

NOTICE PUBLICATION/REGULATION SUBMISSION

REGULAR

(See instructions on reverse)

on

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2016-0804-01	REGULATORY ACTION NUMBER 2016-1010-035	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

NOV 22 2016

1:49 P.M.

2016 OCT 10 P 3:38
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY
California Highway Patrol

AGENCY FILE NUMBER (if any)
CHP-R-16-04

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE CVSA NAS Out-of-service criteria	TITLE(S) 13	FIRST SECTION AFFECTED 1239	2. REQUESTED PUBLICATION DATE 8/19/2016
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Kristi McNabb	TELEPHONE NUMBER (916) 843-3416	FAX NUMBER (Optional) (916) 322-3154
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 Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2016, 34-2	PUBLICATION DATE 8/19/2016

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
REPEAL
TITLE(S) 13

3. TYPE OF FILING

<input checked="" 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 §511346.2-11347.3 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 type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 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 Resubmittal of disapproved or withdrawn emergency filing (Gov.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 checked="" 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 type="checkbox"/> Effective other (Specify) _____
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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 Kristi McNabb	TELEPHONE NUMBER 916-843-3416	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) kmcnabb@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 6/23/16
TYPED NAME AND TITLE OF SIGNATORY J. T. Epperson, Assistant Chief	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 22 2016

Office of Administrative Law

UNITED STATES
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

OCT 10 9 38 AM '63

RECEIVED
OCT 10 1963
FEDERAL BUREAU OF INVESTIGATION

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

FINAL 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-16-04)**

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).

(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, ~~Strategic Plan,~~ 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, 2015~~6~~.

(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 Lance Suite 310

Greenbelt, MD: 20770:

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

Note: Authority cited: Sections 2402, 2410, 31401 and 34501, Vehicle Code. Reference: Sections 260, 322, 2402, 2410, 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.