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### 16 CA ADC § 3340.41.5

16 CCR § 3340.41.5

Cal. Admin. Code tit. 16, § 3340.41.5

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  
§ 3340.41.5. Tampering with Emissions Control Systems.

A tampered emissions control system is an emissions control system which is missing, modified or disconnected. An emissions control system which has a missing, modified, or disconnected emissions related component is also deemed a tampered emissions control system. For purposes of the visual emission control system inspection pursuant to Health and Safety Code Section 44012(a), the terms missing, modified and disconnected are defined as follows:

(a) Missing. A missing emissions control system or component is one which has been removed from the vehicle or engine.

(b) Modified. An emissions control system is deemed to have been modified if:

(1) the system has been disabled, even though it is present and properly connected to the engine and/or vehicle;

(2) an emissions related component of the system has been replaced by a component not marketed by its manufacturer for street use on the vehicle; or

(3) an emissions related component of the system has been changed such that there is no capacity for connection with or operation of other emissions control components or systems;

(c) Disconnected. A disconnected hose, wire, belt or component is one which is required for the operation of an emissions control system and which has been disconnected.

Note: Authority cited: Section 44002, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44012(a), 44013(b) and 44017, Health and Safety Code.

### HISTORY

1. New section filed 11-7-84; effective thirtieth day thereafter (Register 84, No. 45).

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