100 of Title 1 of the California Code of Regulations, the California Highway Patrol is amending section 1239 of Title 13 of the California Code of Regulations to incorporate by reference the most recent edition (April 1, 2024) of the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria. The April 1, 2024, edition will replace the April 1, 2023, edition currently in effect.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

**Date:** February 26, 2024



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Jenifer Ryan  
Senior Attorney

**For:** Kenneth J. Pogue  
Director

**Original:** Sean A. Duryee, Commissioner  
**Copy:** J. Lopez

# NONSUBSTANTIVE

For use by Secretary of State only

<b>OAL FILE NUMBERS</b>	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2024-0117-01N</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only		OFFICE OF ADMIN. LAW 2024 JAN 17 PM3:41	
NOTICE		REGULATIONS	

**ENDORSED - FILED**  
 in the office of the Secretary of State  
 of the State of California

**FEB 26 2024**

*1:48 PM*

AGENCY WITH RULEMAKING AUTHORITY California Highway Patrol	AGENCY FILE NUMBER (if any) CHP-R-2024-06201
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**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<b>OAL USE ONLY</b>	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER PUBLICATION DATE

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) CVSA NAS Out-of-Service Criteria	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 1239
TITLE(S) 13	REPEAL

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmission of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

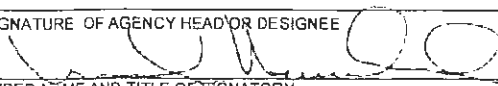
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <b>04/01/2024</b>

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6860)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify) _____			

7. CONTACT PERSON Officer Jesus Lopez	TELEPHONE NUMBER (916) 843-3400	FAX NUMBER (Optional) (916) 322-3154	E-MAIL ADDRESS (Optional) jesus.lopez@chp.ca.gov
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I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 01/12/2024
TYPED NAME AND TITLE OF SIGNATORY M. W. HEADRICK, Assistant Chief	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

**FEB 26 2024**

**Office of Administrative Law**

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

**ADOPTED TEXT**

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5  
AMEND ARTICLE 7.5, SECTION 1239

**COMMERCIAL VEHICLE SAFETY ALLIANCE  
NORTH AMERICAN STANDARD OUT-OF-SERVICE CRITERIA  
(CHP-R-2024-06201)**

*Existing Text:* ..... Times New Roman 12 point font.  
*Additions:* ..... Times New Roman 12 point font with single underline.  
*Deletions:* ..... ~~Times New Roman 12 point font with strikethrough.~~

**TITLE 13, CALIFORNIA CODE OF REGULATIONS  
DIVISION 2, CHAPTER 6.5  
ARTICLE 7.5, SECTION 1239 IS AMENDED TO READ:**

**§1239. Commercial Vehicle Safety Alliance North American Standard Out-of-Service  
Criteria.**

(a) *Applicability.* This article shall apply to those vehicles described in Section 34500 of the California Vehicle Code (CVC).

(1) Modified Limousines. Items specifically applicable to buses shall also be applicable to modified limousines.

(b) *Incorporation by Reference.* This article incorporates by reference portions of the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria (rev. April 1, 2023~~2023~~2024), including Part I, Part II, Part III, Part IV, and Appendix.

(c) *Availability of Referenced Criteria.* Copies of the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria can be obtained from:

Commercial Vehicle Safety Alliance

99 M Street, SE, Suite 1025

Washington, DC 20003

Phone: 202-998-1002

Or

[www.cvsa.org](http://www.cvsa.org)

Note: Authority cited: Sections 2402, 2410, 2800, 31401 and 34501, Vehicle Code. Reference: Sections 260, 322, 2402, 2410, 2800, 2804, 12500, 12502, 12515(b), 14603, 15210, 15250, 15275, 15278, 23152, 24002, 24004, 24400, 24252, 24600, 24603, 24604, 24952, 27154, 27155, 27465, 27501, 27903, 29001, 29002, 29003, 29004, 31401, 34500, 34501, 34506, 34510 and 34520, Vehicle Code; and Section 39831, Education Code.