

Addendum to the Initial Statement of Reasons

Title 13, Division 1, Chapter 1

Article 3. Vehicle Registration and Titling

During the 45-day comment period, the department identified the applications identified in Section 156.00 and 156.01 could be submitted to the department electronically. The applicant will be required to provide the department with the same information that is currently requested on the forms REG 1000 and REG 1000D. Moving the application process to the online environment will allow the department to receive the applications quicker and issue the decals quicker and with more efficiency.

§ 156.00. Clean Air Vehicle Decals.

Subsection (d) identified the forms required when an application for Clean Air Vehicle Decals is being made. Subsection (d)(1) adopted the Application for Clean Air Vehicle Decals, form REG 1000, and subsection (d)(2) adopted the New Vehicle Dealer Application for Clean Air Vehicle Decals, form REG 1000D, for use by vehicle dealers who are applying for decals prior to the sale of the vehicle. The department will no longer accept the forms REG 1000 or the REG 1000D and will move the application process to its web portal. The information required during the electronic application process is consistent with the information required to be provided on the Forms REG 1000 and REG 1000D. Neither application process will require more information than that which already exists on either form. Subsection (d) is amended to make clear the applicant is required to apply for the decals through the department's internet portal. These changes are necessary to ensure the applicant is made aware of who can apply for decals and the method by which the application will be made.

Subsection (d)(1) is amended to make clear that only the registered owner of the vehicle may apply for Clean Air Vehicle Decals. This information was contained at the top of the form REG 1000 and is moved into the regulation for clarity. Subsection (d)(1) is amended to remove reference to the Application for Clean Air Vehicle Decals, form REG 1000, and establishes the information that will be required during the application process.

Subsection (d)(1)(A) is adopted to require the applicant provide the registered owner's true full name, or business name, and the driver's license number or identification card number. Subsection (d)(1)(B) is adopted to require the applicant to provide their physical residence or business address and the mailing address, if the mailing address is different from the physical residence or business address. This requirement is consistent with the information an applicant currently provides on the form REG 1000. Subsection (d)(1)(C) is adopted to require the applicant to provide the vehicle purchase date. Subsection (d)(1)(D) is adopted to require the applicant to provide the vehicle year, make, and model. Subsection (d)(1)(E) is adopted to require the applicant to provide the vehicle identification number and the license plate number. The information required from subsections (d)(1)(A) through (E) are all consistent with the information the applicant is currently required to provide in Section 1 of the REG 1000 (Current Registered Owner Information).

Subsection (d)(1)(F) is adopted to require the applicant to provide an indication of the vehicle's motive power. Subsection (d)(1)(G) is adopted to require the applicant to provide an indication

of whether the application is for the issuance of an original decal, to correct or update information, to transfer to a new owner, or a replacement. If the application is for replacement decals, subsection (d)(1)(G)1. requires the applicant to provide an indication of the previous decal number and whether the decals were stolen lost or damaged and, for clarity, states that replacement decals are available for vehicles that have been involved in an accident in which body work affected decal placement. If the application is for a replacement ID card, Subsection (d)(1)(G)2. requires the applicant to provide an indication of whether the transaction will update or correct information or to transfer to a new owner. The information required from subsections (d)(1)(F) and (d)(1)(G) are consistent with the information the applicant is currently required to provide in Section 2 of the REG 1000 (Clean Air Vehicle Decals).

Subsection (d)(1)(H) is adopted to place into regulation the matrix an applicant can reference to determine whether their vehicle type is one that qualifies for either a Clean Air Vehicle Decal or participation in the Clean Vehicle Rebate Project, or both, based on the applicant's gross annual income. The information provided in subsection (d)(1)(H), including the matrix, are consistent with the requirements of Vehicle Code section 5205.5 and are adopted in the regulation to ensure interested parties do not have to consult multiple resources to determine their eligibility for each program. Subsection (d)(1)(I) is adopted to require the applicant to provide their printed name, telephone number, and email address, and certify under penalty of perjury that they have read the important information provided in subsection (d)(1)(H). The certification is consistent with the certification the applicant is required to complete on the REG 1000. Furthermore, the information contained in the proposed rule is consistent with the information provided in Section 3 of the REG 1000 (Important Information and Certification). There are no changes to the information an applicant provides on the REG 1000 and through the department's internet portal and the move from the form to the electronic environment does not materially alter the requirements, rights, responsibilities, conditions, or prescriptions contained in the original text.

Subsection (d)(2) allows vehicle dealers to apply to the department for Clean Air Vehicle Decals that can be assigned to vehicles prior to sale. This subsection is amended to remove reference to the New Vehicle Dealer Application for Clean Air Vehicle Decals, form REG 1000D, and requires the applicant to provide information specified in subsections (d)(2)(A) through (F).

Currently, Subsection (d)(2)(A) provides that a vehicle owner who purchases a vehicle to which decals have already been assigned, is not required to complete a form REG 1000. The department proposed to amend this subsection to require the dealer to provide the vehicle purchaser with a form REG 1000 so they can transfer the Clean Air Vehicle Decal from the dealer to themselves. The department is removing both of those requirements and is amending subsection (d)(2)(A) to require the dealer applicant to provide the dealer's business name and dealer number. Subsection (d)(2)(B) is adopted to require the dealer applicant to provide the dealer's physical address. The information required in subsections (d)(2)(A) and (B) are consistent with the information the applicant is currently required to provide in Section 1 of the REG 1000D (Dealer Information).

Subsection (d)(2)(C) is adopted to require the dealer applicant to provide the vehicle identification number. Subsection (d)(2)(D) is adopted to require the dealer applicant to provide the vehicle year, make, and model. Subsection (d)(2)(E) is adopted to require the dealer

applicant to provide an indication of the vehicle's motive power. The information required in subsections (d)(2)(C) through (E) are consistent with the information the dealer applicant is required to provide in Section 2 of the REG 1000D (New Vehicle Information).

Subsection (d)(2)(F) is adopted to require the dealer applicant to sign the certification under penalty of perjury that the information provided during the application process is true and correct and to further agree to inform the purchaser of their duty to provide the department with updated information. The certification is consistent with that provided in Section 3 of the form REG 1000D (Certification).

The originally proposed amendment to adopt subsection (d)(2)(B), is renumbered (d)(2)(G). The text is unchanged.

Subsection (d)(3) allows registered owners with fleets of like vehicles to submit one application that identifies each vehicle for which decals are being requested by providing specified information. The department is repealing subsections (d)(3), (d)(3)(A), and (d)(3)(A)1. through 5. Due to the new electronic application process, registered owners of fleet vehicles will be required to apply for vehicles individually as provided in subsection (d)(1). Due to the repeal of subsection (d)(3), subsection (d)(3)(B) is also repealed.

Subsection (e) establishes the department will notify the applicant within 30 days if the application is incomplete or deficient. Subsection (e)(1) and (e)(1)(A) defines the term "deficient" and that the department will notify the applicant of specific reasons for which the application is deficient. Subsection (e)(2) and (e)(2)(A) explain when an application is considered complete and makes clear that the department will issue decals when the application is complete. Subsection (e) is repealed in its entirety. As the application process is moved to an electronic environment, the applicant will be prompted for information with several screens. Once all screens are complete, the application will be considered complete and the department will issue decals. The electronic application process makes the information contained in subsection (e) unnecessary.

Originally proposed subsection (e)(1) is renumbered to (e). Subsection (e) makes clear the Clean Air Vehicle Decals will be issued with a Clean Air Vehicle Certificate that will be kept with the vehicle's current registration and presented to a peace officer upon demand.

Subsection (f) is amended to remove reference to subdivision (d)(3)(A) as that subsection is repealed. Subsection (f) is also amended to remove reference to the application being mailed to the department's Special Processing Unit or to any field office, due to lack of necessity.

§ 156.01. Clean Air Vehicle Decals: Transfers and Replacements.

Subsection (d) is amended to remove reference to the form REG 1000 and remove reference to the form being available at field offices or on the department's website. The form REG 1000 will no longer be made available at field offices or through the website. Instead, subsection (d) is amended to include reference to the application process adopted in Section 156.00(d)(1)(A) through (d)(1)(H).

Subsection (e) instructs the applicant how to complete a form REG 1000 when replacement decals are being requested and is being repealed for lack of necessity. The process for applying for a replacement decal is established in Section 156.00.

Subsection (e)(1) instructs the applicant how to complete a REG 1000 when the applicant only wants a new Clean Air Certificate and is being repealed for lack of necessity. This information is provided in Section 156.00

Subsection (g) is amended to remove reference to the application and the address to where applications are to be mailed or delivered. The electronic application process makes this information unnecessary.

§ 156.02. Participation in the Clean Air Vehicle Decal Program and/or CARB's Clean Vehicle Rebate Project.

Subsection (b) is amended adopt the address to where unwanted decals are to be sent. The originally proposed text cites the address provided in Section 156.00, which is removed by this action.