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16 CA ADC § 3340.35

16 CCR § 3340.35

Cal. Admin. Code tit. 16, § 3340.35

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 33. BUREAU OF AUTOMOTIVE REPAIR
CHAPTER 1. AUTOMOTIVE REPAIR DEALERS AND OFFICIAL STATIONS AND ADJUSTERS
ARTICLE 5.5. MOTOR VEHICLE INSPECTION PROGRAM

This database is current through 7/10/09, Register 2009, No. 28

§ 3340.35. A Certificate of Compliance, Noncompliance, Repair Cost Waiver or an Economic Hardship Extension.

(a) A licensed station shall purchase certificates of compliance and noncompliance from the bureau or an authorized agent of the bureau only, and under the following terms and conditions:

(1) A certificate of compliance or noncompliance shall be purchased by a licensed station for a fee determined pursuant to section 3340.35.1 of these regulations; and

(2) Full payment is required at the time the certificates are ordered.

(b) A licensed station shall not sell or otherwise transfer unused certificates to another licensed station, to a new owner of the business, or to any person other than a customer whose vehicle has been inspected in accordance with the procedures specified in section 3340.42 of this article.

(c) A licensed station shall issue a certificate of compliance or noncompliance to the owner or operator of any vehicle that has been inspected in accordance with the procedures specified in section 3340.42 of this article and has all the required emission control equipment and devices installed and functioning correctly. The following conditions shall apply:

(1) Customers shall be charged the same price for certificates as that paid by the licensed station; and

(2) Sales tax shall not be assessed on the price of certificates.

(d) No person shall sell, issue, cause or permit to be issued any certificate purported to be a valid certificate of compliance or noncompliance unless duly licensed to do so.

(e) A repair cost waiver or an economic hardship extension shall be the same fee as a certificate of compliance or noncompliance.

Note: Authority cited: Sections 44002 and 44060, Health and Safety Code. Reference: Sections 44010, 44011, 44014, 44015 and 44060, Health and Safety Code; and Sections 4000.2 and 4000.3, Vehicle Code.

HISTORY

1. Amendment of subsection (a) filed 3-28-86; designated effective 5-1-86 (Register 86, No. 13).
2. Amendment of subsections (a) and (b) filed 8-24-88; operative 9-23-88 (Register 88, No. 37).
3. Amendment of subsection (a)(1) filed 1-25-89; operative 3-1-89 (Register 89, No. 7).
4. Amendment filed 4-16-90; operative 4-16-90 (Register 90, No. 19).
5. Editorial correction of printing error in subsection (b) (Register 91, No. 6).
6. Amendment of subsection (a)(1) filed 12-18-91; operative 2-1-92 (Register 92, No. 10).
7. Amendment of subsection (a)(1) filed 5-8-95 as an emergency; operative 5-8-95 (Register 95, No. 19). A Certificate of Compliance must be transmitted to OAL by 9-5-95 or emergency language will be repealed by operation of law on the following day.
8. Repealer of subsection (d), subsection relettering, amendment of newly designated subsection (d), and amendment of Note filed 6-23-95 as an emergency; operative 6-23-95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-21-95 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 5-8-95 order transmitted to OAL 8-31-95 and filed 9-25-95 (Register 95, No. 39).
10. Certificate of Compliance as to 6-23-95 order transmitted to OAL 10-20-95 and filed 12-6-95 (Register 95, No. 49).
11. Amendment of subsection (a)(1) and Note filed 2-11-97 as an emergency; operative 2-11-97 (Register 97, No. 7). A Certificate of Compliance must be transmitted to OAL by 6-11-97 or emergency language will be repealed by operation of law on the following day.
12. Certificate of Compliance as to 2-11-97 order transmitted to OAL 5-30-97 and filed 7-8-97 (Register 97, No. 28).
13. Amendment of subsection (a)(1) filed 2-26-98 as an emergency; operative 2-26-98 (Register 98, No. 9). A Certificate of Compliance must be transmitted to OAL by 6-26-98 or emergency language will be repealed by operation of law on the following day.
14. Amendment of subsection (a)(1) refiled 6-24-98 as an emergency; operative 6-25-98 (Register 98, No. 26). A Certificate of Compliance must be transmitted to OAL by 10-23-98 or emergency language will be repealed by operation of law on the following day.
15. Certificate of Compliance as to 6-24-98 order, including amendment of section heading, section and Note, transmitted to OAL 10-16-98 and filed 12-2-98 (Register 98, No. 49).

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