

**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: 2020-0123-01

OAL Matter Type: Nonsubstantive (N)

This action, without regulatory effect, incorporates by reference the current version of the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria.

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

Date: February 27, 2020



Mark Storm
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Warren A. Stanley,
Commissioner

Copy: . David Kelly

NONSUBSTANTIVE

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2020-023-01N	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED - FILED

in the office of the Secretary of State
of the State of California

FEB 27 2020
1:40 PM

2020 JAN 23 A 10:09

OFFICE OF
ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY
California Highway Patrol

AGENCY FILE NUMBER (if any)
CHP-R-2020-06204

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)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
		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"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §11349.3, 11349.4)	<input type="checkbox"/> Resubmittal 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)

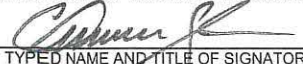
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <u>April 1, 2020</u>
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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 §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON David Kelly, Regulations Officer	TELEPHONE NUMBER (916) 843-3400	FAX NUMBER (Optional) (916) 322-3154	E-MAIL ADDRESS (Optional) dkelly@chp.ca.gov
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8. 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 1/21/20
TYPED NAME AND TITLE OF SIGNATORY C. M. CHILDS, Assistant Chief	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 27 2020

Office of Administrative Law

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

PROPOSED 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, APRIL 1, 2020
(CHP-R-2020-06204)**

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 including Part I (with the exception of the Skill Performance Evaluation Certificate), Part II, Part III, Part IV, and Appendix. All references to the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria in this article are those criteria published on April 1, 2019~~20~~.

(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

6303 Ivy Lane, Suite 310

Greenbelt, MD 20770

Phone: 301-830-6143 Fax: 301-830-6144

Or

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.