



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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**PROPOSED ACTION ON
REGULATIONS**

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**TITLE 2. STATE COUNCIL ON
DEVELOPMENTAL DISABILITIES**

**NOTICE OF INTENTION TO AMEND THE
CONFLICT-OF-INTEREST CODE
OF THE STATE COUNCIL ON
DEVELOPMENTAL DISABILITIES**

NOTICE IS HEREBY GIVEN that the State Council on Developmental Disabilities pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on December 22, 2017, and closing on February 5, 2018. All inquiries should be directed to the contact listed below.

The State Council on Developmental Disabilities proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include the changes described below and as well as other technical changes:

Assembly Bill 1595 made changes relating to staff positions of the State Council on Developmental Disabilities (SCDD) which made it necessary to review and amend the SCDD's Conflict-of-Interest Code (COI Code). The proposed updated code reflects these changes. The COI Code adopted in 2003 requires only sources of income that "receive public funding and have as at least ten percent (10%) of their clientele, persons with developmental disabilities" to be reported on the Form 700. Proposed changes instead require reporting a business or source of income that is involved with developmental disabilities products or services. The proposed amendments result in more disclosure and transparency than the current Code provides.

In addition, proposed technical changes have been made to match the updated Fair Political Practices Commission template and requirements.

Information on the code amendment is available on the agency's website.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than February 5, 2018, or at the conclusion of the public hearing, if any requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than January 22, 2018.

The State Council on Developmental Disabilities has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Natalie Bocanegra, Legal Counsel at (916) 322-5602 or natalie.bocanegra@dss.ca.gov.

**TITLE 4. CALIFORNIA HORSE
RACING BOARD**

**NOTICE OF PROPOSAL TO AMEND
RULE 1699. RIDING RULES**

The California Horse Racing Board (Board/CHRB) proposes to amend the regulation described below after considering all comments, objections or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 1699, Riding Rules. The proposed amendment provides that a jockey who rides in a manner contrary to the regulation in a careless or willful manner, or who strikes or strikes at another horse or jockey, may be disciplined by the stewards. When penalizing a jockey for riding contrary to the rule, the stewards shall issue a minimum suspension of two race-days, and shall issue a penalty greater than

the minimum if the jockey has committed more than one riding infraction within a contiguous 60-day calendar period, or the infraction, in the opinion of the stewards, jeopardized the safety of another horse or jockey.

PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, February 22, 2018**, or as soon after that as business before the Board will permit, at the **Santa Anita Park Race Track, 285 West Huntington Drive, Arcadia, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m., on February 5, 2018**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone (916) 263-6026
Fax: (916) 263-6022
Email: HaroldC@chr.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Section 19562, Business and Professions Code. Reference: Sections 19461 and 19562, Business and Professions Code.

Business and Professions Code section 19562 authorizes the Board to adopt the proposed regulation, which would implement, interpret or make specific sections 19461 and 19562, Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 19461 provides that every license granted under this chapter is subject to suspension or revocation by the Board in any case where the Board has reason to believe that any con-

dition regarding it has not been complied with, or that any rule or regulation of the Board affecting it has been broken or violated. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in this state.

A jockey's occupation is inherently hazardous. Falling off a horse that is running at 40 miles per hour is a risk jockeys take every race. Between 2007 and 2011 California licensed jockeys could expect to have a fall every 502 rides in thoroughbred races and every 318 rides in quarter horse races. Fifty-one percent of such falls resulted in jockey injury, and most falls occurred during a race. The majority of jockey injury is associated with injury or death of the horse. Such incidents may occur for many reasons, and while the condition of the horse is paramount, rough riding significantly increases the possibility of harm or injury to horse and rider. Board Rule 1885, Rough Riding, defines rough riding as a deliberate act in violation of any riding rule, or any willful or wanton act which is the proximate cause of any racing accident or injury to any jockey or his mount during the running of a race. When the stewards determine a jockey has ridden close to, but not quite at the level of being careless, they may correct the jockey by issuing a warning. In disciplining a jockey for rough riding, the stewards have relied on suspending the jockey for a number of race days. The stewards have not used fines, as winning riders would be more willing to pay a fine and keep riding. Additionally, using fines as discipline for rough riding may not be equitable; the value of a dollar is different for a jockey making \$100,000 and a jockey making much less. Suspensions are seen as an appropriate method of discipline that stops the behavior or incentivizes riders not to engage in behavior that is hazardous to the jockey, his mount and others riding in a race. The purpose of issuing suspension days for careless riding is to make racing safer for the horse and jockey. When stewards issue suspension days, they are promoting good riding skills; boundaries are set, and jockeys learn those boundaries and ride accordingly. If the stewards are consistent in setting the boundaries and issuing suspensions for careless riding, horse racing in general benefits due to the promotion of safety and good sportsmanship on the track.

Board Rule 1699 sets forth guidelines for the jockey's conduct during the running of the race. The regulation provides that a jockey may be suspended or otherwise disciplined by the stewards if he or she rides in a manner contrary to the rule. However, Rule 1699 does not currently provide for a uniform minimum penalty for a first violation within a contiguous 60-day calendar period. While this has allowed the stewards to exercise their discretion in assessing penalties against jockeys for ini-

tial rough riding offenses, it has also resulted in a lack of uniformity in such penalties statewide. The minimum penalty at a northern track may be more, or less severe than one doled out at a southern track for the same riding offense. To provide a uniform minimum penalty for initial rough riding infractions, the Board determined it is necessary to amend subsection 1699(f) to state the stewards shall issue a minimum suspension of two riding days when penalizing a jockey for riding contrary to the rule. In establishing two race-days as the minimum penalty, the Board emphasized that its intention was to set boundaries that would teach a lesson, but would not put a jockey out of business. Jockeys are considered independent contractors for purposes other than workers' compensation insurance. California jockeys supply their own equipment, solicit rides at race meetings of their choice, and they negotiate their own rate of compensation. (Rule 1632, Jockey's Riding Fee, applies in the absence of a contract or special agreement.) The Board determined that a minimum suspension of two race-days for a first offense within any contiguous 60-day calendar period would be an appropriate penalty for all but the most egregious riding infractions, without being draconian or oppressive. Many of California's tracks run only three days a week during their race meetings, so a penalty of more than two race-days would mean a jockey might lose a week's wages; fewer than two days would result in a penalty with no practical value. Under Rule 1699, the stewards will retain their ability to issue greater penalties for more serious riding infractions, as subsection 1699(f) also states the stewards shall issue a suspension greater than the minimum penalty for subsequent violations of the rule within any contiguous 60 day calendar period, or any infraction which jeopardized the safety of another horse or jockey. The proposed amendment to subsection 1699(f) will provide for a uniform minimum penalty while allowing the stewards to exercise their discretion regarding suspensions for subsequent violations of the rule within any contiguous 60 day calendar period, or any infraction which, in the opinion of the stewards, jeopardized the safety of another horse or jockey.

POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The proposed amendment to Rule 1699 provides that a jockey who rides in a manner contrary to the regulation, in a careless or willful manner, or who strikes or strikes at another horse or jockey, may be disciplined by the stewards. When penalizing a jockey for riding contrary to the rule, the stewards shall issue a minimum two race-day suspension, and shall issue a penalty greater

than the minimum if the jockey has committed more than one riding infraction within a contiguous 60-day calendar period, or the infraction, in the opinion of the stewards, jeopardized the safety of another horse or jockey. The proposed amendment will institute a uniform minimum suspension of two race-days for a first offense within any contiguous 60-day calendar period.

The proposed amendment to Rule 1699 will benefit California's jockeys by providing for a uniform minimum suspension of two race-days for a first offense within any contiguous 60-day calendar period. The proposed amendments will help ensure the health and safety of California's jockeys and race horses. Protecting the safety of persons working with race horses safeguards the viability of the state's racing industry. The proposed amendment is consistent with current Board regulations in that jockeys are currently subject to penalties for rough riding. The imposition of a uniform penalty for a first offense within any contiguous 60-day calendar period will provide consistency and clarity in such penalties throughout California.

CONSISTENCY EVALUATION

During the process of developing the amendment to Rule 1699, the CHRB has conducted a search of any similar regulations on this topic and has concluded that the regulation is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code sections 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed amendment of Rule 1699 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: Jockey Falls, Injuries, and Fatalities Associated with Thoroughbred and Quarter Horse Racing in California, 2007–2011. J.D. Wheat Veterinary Orthopedic Research Laboratory, School of Veterinary Medicine, University of California — Davis, Davis, California, USA.

RESULTS OF ECONOMIC
IMPACT ASSESSMENT

The results of the Board's Economic Impact Assessment as required by Government Code section 11346.3(b) are as follows: The adoption of the proposed amendment of Rule 1699 will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

The proposed amendment will provide consistency and clarity with regards to penalties issued for a jockey's first rough riding offense within any contiguous 60-day calendar period. The proposed amendment will help protect the safety and welfare of California's jockeys and equine athletes.

The proposed amendment to Rule 1699 will impact jockeys who violate the regulation by committing riding infractions during the running of a race. However, the net economic effect of the proposed amendment will be neutral. Under Rule 1699, any jockey who commits a riding infraction during the running of a race is currently subject to penalties, including suspension of license. The proposed amendment merely sets a uniform penalty for a jockey's first rough riding offense within any contiguous 60-day calendar period.

The proposed regulation will not impact the state's environment.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

Effect on small businesses: none. The proposal to amend Rule 1699 does not affect small businesses because horse racing is not a small business under Government Code section 11342.610.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board has determined that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the

proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Harold Coburn, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6026
Fax: (916) 263-6022
E-Mail: haroldc@chrb.ca.gov

If the person named above is not available, interested parties may contact:

Andrea Ogden, Manager
Policy and Regulations
Telephone (916) 263-6033

AVAILABILITY OF INITIAL STATEMENT
OF REASONS AND TEXT OF
PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based, may be obtained by contacting Harold Coburn, or the alternative contact person at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulations should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF FINAL STATEMENT
OF REASONS

Requests for copies of the final statement of reasons, which will be available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Harold Coburn at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. The Board's website address is: www.chrb.ca.gov.

**TITLE 10. DEPARTMENT OF
BUSINESS OVERSIGHT**

The Department of Business Oversight ("Department") licenses and regulates financial institutions and financial services in California.

This proposed regulatory action would amend section 260.607 of title 10 of the California Code of Regulations, which sets out rules regarding conflicts of interest and incompatible activities for Department employees. (The Department's Conflict-of-Interest Code is contained in section 250.30 of title 10 of the California Code of Regulations, which is not being amended.) This proposed action would also adopt section 260.607.5 of title 10 of the California Code of Regulations.

The Department is updating 260.607 to make necessary technical changes. The changes are designed to be more consistent with Form 700 reporting requirements under the Political Reform Act and eliminate confusion caused by multiple reporting schemes. The proposed rule also limits the types of securities holdings that employees must report, enhances reporting standards for non-exempt securities, and revises outside employment requirements pertaining to parents and children.

AUTHORITY

[Government Code Section 11346.5,
Subdivision (a)(2)]

Section 25610, Corporations Code; Section 50304, Financial Code.

REFERENCE

[Government Code Section 11346.5,
Subdivision (a)(2)]

Section 25607, Corporations Code; Section 50303, Financial Code.

PUBLIC COMMENTS

[Government Code Section 11346.5,
Subdivision (a)(17)]

No public hearing is scheduled. Any interested person or his or her duly authorized representative may request, in writing, a public hearing pursuant to section 11346.8, subdivision (a), of the Government Code. The request for hearing must be received by the Department's contact person designated below no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

[Government Code Section 11346.5,
Subdivision (a)(15)]

Where to Submit Comments

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department, addressed as follows, by any of these means:

Postal Mail

Department of Business Oversight
Attn: Regulations Coordinator, Legal Division
1515 K Street, Suite 200
Sacramento, CA 95814

Electronic Mail

Comments may be submitted electronically to regulations@dbo.ca.gov. Please identify the comments as PRO 03/17 in the subject line.

Fax

(916) 322-1559

Time for Comments

Comments may be submitted from December 22, 2017 until 5:00 p.m., February 5, 2018. If the final day for the acceptance of comments is a Saturday, Sunday or state holiday, the comment period will close at 5:00 p.m. on the next business day.

INFORMATIVE DIGEST

[Government Code Section 11346.5,
Subdivision (a)(3)]

Policy Statement and Specific Benefits Anticipated from Regulatory Action [Government Code Section 11346.5, Subdivision (a)(3)(C)]

The Department seeks to update section 260.607 of title 10 of the California Code of Regulations to make necessary technical changes, updating obsolete references to reflect the newly formed Department of Business Oversight, and substituting "official or employee" for outdated references to "assistant, clerk or deputy," where applicable.

To be more consistent with Form 700 reporting requirements under the Political Reform Act¹ and section 250.30 of title 10 of the California Code of Regulations, the proposed rule also limits the types of securities holdings that employees must report to the Department by exempting mutual fund shares (unless a banking or financial services fund) and securities issued by the federal government, among other types of securities not relevant to a conflict determination.

The proposed rule enhances reporting by requiring employee annual reports to include a fair market value range for each non-exempt security to be more consistent with Form 700 reporting requirements. The rule revises outside employment requirements to remove restrictions regarding the concurrent employment of parents and children, also consistent with Form 700 reporting requirements.

The Department believes these proposed changes represent a common sense and balanced approach to reporting that helps eliminate confusion caused by different reporting requirements. The revisions promote public confidence in government by making it easier for the Department to identify potential conflicts of interest between an employee's personal financial interests and the employee's duties to the Department, while limiting compelled disclosure of confidential personal financial information that is irrelevant to the conflict determination.

Summary of Existing Laws and Regulations, and Effect of Proposed Action [Government Code Section 11346.5, Subdivision (a)(3)(A)]

Section 260.607 of title 10 of the California Code of Regulations sets out rules regarding conflict of interest and incompatible activities for Department employees. (The Department's Conflict-of-Interest Code is contained in section 250.30 of title 10 of the California Code of Regulations, which is not being amended.)

Amendments to section 260.607 would update obsolete references to reflect the newly formed Department of Business Oversight and revise requirements related to outside employment and securities holdings disclosures. Section 260.607.5 would be adopted to include restrictions on appearances by former officials and employees that are currently in section 206.607.

Existing Federal Regulation or Statute [Government Code Section 11346.5, Subdivision (a)(3)(B)]

The proposed regulation does not differ substantially from an existing comparable federal regulation or statute.

Existing State Regulations [Government Code Section 11346.5, Subdivision (a)(3)(D)]

The Department has evaluated whether the proposed regulations are consistent with existing state regulations and has concluded that they are consistent and compatible with those regulations.

FORMS INCORPORATED BY REFERENCE
[Title 1, California Code of Regulations, Section 20, Subdivision (c)(3)]

This proposed regulatory action does not incorporate any forms by reference.

DISCLOSURES REGARDING THE
PROPOSED ACTION

[Government Code Section 11346.5, Subdivisions (a)(5) and (6), and (12)(A)]

- Mandate on local agencies or school districts: none.
- Cost or savings to any state agency: none.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: none.
- Other nondiscretionary cost or savings imposed on local agencies: none.
- Cost or savings in federal funding to the state: none.
- Significant effect on housing costs: none.

ECONOMIC IMPACT ON BUSINESS

[Government Code Section 11346.5, Subdivision (a)(8)]

The Commissioner has made an initial determination that the proposed regulatory action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESS

[Title 1, California Code of Regulations, Section 4]

The proposed regulations will not affect small business because Department employees are not a small business within the meaning of Government Code section 11342.610.

¹ See Gov. Code Section 81000 *et seq.*

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS
 [Government Code Section 11346.5, Subdivision (a)(9)]

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS
 [Government Code Section 11346.5, Subdivision (a)(10)]

The Department has determined that:

- The proposed action will not create or eliminate jobs within the state;
- The proposed action will not create new businesses or eliminate existing businesses within this state;
- The proposed action will not expand businesses currently doing business within California;
- As stated under the Informative Digest above, the benefits of the regulation will be the promotion of public confidence in government by making it easier to identify potential conflicts of interest and the disclosures of employees' relevant personal financial information. No benefits or adverse impacts to worker safety or to the state's environment are anticipated from this regulatory action.

BUSINESS REPORTING REQUIREMENT
 [Government Code Section 11346.5, Subdivision (a)(11)]

The regulatory action does not require businesses to file a report with the Department.

CONSIDERATION OF ALTERNATIVES
 [Government Code Section 11346.5, Subdivision (a)(13)]

The Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective

in implementing the statutory policy or other provision of the law.

AVAILABILITY OF THE NOTICE, STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS AND RULEMAKING FILE
 [Government Code Section 11346.5, Subdivisions (a)(16) and (20), and (b)]

As of the date this notice is published, the rulemaking file consists of this notice; the initial statement of reasons, which contains all the information upon which the proposal is based; and the proposed text of the regulation. The notice, initial statement of reasons, and proposed text is available by contacting the person designated below

The notice, initial statement of reasons and proposed text are also available on the Department's website at www.dbo.ca.gov. To access the documents from the Department's website, click on the "Laws & Regs" tab at the top of the home page, click on "Rulemaking," and then click on "Conflict of Interest." (Note that the link to "Conflict of Interest Code" refers to a separate rulemaking file.)

As required by the Administrative Procedure Act, the Legal Division maintains the rulemaking file. The rulemaking file is available for public inspection and copying throughout the rulemaking process at the Department of Business Oversight, Legal Division, 1515 K Street, Suite 200, Sacramento, California 95814.

AVAILABILITY OF CHANGED OR MODIFIED TEXT
 [Government Code Section 11346.5, Subdivision (a)(18)]

If the Department makes changes that are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the Department adopts, amends or repeals the regulations as revised. A request for a copy of any modified regulation(s) should be addressed to the contact person designated below. The Department will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS
 [Government Code Section 11346.5, Subdivision (a)(19)]

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named below or may be accessed on the Department's website listed above.

CONTACT PERSON

[Government Code Section 11346.5,
Subdivision (a)(14)]

Inquiries regarding the substance of the proposed regulation may be directed to:

Bret Ladine
Assistant General Counsel
1515 K Street, Suite 200
Sacramento, California 95814
Telephone: (916) 322-5858
e-mail: bret.ladine@dbo.ca.gov

Non-substantive inquiries concerning this action, such as requests for copies of the proposed regulation or questions regarding the timelines or rulemaking status, may be directed to the backup contact person:

Mark Dyer
Legal Division
1515 K Street, Suite 200
Sacramento, California 95814
Telephone: (916) 322-1977
e-mail: regulations@dbo.ca.gov

TITLE 13 AND 17. AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED CALIFORNIA GREENHOUSE GAS EMISSIONS STANDARDS FOR MEDIUM- AND HEAVY-DUTY ENGINES AND VEHICLES AND PROPOSED AMENDMENTS TO THE TRACTOR-TRAILER GHG REGULATION

The California Air Resources Board (CARB or Board) will conduct a public hearing at the time and place noted below to consider approving for adoption of the proposed California greenhouse gas (GHG) standards for medium- and heavy-duty engines and vehicles (Phase 2) and the proposed amendments to CARB's existing Tractor-Trailer GHG Regulation.

DATE: February 8, 2018

TIME: 9:00 a.m.

LOCATION: California Environmental Protection Agency
Air Resources Board
Byron Sher Auditorium
1001 I Street
Sacramento, California 95814

This item may be considered at a meeting of the Board, which will commence at 9:00 a.m., February 8, 2018, and may continue at 8:30 a.m., on February 9, 2018. Please consult the agenda for the hearing, which will be available at least ten days before February 8, 2018, to determine the day on which this item will be considered.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the hearing and may provide comments by postal mail or by electronic submittal before the hearing. The public comment period for this regulatory action will begin on December 22, 2017. Written comments not physically submitted at the hearing must be submitted on or after December 22, 2017, and received **no later than 5:00 p.m. on February 5, 2018**. CARB requests that, when possible, written and email statements be filed at least ten days before the hearing to give CARB staff and Board members additional time to consider each comment. The Board also encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action. Comments submitted in advance of the hearing must be addressed to one of the following:

Postal mail: Clerk of the Board, California Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal:
<http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Additionally, the Board requests but does not require that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

AUTHORITY AND REFERENCE

This regulatory action is proposed under the authority granted in California Health and Safety Code, Sections 38501, 38505, 38510, 38560, 38560.5, 38580, 39010, 39500, 39600, 39601, 40000, 43013, 43018, 43100, 43101, 43102, 43104, 43105, 43106, 43107, 43200, 43200.1, 43210, and 43806; and Section 28114, Vehicle Code. This action is proposed to implement, interpret,

and make specific sections 38501, 38505, 38510, 38560, 38560.5, 38580, 39002, 39003, 39010, 39017, 39033, 39500, 39600, 39601, 39610, 39650, 39657, 39667, 39701, 40000, 43000, 43000.5, 43009, 43009.5, 43012, 43013, 43017, 43018, 43018.5, 43100, 43101, 43101.5, 43102, 43104, 43105, 43106, 43107, 43200, 43200.1, 43202, 43203, 43204, 43205, 43205.5, 43206, 43210, 43211, 43212, 43213, 43806, 44004, 44010, 44011, 44012, 44015, and 44017, Health and Safety Code; and Section 28114, Vehicle Code.

INFORMATIVE DIGEST OF PROPOSED ACTION
AND POLICY STATEMENT OVERVIEW
[GOV. CODE, § 11346.5, subd. (a)(3)]

This notice concerns staff’s proposal for regulatory actions related to on–road medium–and heavy–duty engines, vehicles, and trailers. The sections of the California Code of Regulations (CCR) that are affected and documents incorporated by reference are described below:

Sections Affected:

- Proposed amendment to CCR, title 13, sections 1956.8, 1961.2, 1965, 2036, 2037, 2065, 2112, and 2141.
- The following test procedures are incorporated by reference herein:
 - Proposed amended test procedure “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy–Duty Diesel Engines and Vehicles,” last amended September 1, 2017, incorporated by reference in 13 CCR 1956.8(b) and 2065.
 - Proposed amended test procedure “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy–Duty Otto–Cycle Engines and Vehicles,” last amended September 1, 2017, incorporated by reference in 13 CCR 1956.8(d).
 - Proposed amended test procedure “California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedure for Passenger Cars, Light–Duty Trucks, and Medium–Duty Vehicles,” last amended September 2, 2015, incorporated by reference in 13 CCR 1961.2(d).

- Proposed new label specifications entitled, “California Environmental Performance Label Specifications for 2021 and Subsequent Model Year Medium–Duty Vehicles, Except Medium–Duty Passenger Vehicles,” which would be incorporated by reference in 13 CCR 1965.
- Proposed amended test procedure entitled “California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy–Duty Vehicles,” last adopted October 21, 2014, incorporated by reference in 13 CCR 1965.
- Proposed amendment to CCR, title 17 sections 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95311, 95662, and 95663. The following test procedures are incorporated by reference herein:
 - Proposed amended test procedure entitled “California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy–Duty Vehicles,” last adopted October 21, 2014, incorporated by reference in 17 CCR 95302, 95303, 95304, and new 95663(d).
 - Proposed amended test procedure “California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedure for Passenger Cars, Light–Duty Trucks, and Medium–Duty Vehicles,” last amended September 2, 2015, incorporated by reference in new 17 CCR 95663(d).

Documents Incorporated by Reference (Cal. Code Regs., tit. 1, § 20, subd. (c)(3)):

The following documents are incorporated by reference in the proposed amendment to CCR, Title 13 and Title 17 entitled, “Proposed Regulation Order for Phase 2 Greenhouse Gas Regulations”:

- Sections 1037.135, 1037.150(v), 1037.211 and 1037.515(b), Part 1037, Title 40, Code of Federal Regulations, as last amended by the United States Environmental Protection Agency (U.S. EPA) on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.

The following documents are incorporated by reference in the proposed amended test procedure entitled “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy–Duty

Diesel Engines and Vehicles,” last amended September 1, 2017:

- Sections 86.1; 86.016–1, 86.004–2, 86.084–4, 86.078–6, 86.007–11, 86.094–14, 86.004–25, 86.004–28, 86.007–30, 86.095–35, 86.085–37, subpart A; sections 86.1301, 86.1362, 86.1370, subpart N; and sections 86.1910, 86.1912, 86.1920, subpart T, Part 86, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016.
- Part 1036, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on June 30, 2017, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- Sections 1065.10, 1065.15, subpart A; sections 1065.140, 1065.170, subpart B; sections 1065.202, 1065.220, 1065.225, 1065.247, 1065.260, 1065.266, 1065.267, 1065.275, subpart C; sections 1065.303, 1065.340, 1065.341, 1065.345, 1065.360, 1065.365, 1065.366, 1065.370, 1065.375, 1065.390, subpart D; sections 1065.510, 1065.546, 1065.590, subpart F; sections 1065.602, 1065.610, 1065.640, 1065.642, 1065.645, 1065.650, 1065.655, 1065.660, 1065.665, 1065.667, 1065.675, 1065.680, 1065.690, subpart G; sections 1065.735, 1065.750, subpart H; section 1065.845, subpart I; subpart K; and subpart L, Part 1065, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- Subpart A; section 1068.101, subpart B; and subpart E, Part 1068, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.

The following documents are incorporated by reference in the proposed amended test procedure entitled “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy–Duty Otto–Cycle Engines and Vehicles,” last amended September 1, 2017:

- Sections 86.1; 86.016–1, 86.004–2, 86.084–4, 86.078–6, 86.008–10, 86.094–14, 86.004–25, 86.004–28, 86.007–30, 86.095–35, 86.085–37, subpart A; and section 86.1301, subpart N, Part 86, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016.
- Part 1036, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on June 30, 2017, or on the date otherwise specified by each of the aforementioned provisions of Title 40.

- Sections 1065.10, 1065.15, subpart A; sections 1065.140, 1065.170, subpart B; sections 1065.202, 1065.220, 1065.225, 1065.247, 1065.260, 1065.266, 1065.267, 1065.275, subpart C; sections 1065.303, 1065.340, 1065.341, 1065.345, 1065.360, 1065.365, 1065.366, 1065.370, 1065.375, 1065.390, subpart D; sections 1065.510, 1065.546, 1065.590, subpart F; sections 1065.602, 1065.610, 1065.640, 1065.642, 1065.645, 1065.650, 1065.655, 1065.660, 1065.665, 1065.667, 1065.675, 1065.680, 1065.690, subpart G; sections 1065.735, 1065.750, subpart H; section 1065.845, subpart I; subpart K; and subpart L, Part 1065, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- Subpart A; section 1068.101, subpart B; and subpart E, Part 1068, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- Section 27156, Chapter 5, Division 12, California Vehicle Code.

The following documents are incorporated by reference in the proposed amended test procedure entitled “California Greenhouse Gas Exhaust Emission Standards and Test Procedures for 2014 and Subsequent Model Heavy–Duty Vehicles,” adopted October 21, 2014:

- Subpart 5, Part 86, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016.
- Part 1037, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on June 30, 2017, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- Part 1066, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- Subparts A and E, Part 1068, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- “California Certification and Installation Procedures for Medium– and Heavy–Duty Vehicle Hybrid Conversion Systems,” as adopted on September 1, 2017.

The following documents are incorporated by reference in the proposed amended test procedure entitled

“California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedure for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles,” last amended September 2, 2015:

- Section 86.143–96, subpart B; and sections 86.1801–12, 86.1802–01, 86.1803–01, 86.1805–17, 86.1820–01, 86.1823–08, 86.1838–01, 86.1844–01, 86.1845–04, 86.1846–01, 86.1848–10, 86.1865–12, 86.1866–12, 86.1867–12, 86.1868–12, 86.1869–12, 86.1870–12, subpart S, Part 86, Title 40, Code of Federal Regulations, last amended by the U.S. EPA on October 25, 2016.
- Part 1066, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016, or on the date otherwise specified by each of the aforementioned provisions of Title 40.
- Section 600.002, subpart A, Part 600, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016.
- Proposed new label specifications entitled, “California Environmental Performance Label Specifications for 2021 and Subsequent Model Year Medium-Duty Vehicles, Except Medium-Duty Passenger Vehicles.”

The following documents are incorporated by reference in the proposed adopted test procedure entitled, “California Environmental Performance Label Specifications for 2021 and Subsequent Model Year Medium-Duty Vehicles, Except Medium-Duty Passenger Vehicles”:

- Sections 86.1819–14 and 86.1803–01, subpart S, Part 86, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016.
- Appendix VI, Part 600, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on July 6, 2011.
- Section 1036.801, subpart I, Part 1036; Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016.
- Section 1037.801, subpart I, Part 1037, Title 40, Code of Federal Regulations, as last amended by the U.S. EPA on October 25, 2016.

Background and Effect of the Proposed Regulatory Action:

CARB is mandated to reduce GHG emissions in California. In 2006, the Legislature passed and the Governor signed the Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32. AB 32 requires CARB to enact regulations to achieve the level of

statewide GHG emissions in 1990 by 2020. AB 32 was followed by Senate Bill (SB) 32 in 2016. This bill requires CARB to enact regulations to ensure that statewide GHG emissions are further reduced to 40 percent below the 1990 level by 2030. In addition, California Health and Safety Code section 38560 directs CARB to “adopt rules and regulations . . . to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from sources . . . subject to the criteria and schedules set forth in this part.”

In 2008, the Board approved the California Tractor-Trailer GHG Regulation, and it became effective in 2010. The regulation reduced the fuel consumption and GHG emissions from long-haul tractor-trailers traveling on California highways by requiring tractor-trailer fleet owners to improve the aerodynamic performance and reduce the tire rolling resistance of both their tractors and their trailers.

In 2011, U.S. EPA and the United States Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) jointly adopted the first ever GHG emission standards and fuel economy standards for heavy-duty engines and vehicles, referred to as the Heavy-Duty GHG Phase 1 regulation (Phase 1). Phase 1 requires both engine and vehicle manufacturers to employ more efficient components and systems, such as engine friction reduction, after treatment optimization, low temperature exhaust gas recirculation, turbo compounding, vehicle mass reduction, and idling reduction technology. Phase 1 also requires improvements in vehicle aerodynamics and installing fuel-efficient, low rolling resistance tires. The Phase 1 standards took effect with MY 2014 tractors, vocational vehicles, and Class 2b/3 pick-up trucks and vans (PUVs). They did not set standards for trailers. In 2013, CARB approved for adoption California Phase 1 regulations identical to the federal Phase 1 regulations. This provided California (through CARB) the authority to certify engines and vehicles to the Phase 1 standards, as well as to enforce them.

On October 25, 2016, U.S. EPA and NHTSA jointly adopted the Phase 2 standards to build on the Phase 1 standards and achieve additional GHG reductions. The Phase 2 standards follow the same regulatory structure as the Phase 1 standards. GHG emission standards are set for tractors, vocational vehicles, and PUVs. Separate engine standards are also established for the engines used in tractors and vocational vehicles. In addition, the Phase 2 standards mark the first time the emissions resulting from trailers have been regulated at the federal level. The Phase 2 standards are more technology-forcing than the Phase 1 standards, requiring manufacturers to improve existing technologies or develop new technologies to meet the standards. The progres-

sively more stringent Phase 2 standards are phased in from 2021 to 2027 for tractors, vocational vehicles, and PUVs. For trailers, the federal standards are phased in from 2018 through 2027. To meet these standards, manufacturers will look to improve the performance of the Phase 1 technologies listed above. In addition, Phase 2 will require further GHG emission reductions by employing new and advanced technologies, such as engine waste-heat recovery, hybrids, fully electric vehicles, advanced transmissions, intelligent vehicle controls, heat rejection management, electrification of ancillary equipment, and other technologies. Further improvements in vehicle aerodynamics and low rolling resistance tires will also be needed. Trailer manufacturers will look to aerodynamic technologies, including skirts, and rear fairings, as well as low-rolling resistance tires, automatic tire inflation systems, and weight reducing materials to meet the Phase 2 trailer standards.

Staff is proposing the adoption of new, more stringent GHG emission standards for medium- and heavy-duty vehicles and trailers that largely align with the federal Phase 2 GHG standards. Staff is also proposing amendments to the Tractor-Trailer GHG regulation to harmonize with the Phase 2 trailer standards. The two regulatory proposals are briefly summarized below.

1. *New Phase 2 GHG Emission Standards*

In this rulemaking action, staff is proposing the adoption of new regulations, collectively referred to as the California Phase 2 regulations, that would establish new GHG emission standards for trailers, amend existing regulations to establish more stringent GHG standards applicable to tractors, vocational vehicles, PUVs, and medium- and heavy-duty engines, and amend requirements for glider vehicles, glider engines, and glider kits. The proposed new regulations and amendments would align California's GHG emission standards and test procedures with those of the federal Phase 2 GHG regulations in structure, timing, and stringency, providing nationwide consistency for engine and vehicle manufacturers. Under the Phase 1 standards, CARB certification staff issue an EO for any engine or vehicle family that has demonstrated compliance with the federal Phase 1 GHG regulation and has been issued a federal Certificate of Conformity by U.S. EPA (i.e., it is "deemed to comply"). The proposed California Phase 2 regulations would not include "deemed-to-comply" provisions. Manufacturers would be required to submit information directly to CARB to certify their engines, vehicles, and trailers with the California Phase 2 GHG program and CARB would independently review the required certification documents before CARB issues an Executive Order. There would be some minor differences between the California Phase 2 regulations and

the federal Phase 2 regulations. Specifically, the California Phase 2 proposal would:

- Include language strengthening the statement that manufacturers provide with their certification submittals. Manufacturers would need to unconditionally certify that the information submitted in certification packages is accurate, and that it describes engines and vehicles as built;
- Require tractors and vocational vehicles to have specific emission control identifiers included on their emission control labels for technologies that can be visually inspected;
- Require the engine family to be included in the vehicle certification documentation;
- Require additional air conditioning (A/C) system information to be included in vehicle certification documentation;
- Establish a credit adjustment protocol that would incentivize the use of low global warming potential (GWP) refrigerants, incentivize the sale of plug-in hybrid electric vehicles (PHEV) to meet a minimum all-electric range and ensure no increases in oxides of nitrogen (NOx) emission, and incentivize transit bus manufacturers not to certify to the less stringent custom chassis standards;
- Require Class 2b/3 PUVs to display consumer labels;
- Continue to include ethane in the calculation of non-methane hydrocarbon emissions;
- Begin trailer standards two years later than required by the federal Phase 2 regulation to accommodate the timing of California's rulemaking process;
- Continue to utilize California's current anti-tampering provisions, which are more stringent than the federal provisions, for Phase 2 certified engines and vehicles; and
- Include CARB's right of entry to any premises owned, operated, used, leased, or rented by a person to repair or service any heavy-duty engine or heavy-duty vehicle for which California emissions standards have been adopted and which is situated on the premises for the purpose of emission-related maintenance, repair or service. The right-to-entry includes, but is not limited to, verification of manufacturer's warranty reporting and claims through inspecting repair records, records that relate to vehicular or engine emissions, vehicles, and engines, and may require the on-premises securing of samples of emissions from a vehicle or engine at any repair facility.

2. Amendments to CARB's Existing Tractor-Trailer Regulation

The proposed amendments to the Tractor-Trailer GHG Regulation would provide trailer fleet owners the option of complying with the Tractor-Trailer GHG Regulation through the purchase of a Phase 2 certified trailer, or the installation of Phase 2 aerodynamic technologies and low-rolling resistance tires that are components of Phase 2 certified trailer configurations. This proposed change does not weaken or strengthen the existing requirements of the Tractor-Trailer GHG Regulation, but solely provides another pathway to compliance.

CARB may also consider other changes to the sections affected, as listed earlier in this notice, during the course of this rulemaking process.

Objectives and Benefits of the Proposed Regulatory Action:

The proposed California Phase 2 regulations would allow CARB to verify and enforce the Phase 2 regulatory standards, thereby leading to higher levels of compliance, which would ensure the program's GHG emission benefits occur. Specifically, the exclusion of "deemed-to-comply" provisions in the proposed California Phase 2 rule would allow staff's timely access to certification documentation for review to ensure compliance. California's active role in certifying engines, vehicles, and trailers is critical to ensure the benefits of the California Phase 2 GHG program, especially given the recent change in the federal administration, and the subsequent call to defund programs to combat climate change, and to substantially reduce U.S. EPA staffing levels. Unlike the Phase 1 GHG program, California cannot rely on the federal administration to review applications for engine and vehicle certification.

As detailed further below, the proposed minor California differences from the federal Phase 2 program would be necessary to ease enforcement, align with existing California programs to preserve the benefits of California incentive programs and regulations, and provide incentives to bring low-emission technologies to market:

- The proposed A/C system reporting would allow staff to better enforce the A/C system leakage requirements. This is important because refrigerants have significantly higher GWP than carbon dioxide.
- The low-GWP proposal would provide incentives for manufacturers to develop and implement A/C refrigerants that have low GWPs in heavy-duty vehicles. Low-GWP refrigerants have been widely used in the light-duty sector, but have not been adopted in the heavy-duty sector due to high capital investment cost. The use of low-GWP

refrigerants could significantly decrease the global warming impact of refrigerant leakage emissions.

- The proposed additional requirement of showing no NOx increase and meeting a minimum all-electric range in order for PHEVs to receive an advanced technology multiplier could prevent NOx increases and spur the development of better hybrids.
- The transit bus custom chassis proposal would incentivize the introduction of advanced zero-emission technology in the transit bus sector.
- The proposed consumer label for Class 2b/3 PUVs may influence consumers to buy more fuel-efficient, lower-emitting vehicles as they would be able to compare vehicle choices based on the provided GHG and smog ratings on the required label.

The proposed amendments to the California Tractor-Trailer GHG Regulation would give owners of trailer fleets the option of using Phase 2 certified trailers, and the aerodynamic equipment and low-rolling resistance tires that are components of federal Phase 2 certified trailers, to comply with the regulation.

CARB staff worked closely with U.S. EPA and NHTSA over the past several years on the development of Phase 2 GHG final rule for new 2021 (2018 for trailers) and subsequent Model Year (MY) heavy-duty engines and vehicles. CARB staff submitted extensive comments on U.S. EPA's Notice of Proposed Rulemaking (NPRM) for Phase 2. U.S. EPA staff met with CARB staff numerous times to discuss our comprehensive NPRM comments in more detail. In response to our input, U.S. EPA modified their proposal. The outcome is a Phase 2 program that California can support and that will allow manufacturers to continue to build a single fleet of vehicles and engines for the U.S. market.

CARB staff developed the proposed regulatory actions through an extensive public process, as described below.

- Staff created a public webpage where related symposium and workshop materials as well as relevant information were posted to keep stakeholders up to date on the latest regulatory development efforts.
- On April 22, 2015, CARB staff held a symposium on California's development of Phase 2 GHG emission standards in Diamond Bar, California. Representatives from environmental government agencies, engine manufacturers, component suppliers, environmental policy and technical research organizations, and trucking fleets participated in panel discussions and presented the latest information on technology options expected

for use in the post–2020 timeframe to reduce fuel consumption, improve tractor–trailer efficiency, and assist efforts to achieve California’s climate goals.

- Staff held two public workshops in Sacramento on February 6, 2017, and August 31, 2017, to solicit input on areas where the California Phase 2 regulation may differ from the federal Phase 2 GHG. The workshops were webcast.
- In addition to these public workshops, staff had numerous meetings and continued discussions with environmental groups, engine, transmission, and vehicle (including bus and refuse truck) manufacturers, and associations such as the American Council for Energy–Efficient Economy (ACEEE), Truck & Engine Manufacturers Association (EMA), AutoAlliance, Motor Vehicle Air Conditioning (MVAC) community, Autocar Truck, New Flyer Industries, and others.

These pre–rulemaking discussions gave an opportunity for government, industry, and environmental stakeholders to engage in an open discussion regarding efforts to further reduce GHG emissions from on–road heavy–duty vehicles and engines in anticipation of California’s release of the proposed Phase 2 regulations and amendments to the California Tractor–Trailer GHG Regulations.

Comparable Federal Regulations:

Staff is proposing California Phase 2 regulations that largely align with the U.S. EPA and NHTSA’s Phase 2 regulations (Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium– and Heavy–Duty Engines and Vehicles — Phase 2, 81 Federal Register 73478–74274, (October 25, 2016)) with minor California differences as discussed earlier in this notice. The federal Phase 2 regulations establish more stringent GHG emission standards for new medium– and heavy–duty engines and vehicles, and for the first time, include GHG emission standards for trailers. The federal Phase 2 GHG emission standards phase in between model year 2018 and 2027 for trailers and MY 2021 and 2027 for medium– and heavy–duty engines and vehicles.

California’s existing Tractor–Trailer GHG regulation currently applies to a subset of trailers that will be regulated by the federal Phase 2 GHG standards, but applies to fleet owners rather than trailer manufacturers. The proposed amendments to the California Tractor–Trailer GHG Regulation would allow another pathway for trailer fleet owners to comply with the Tractor–Trailer GHG Regulation through the purchase of a Phase 2 certified trailer, or the installation of Phase 2 aerodynamic technologies and low–rolling resistance tires that are

components of Phase 2 certified trailer configurations. This is equivalent to the existing requirements that allow compliance through the purchase of a SmartWay designated trailer or SmartWay verified aerodynamic devices and low–rolling resistance tires.

An Evaluation of Inconsistency or Incompatibility with Existing State Regulations (Gov. Code, § 11346.5, subd. (a)(3)(D)):

During the process of developing the proposed regulatory actions, staff conducted a search for any similar regulations on this topic and concluded these regulations are neither inconsistent nor incompatible with existing state regulations. The California Phase 2 GHG regulations build upon the California Phase 1 GHG regulations approved for adoption by CARB in 2013.

MANDATED BY FEDERAL LAW
OR REGULATIONS
(Gov. Code, §§ 11346.2, subd. (c), 11346.9)

As discussed earlier in this notice, the proposed California Phase 2 requirements largely align with the requirements of the corresponding federal Phase 2 GHG regulations with the exception of a few minor distinctions. The existing California Tractor–Trailer GHG regulation is equivalent to the federal Phase 2 trailer standards for MY 2018 through 2020 long box van trailers, and the federal Phase 2 trailer standards for subsequent years are more stringent than the current California Tractor–Trailer GHG regulation requirements. The proposed amendments to the California Tractor–Trailer GHG regulation would allow fleet owners to comply with the existing California Tractor–Trailer GHG regulation through the purchase of Phase 2–certified trailers.

OTHER STATUTORY REQUIREMENTS
(Gov. Code, § 11346.5, subd. (a)(4))
(only if applicable)

As discussed above, AB 32 requires CARB to enact regulations to achieve the level of statewide GHG emissions in 1990 by 2020, and SB 32 requires CARB to enact regulations to ensure that statewide GHG emissions are further reduced to 40 percent below the 1990 level by 2030. In addition, California Health and Safety Code section 38560 directs CARB to “adopt rules and regulations . . . to achieve the maximum technologically feasible and cost–effective greenhouse gas emission reductions from sources . . . subject to the criteria and schedules set forth in this part.”

DISCLOSURE REGARDING THE
PROPOSED REGULATION

Fiscal Impact/Local Mandate Determination Regarding the Proposed Action (Gov. Code, § 11346.5, subs. (a)(5)&(6)):

The determinations of the Board’s Executive Officer concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below.

Local Agencies and School Districts:

Under Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6), the Executive Officer has determined that the proposed regulatory action to adopt the California Phase 2 GHG regulations would not impose a mandate on any local agency or school district, whether or not the mandate is reimbursable, but the regulations would create costs to local agencies and school districts, but these costs would not be reimbursable by the State under Government Code, title 2, division 4, part 7, (commencing with section 17500). The direct costs from the proposed California Phase 2 regulations on regulated manufacturers would be passed on to the heavy-duty fleets who purchase California Phase 2-certified heavy-duty vehicles via increased vehicle prices. Thus, there would be cost impacts on local government fleets that purchase those vehicles. The estimated costs for all local agencies are projected by fiscal year in Table 1 (costs were rounded to nearest \$1,000). Note that the Table 1 costs do not include savings in fuel that local government agency fleets would benefit from due to the more fuel-efficient Phase 2 vehicles. The upfront costs of Phase 2 technologies result in commercially acceptable payback periods of 2 to 5 years, with a 2-year or shorter payback for most. These savings would offset the costs shown in Table 1.

Table 1: Estimated Annual Cost to Local Government Agencies Statewide for the Proposed Regulatory Action (2017\$)¹

Fiscal Year	Annual Cost (\$)
Current	0
2018/2019	0
2019/2020	0
2020/2021	84,000

¹Note that the Table 1 costs do not include savings in fuel that local agency fleets would benefit from due to operating more fuel-efficient Phase 2 vehicles. These savings would offset the costs shown in Table 1.

Fiscal Year	Annual Cost (\$)
2021/2022	635,000
2022/2023	699,000
2023/2024	721,000
2024/2025	793,000
2025/2026	551,000
2026/2027	552,000
2027/2028	610,000
2028/2029	611,000
Total Cost (\$)	5,255,000

The proposed amendments to the California Tractor-Trailer GHG regulation would not impose additional costs on local agencies or school districts.

Other Non-Discretionary Costs or Savings on Local Agencies:

No additional costs or savings to local agencies beyond those addressed above are expected.

State Agencies:

Under Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6), the Executive Officer has determined that the proposed regulatory action to adopt the Phase 2 GHG regulations would result in costs to CARB due to the anticipated hiring of additional staff, as well as to other state agencies that purchase California Phase 2-certified heavy-duty vehicles via increased vehicle prices.² This regulatory action would not result in savings to any State agency, or costs or savings in federal funding to the State.

The proposed regulatory action is anticipated to require CARB hiring of 15 additional positions (two Air Pollution Specialists (APS), 11 Air Resources Engineers (ARE), one Staff Air Pollution Specialist (SAPS), and one Air Resources Supervisor I (ARS I)) to support the proposed California Phase 2 regulation implementation and enforcement. The cost for an ARS I position (salary + benefit + overhead) is \$202,000 for the first year with an annual cost in subsequent years of \$201,000. The cost for a SAPS position (salary + benefit + overhead) is \$187,000 for the first year with an annual cost in subsequent years of \$186,000. The cost for an ARE position (salary + benefit + overhead) is \$175,000 for the first year with an annual cost in subsequent years of \$174,000. The cost for an APS position (salary + benefit + overhead) is \$165,000 for the first year with an annual cost in subsequent years of \$164,000. The hiring of those 15 requested positions would be spread out from 2018 to 2022, specifically: one APS and two AREs starting in 2018–2019, two ad-

²Note that costs to State agencies for purchasing more expensive Phase 2 vehicles will be offset over time by the fuel savings associated with Phase 2 technologies.

ditional AREs and one ARS I starting in 2019–2020, five additional AREs starting in 2020–2021, one additional APS and one additional ARE starting in 2021–2022, and lastly one SAPS and one additional ARE starting in 2022–2023.

There would also be cost impacts on state government fleets that purchase California Phase 2–certified heavy–duty vehicles. Table 2 shows the annual projected costs to all state agencies due to the proposed regulatory action by fiscal year (costs were rounded to nearest \$1,000).

Table 2: Estimated Additional Annual Statewide Costs to State Agencies for the Proposed Regulatory Action (2017\$)³

Fiscal Year	Annual Cost (\$)
Current	0
2018/2019	515,000
2019/2020	1,064,000
2020/2021	1,964,000
2021/2022	2,479,000
2022/2023	2,860,000
2023/2024	2,865,000
2024/2025	2,889,000
2025/2026	2,809,000
2026/2027	2,809,000
2027/2028	2,828,000
2028/2029	2,829,000
Total Cost (\$)	25,910,000

The proposed amendments to the California Tractor–Trailer GHG regulation would not impose additional costs on state agencies.

Cost or Savings in Federal Funding to the State:

No costs or savings in federal funding is anticipated.

Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):

The Executive Officer has also made the initial determination that the proposed regulatory actions will not have a significant effect on housing costs.

Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete (Gov. Code, &§11346.3, subd. (a), 11346.5, subd. (a)(7), 11346.5, subd. (a)(8)):

The Executive Officer has made an initial determination that the proposed regulatory action would not have

a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

Results of The Economic Impact Analysis/Assessment (Gov. Code, § 11346.5, subd. (a)(10)):

A detailed assessment of the economic impacts of the proposed regulatory action can be found in the staff’s Initial Statement of Reasons (ISOR), or Staff Report.

NON–MAJOR REGULATION: STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA):

The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment:

GHGs are the primary cause of anthropogenic climate change. Climate change is already having dramatic impacts in California in the form of reduced snowpack, more intense drought, increased wildfire intensity, and sea level rise. Human–caused climate change threatens both public health and public welfare. Extreme weather events, changes in air quality, increases in food– and water–borne pathogens, and increases in temperatures are anticipated to have adverse health effects. GHG emissions can remain in the atmosphere for decades to millennia. Transportation activities, in particular, were the largest contributor to total California GHG emissions in 2012 (37 percent of total emissions). The federal Phase 2 GHG program will provide substantial GHG reductions which will help California achieve the state’s GHG reduction goals. Adoption of the California Phase 2 regulation will give California the ability to certify and enforce the federal Phase 2 standards in California, and with proposed minor distinctions, help preserve the air quality benefits of California’s incentive and regulatory programs.

The inclusion of the emission standards and other requirements for heavy–duty glider vehicles, glider engines, and glider kits may prevent an increase in NOx and toxic diesel particulate matter emissions from these vehicles, which would result in health benefits for individuals in California.

Effect on Jobs/Businesses:

The Executive Officer has determined that the proposed regulatory action would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis in the Staff Report.

³Note that the Table 2 costs do not include savings in fuel that state agency fleets would benefit from due to operating more fuel–efficient Phase 2 vehicles. These savings would offset the costs shown in Table 2.

Benefits of the Proposed Regulation:

The proposed California Phase 2 regulations are intended to 1) harmonize with the federal Phase 2 program in terms of structure, timing, and stringency so engine/vehicle/trailer manufacturers have essentially one set of standards with which to comply, 2) allow CARB to verify and enforce federal Phase 2 regulatory standards, thereby potentially leading to higher levels of compliance, and 3) establish minor differences in requirements that are necessary to ease enforcement, align with existing California programs, and provide incentives to bring advanced technologies with low NOx emissions to market. The proposed amendments to the California Tractor–Trailer GHG Regulation would give owners of trailer fleets the option of using Phase 2 certified trailers, and the aerodynamic equipment and low–rolling resistance tires that are components of federal Phase 2 certified trailers, to comply with the regulation. A summary of these benefits is provided. Please refer to “Objectives and Benefits of the Proposed Regulatory Action,” under the Informative Digest of Proposed Action and Policy Statement Overview Pursuant to Government Code 11346.5(a)(3) discussed earlier in this notice.

Business Report (Gov. Code, §§11346.5, subd. (a)(11); 11346.3, subd. (d)):

In accordance with Government Code sections 11346.5, subdivision (a)(11) and 11346.3, subdivision (d), the Executive Officer finds the reporting requirements of the proposed regulatory actions which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California.

Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):

In developing this regulatory proposal, staff evaluated the potential economic impacts on representative private persons or businesses. The proposed California Phase 2 regulations would impose additional compliance costs on the regulated engine/vehicle/trailer manufacturers and the increased costs would be passed on to the California heavy–duty vehicle fleets that purchase the California Phase 2–certified vehicles and trailers. Cost impacts on a representative business were estimated based on increased costs per California private heavy–duty fleet. Table 3 shows the average annual cost per impacted private business from 2018 to 2028. Phase 2 costs will be offset over time by the fuel savings associated with Phase 2 technologies.

Table 3: Average Annual Compliance Cost per Impacted Business from 2018 to 2028 (2017\$)⁴

Calendar Year	Annual Statewide Cost per PrivateBusiness (\$/business)
2018	0
2019	0
2020	5.64
2021	42.51
2022	46.71
2023	48.22
2024	53.05
2025	36.72
2026	36.80
2027	40.70
2028	40.79

The proposed amendments to the California Tractor–Trailer regulation would have no cost impacts on California private businesses.

Effect on Small Business (Cal. Code Regs., tit. 1, § 4, subs. (a) and (b)):

The Executive Officer has also determined under California Code of Regulations, title 1, section 4, that the proposed regulatory action would affect small businesses. The cost impacts on small businesses, which are small California heavy–duty fleets, would be the same as the estimated cost impacts on a representative private fleet as described in Table 3 above.

Alternatives Statement (Gov. Code, § 11346.5, subd. (a)(13)):

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provi-

⁴ Note that the Table 3 costs do not include savings in fuel that heavy–duty vehicle fleets would benefit from due to operating more fuel efficient Phase 2 vehicles. These savings would offset the costs shown in Table 3.

sions of law. Alternatives to the proposed rulemaking are described in the Staff Report.

ENVIRONMENTAL ANALYSIS

CARB, as the lead agency for the proposed regulation, has concluded that this action is exempt from CEQA, as described in CEQA Guidelines §15061, because the action is both an Action Taken by Regulatory Agencies for Protection of the Environment (as described in CEQA Guidelines §15308 for “class 8” exemptions); and it is also exempt as described in CEQA Guidelines §15061(b)(3) (“common sense” exemption) because it can be seen with certainty that there is no possibility that the proposed action may result in a significant adverse impact on the environment. A brief explanation of the basis for reaching this conclusion is included in Chapter V of the Staff Report.

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alterno u otro idioma;
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Re-transmisión de Mensajes de California.

AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative, Alex Santos, Staff Air Pollution Specialist, On-Road Heavy Duty Diesel Section, at (626) 575-6682 or (designated back-up contact) Mitzi Magtoto, Air Resources Engineer, Strategic Planning and Development Section, at (916) 323-8975.

AVAILABILITY OF DOCUMENTS

CARB has prepared a Staff Report (i.e., the Initial Statement of Reasons (ISOR)) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: Proposed California Greenhouse Gas (GHG) Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles (Phase 2) and Proposed Amendments to the Tractor-Trailer GHG Regulation.

Copies of the Staff Report and the full text of the proposed regulatory language, with amendments in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on CARB’s website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990, on December 19, 2017.

Further, the agency representative to whom nonsubstantive inquiries concerning the proposed administrative action may be directed is Bradley Bechtold, Regulations Coordinator, (916) 322-6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may take action to approve for adoption the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also approve for adoption the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action. If this occurs, the full regulatory text, with the modifications clearly indicated, will be made avail-

able to the public, for written comment, at least 15–days before final adoption.

The public may request a copy of the modified regulatory text from CARB’s Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322–2990.

FINAL STATEMENT OF REASONS AVAILABILITY

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on CARB’S website listed below.

INTERNET ACCESS

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on CARB’s website for this rulemaking at <http://www.arb.ca.gov/regact/2018/phase2/phase2.htm>

TITLE 17. AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE AREA DESIGNATIONS FOR STATE AMBIENT AIR QUALITY STANDARDS

The California Air Resources Board (CARB or Board) will conduct a public hearing at the time and place noted below to consider approving for adoption the proposed amendments to the regulations designating areas of California as attainment, nonattainment, nonattainment–transitional, or unclassified for pollutants with State ambient air quality standards.

DATE: February 8, 2018
 TIME: 9:00 a.m.
 LOCATION: California Environmental Protection Agency
 Air Resources Board
 Byron Sher Auditorium
 1001 I Street,
 Sacramento, California 95814

This item may be considered at a meeting of the Board, which will commence at 9:00 a.m., February 8, 2018, and may continue at 8:30 a.m., on February 9, 2018. Please consult the agenda for the hearing, which will be available at least ten days before February 8, 2018, to determine the day on which this item will be considered.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Interested members of the public may present comments orally or in writing at the hearing and may provide comments by postal mail or by electronic submittal before the hearing. The public comment period for this regulatory action will begin on December 22, 2017. Written comments not physically submitted at the hearing must be submitted on or after December 22, 2017, and received **no later than 5:00 p.m. on February 5, 2018**. CARB requests that when possible, written and email statements be filed at least ten days before the hearing to give CARB staff and Board members additional time to consider each comment. The Board also encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action. Comments submitted in advance of the hearing must be addressed to one of the following:

Postal mail: Clerk of the Board,
 California Air Resources Board
 1001 I Street, Sacramento,
 California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Additionally, the Board requests but does not require, that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

AUTHORITY AND REFERENCE

This regulatory action is proposed under the authority granted in California Health and Safety Code (H&SC), sections 39607(e) and 39608. This action is proposed to implement, interpret, and make specific sections 60201, 60205, and 60210.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW (GOV. CODE, § 11346.5. subd. (a)(3))

Sections Affected: Proposed amendments to California Code of Regulations, title 17, sections 60201, 60205, and 60210.

Background and Effect of the Proposed Regulatory Action:

CARB is charged with the responsibility of adopting ambient air quality standards in consideration of the public health, safety, and welfare (Health and Safety Code [H&SC] section 39606). To date, CARB has adopted State ambient air quality standards (State standards) for ten pollutants, set forth in California Code of Regulations (CCR), title 17, section 70200. In addition, H&SC section 39607(e) requires CARB to establish designation criteria that provide the basis for designating areas of California as attainment or nonattainment with respect to the State standards. The designation criteria are set forth in CCR, title 17, sections 70300 through 70306, and appendices 1 through 3 thereof. Based on these designation criteria, H&SC section 39608 further requires CARB to establish and annually review area designations for State standards; this proposal fulfills that review requirement.

Objectives and Benefits of the Proposed Regulatory Action:

During the annual review, CARB determines whether changes to the existing area designations are warranted based on an evaluation of recent air quality data. The proposed amendments to the area designations classify the air quality in communities as to whether it meets the State standards. Depending on the proposed changes to an area’s designation, air pollution control or air quality management districts may be required to adopt and submit a plan to correct for deficiencies in meeting the State standards for ozone, carbon monoxide, nitrogen dioxide, and sulfur dioxide. Districts may modify the emission reduction strategy or alternative measure of progress in the plan if the district demonstrates to CARB’s satisfaction that the modified strategy is at least as effective in improving air quality as the strategy in the plan.

The annual review and update of the area designations gives the public, businesses, and government an indication of whether the health-based standards are being met. This information allows the public to make more educated decisions regarding personal health and residency, as well as participation in outdoor activities. In addition, businesses and government are given the opportunity to make informed decisions regarding worker health and safety.

Objectives:

This year’s review of the area designations is based on air quality data from 2014 through 2016. The proposed amendments provide for the following changes:

Ozone:

- Designate the Lake Tahoe Air Basin as Attainment. This area is currently designated as Nonattainment–Transitional.
- Designate the North Central Coast Air Basin as Nonattainment. This area is currently designated as Nonattainment–Transitional.
- Designate Sutter and Yuba Counties in the Sacramento Valley Air Basin as Nonattainment. These areas are currently designated as Nonattainment–Transitional.

PM₁₀ (Suspended Particulate Matter):

- Designate Shasta County in the Sacramento Valley Air Basin as Attainment. This area is currently designated as Nonattainment.
- Designate Lassen County in the Northeast Plateau Air Basin as Unclassified. This area is currently designated as Nonattainment.
- Designate Modoc County in the Northeast Plateau Air Basin as Unclassified. This area is currently designated as Nonattainment.

PM_{2.5} (Fine Particulate Matter):

- Designate, within San Bernardino County, the County Portion of federal Southeast Desert Modified AQMA for Ozone as Attainment. This area is currently designated as Nonattainment.

Benefits:

Environmental Justice. Some communities experience higher exposures to air pollutants, and it is a priority of CARB to ensure that full protection is afforded to all Californians. CARB’s designations provide members of these communities with updated information about the air quality of their communities, which, as stated, allows them to make more educated decisions regarding personal health and residency, as well as participation in outdoor activities.

Safeguarding the quality of the physical environment. An area’s designation status provides a classification that assists local districts to more accurately assess local air quality. As discussed above, depending on the proposed changes to an area’s designation, a district may be required to adopt and submit a plan to correct for deficiencies in meeting the State standards for ozone, carbon monoxide; nitrogen dioxide, and sulfur dioxide. As a result, indirect benefits to the quality of the physical environment may result if the district adopts or amends its regulations with a goal toward achieving the State standards.

Encouraging a regional approach to the State ambient air quality, whenever possible. The proposed designations

nations by discrete areas allow each local district to assess the air quality of individual areas and address their unique situations and needs. This approach allows each local district to identify the most cost-effective, efficient, and acceptable approach to achieve the State standards.

Consistency with the State goal of providing a decent home and suitable living environment. The annual review and update of the area designations gives local districts an indication of whether the health-based standards are being met. This information allows local districts to make informed decisions regarding appropriate actions to meet the State standards.

Comparable Federal Regulations:

There are no comparable federal or local regulations that address area designations for the State standards.

An Evaluation of Inconsistency or Incompatibility with Existing State Regulations (Gov. Code, § 11346.5, subd. (a)(3)(D)):

During the process of developing the proposed regulatory action, CARB conducted a search of any similar regulations on this topic and concluded these regulations are neither inconsistent nor incompatible with existing state regulations.

In designating the Lake Tahoe Air Basin as attainment for ozone; Shasta County in the Sacramento Valley Air Basin as attainment for PM₁₀ (suspended particulate matter); and the county portion of federal south-east desert modified AQMA in San Bernardino County as attainment for PM_{2.5} (fine particulate matter), CARB has considered the data for record (defined in California Code of Regulations, title 17, section 70301(a)),¹ which meet the representativeness and completeness criteria and which demonstrate that the respective State standards were not violated in these areas. The representativeness criteria are set forth in Appendix A to this Notice (see Appendix 1) and in California Code of Regulations, title 17, Division 3, Chapter 1, Subchapter 1.5, Article 3, Appendix 1. The completeness criteria are set forth in Appendix A to this Notice (see Appendix 3) and

¹California Code of Regulations, title 17, section 70301(a) provides, “Except as otherwise provided in this article, designations shall be based on ‘data for record.’ (1) Data for record are those data collected by or under the auspices of the state board or the districts for the purpose of measuring ambient air quality, and which the Executive Officer or his or her delegate has determined comply with the siting and quality assurance procedures established in Part 58, Title 40, Code of Federal Regulations or other equivalent procedures. (2) Any other data which are provided by a district or by any other person will be data for record if the Executive Officer or his or her delegate determines within 90 days of submittal of complete supporting documentation that the data comply with the siting and quality assurance procedures established in Part 58, Title 40, Code of Federal Regulations or other equivalent procedures”

in California Code of Regulations, title 17, Division 3, Chapter 1, Subchapter 1.5, Article 3, Appendix 3. Therefore, consistent with State regulations, CARB is proposing to designate the areas noted above as attainment.

In addition, CARB has considered the data for record (defined in California Code of Regulations, title 17, section 70301(a)), which meet the representativeness and completeness criteria and which demonstrate that the State standards for ozone were violated in the North Central Coast Air Basin and in Sutter and Yuba Counties in the Sacramento Valley Air Basin (SVAB). Therefore, CARB is proposing to designate these areas as nonattainment for ozone.

Finally, CARB has considered the requirements as set forth in the California Code of Regulations, title 17, sections 70303, 70304, and 70305, and has determined that the PM₁₀ attainment or nonattainment status of Lassen and Modoc Counties in the Northeast Plateau Air Basin cannot be confirmed. Therefore, CARB is proposing to designate these areas as unclassified for PM₁₀.

DISCLOSURE REGARDING THE PROPOSED REGULATION

Fiscal Impact/Local Mandate Determination Regarding the Proposed Action (Gov. Code, § 11346.5, subs. (a)(5)&(6)):

The determinations of the Board’s Executive Officer concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below.

Under Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any State agency or in federal funding to the State, costs or mandate to any local agency or school district, whether or not reimbursable by the State under Government Code, title 2, division 4, part 7 (commencing with section 17500), or other nondiscretionary cost or savings to State or local agencies.

Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):

The Executive Officer has also made the initial determination that the proposed regulatory action will not have a significant effect on housing costs.

Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete (Gov. Code, §§ 11346.3, subd. (a), 11346.5, subd. (a)(7), 11346.5, subd. (a)(8)):

The Executive Officer has made an initial determination that the proposed regulatory action would not have

a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

Results of The Economic Impact Analysis/Assessment (Gov. Code, § 11346.51 subd. (a)(10)):

Effect on Jobs/Businesses:

The Executive Officer has determined that the proposed regulatory action would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis in the Initial Statement of Reasons (ISOR).

The area designations are simply labels that describe the healthfulness of the air quality in each area. Because these regulations by themselves are simply labels of an area’s air quality, they do not contain any specific requirements for action, other than the review, adoption, and submittal of a triennial plan by the district. As a result, they have no specific, direct economic impact. However, this regional approach to categorizing air quality allows each district to identify the most cost-effective and efficient approach to achieve the ambient air quality standards. In addition, the annual review and update of the area designations gives the public an indication of whether the health-based standards are being met, thereby allowing the public to make more educated decisions regarding personal health and residency, as well as participation in outdoor activities. These personal health and residency decisions may translate into cost savings from reduced medical expenses, hospitalizations, and time off from work, as well as improved psychological benefits. It also allows businesses and government the opportunity to make informed decisions about worker health and safety. These business and government decisions may also translate into cost savings from reduced workers’ expenses such as medical expenses, hospitalizations, time off from work, and worker’s compensation, as well as improved worker morale.

Benefits of the Proposed Regulation:

The objective of the proposed amendments to the regulation is to review and update the area designations, which give the public, businesses, and government an indication of whether the health-based standards are being met.

A summary of these benefits is provided; please refer to “Objectives and Benefits of the Proposed Amendments,” under the Informative Digest of Proposed Ac-

tion and Policy Statement Overview Pursuant to Government Code 11346.5(a)(3) discussion above.

Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):

In developing this regulatory proposal, CARB staff evaluated the potential economic impacts on representative private persons or businesses. CARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Small Business (Cal. Code Regs., tit. 1, § 4, subds. (a) and (b)):

The Executive Officer has also determined under California Code of Regulations, title 1, section 4, that the proposed regulatory action would not affect small businesses because the proposed regulatory actions are simply labels of an area’s air quality; they do not contain any specific requirements for action, other than the review, adoption, and submittal of a triennial plan by the district. As a result, they have no specific, direct impact on small businesses.

Alternatives Statement (Gov. Code, § 11346.5, subd. (a)(13)):

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board (which includes during preliminary workshop activities), would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

ENVIRONMENTAL ANALYSIS

CARB, as the lead agency under the California Environmental Quality Act (CEQA), has reviewed the proposed regulatory action and concluded that it is exempt pursuant to CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed action may result in significant adverse impact on the environment. A brief explanation of the basis for reaching this conclusion is included in Chapter VI of the ISOR.

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;

- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alterno u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Re-transmisión de Mensajes de California.

AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative, Theresa Najita, Air Pollution Specialist, Central Valley Air Quality Planning Section, at (916) 322-7297 or (designated back-up contact) Jenette Kwong, Air Resources Engineer, Air Quality Analysis Section, at (916) 324-9460.

AVAILABILITY OF DOCUMENTS

CARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: "Proposed 2017 Amendments to Area Designations for State Ambient Air Quality Standards."

Copies of the ISOR, which includes the full text of the proposed regulatory language in underline and strike-out format to allow for comparison with the existing regulations, may be accessed on CARB's website listed below, or may be obtained from the Public information

Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, (916) 322-2990, on December 19, 2017.

Further, the agency representative to whom nonsubstantive inquiries concerning the proposed administrative action may be directed is Bradley Bechtold, Regulations Coordinator, (916) 322-6533. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may take action to approve for adoption the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also approve for adoption the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action. If this occurs, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before final adoption.

The public may request a copy of the modified regulatory text from CARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California 95814, (916) 322-2990.

FINAL STATEMENT OF REASONS AVAILABILITY

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on CARB's website listed below.

INTERNET ACCESS

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on CARB's website for this rulemaking at <http://www.arb.ca.gov/regact/2018/area18/area18.htm>.

TITLE 22. DEPARTMENT OF AGING

**NOTICE OF INTENTION TO AMEND THE
CONFLICT-OF-INTEREST CODE OF THE
CALIFORNIA DEPARTMENT OF AGING**

NOTICE IS HEREBY GIVEN that the **California Department of Aging**, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on December 22, 2017 and closing on February 5, 2018. All inquiries should be directed to the contact listed below.

The **California Department of Aging** proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include: a new classification added. A description of the classifications is below:

- **Health Facilities Evaluation Nurse** — The position was added to support duties at a higher level and to be in alignment with the classification. This class performs similar, if not the same duties as the Nurse Evaluator II.

and also makes other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency’s contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than February 5, 2018, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than January 22, 2018.

The **California Department of Aging** has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.

6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Chisorom Okwuosa, Chief Counsel
Chisorom.Okwuosa@aging.ca.gov
 916-419-7508

GENERAL PUBLIC INTEREST

**CALIFORNIA POLLUTION CONTROL
FINANCING AUTHORITY**

**NOTICE OF CORRECTION
Concerning the Notice of Proposed Rulemaking
re:
California Capital Access Loan Program for
Small Business
(OAL File No. Z2017-1114-05)**

Originally published November 24, 2017

The above-referenced Notice of Proposed Rulemaking (“Notice”) was originally published in the California Regulatory Notice Register 2017, 47-Z, November 24, 2017.

The Notice incorrectly stated that the California Pollution Control Financing Authority (“Authority” or “CPCFA”) proposes to adopt and amend “Sections 8078-8078.35 of Title 4 of the California Code of Regulations”. The Notice should state “Sections 8070-8078.35 of Title 4 of the California Code of Regulations”.

The Notice omitted to include the following text in the “Informative Digest/Policy Statement Overview” section:

§ 8070. Definitions

This section defines terms commonly used throughout the regulations to avoid ambiguity or misunderstanding.

Section 8070(c). Adds the term “Change in Terms” defined as the process to report any change in material terms of an enrolled loan. This term is needed to distinguish between a new loan established through a Refinance and an existing loan with revisions to the terms. The Authority will be able to determine if the changes in terms affect the eligibility of the original loan enrolled under the program.

Section 8070(d). Clarifies the term “Contribution” as funds deposited in the loan loss reserve account by the

Authority or an Independent Contributor. This distinction is needed to eliminate confusion between the funds deposited in the Loss Reserve Account by the Authority or Independent Contributor and funds deposited by the Participating Financial Institution or Borrower.

Section 8070(f). Eliminates the word “Premium” or “Premiums” from the definition. This change simplifies the reference to lenders or borrower’s contribution, and eliminates confusion of the CalCAP program with an insurance program. It adds clarity by limiting the reference to the lender and borrower’s contribution to one single word “fee”. The fees are clearly non-refundable as compared to the term “premium” which might be associated with regular insurance provisions that allow for refunds.

Section 8070(j). Eliminates the term “Matching Contributions” from the definition section. This change is needed because the programs do not allow for matching contributions. The Program only distinguishes between contributions or fee. Eliminating the term provides clarity for the existing definitions.

Section 8070(p). Adds the term “Outstanding Principal Balance” in order to clarify how the balance amount will be calculated. The Outstanding Principal Balance is part of the Recapture calculation and is a term that needs to be updated every quarter and reported in the Quarterly Report. Different Financial Institutions calculate the outstanding principal balance with minor discrepancies, as it relates to the specific categories included in the calculation. This definition provides a standard calculation for all Participating Financial Institutions.

Section 8070(u). Updates the definition of “Qualified Loan” to add more specificity to the businesses that are excluded from participation in the program. The updates are necessary to provide clarification for the Participating Financial Institutions what type of businesses are not qualified to participate in the CalCAP program. The update is aligning the definition with state statute and federal regulations.

Section 8070(v). Adds the term “Quarterly Report”. This term is needed to assign a name for the report and clarify the exact due date for the submission of the report to the Authority. The data required to be provided in the Quarterly Report is an essential part of the Recapture calculation. Defining the term and specifying the exact data that has to be provided in the report, will ensure that all the Participating Financial Institution provide the same uniform data, allowing for a more efficient validation and reconciliation of the data.

Section 8070(w). Adds the term “Recapture”. The adoption of the recapture mechanism is necessary in order to recycle older contributions for enrolled loans to support future loan enrollments. Recapture of older contribution is a necessary tool for the sustainability of the CalCAP program, as it allows for recycling of funds

under specified terms. The recycled funds will be used as contribution for future loan enrollments. The recycling of funds is essential for the continuation of the CalCAP programs, as the fund balances for these programs are anticipated to be exhausted by the end of this year.

Section 8070(x). Adds the term “Refinance”. This is necessary to refine Program enrollment eligibility for specific types of financing. This term is needed to distinguish between a new loan established through a Refinance and an existing loan with revisions to the terms. The Authority will be able to determine if the Refinance of the original loan is eligible under the terms and conditions of each specific program.

Section 8070(y). Updates the term “Severely Affected Community” in order to eliminate unnecessary and outdated language.

Necessity. The proposed amendments are necessary to include definitions specific to the implementation of the recapture mechanism for the Capital Access Program for Small Businesses, and to eliminate and refine existing definitions for clarity.

All other aspects of the Notice remain the same.

If you have further questions, please contact Bianca Smith at (916) 653-5408.

PETITION DECISION

DEPARTMENT OF CORRECTIONS AND REHABILITATION

**California Code of Regulations
Title 15, Crime Prevention and Corrections**

PETITIONER

Rennie Norelli, BB5041

AUTHORITY

Under authority granted by Government Code (GC) Section 12838.5, which vests to the California Department of Corrections and Rehabilitation (CDCR or the Department), all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the abolished Youth and Adult Correctional Agency, California Department of Corrections, Department of the Youth Authority, Commission on Correctional Peace Officer Standards and Training, Board of Corrections, and the State Commission on Juvenile Justice, Crime and Delinquency Prevention. Penal Code (PC) Section

5050 provides that commencing July 1, 2005, any reference to the Director of Corrections refers to the Secretary of the CDCR. PC Section 5055 provides that commencing July 1, 2005, all powers/duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. PC Section 5058 provides that the Director may prescribe and amend regulations for the administration of prisons. PC Section 5054 vests with the Secretary of the CDCR, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein.

CONTACT PERSON

Please direct any inquiries regarding this action to Timothy M. Lockwood, Associate Director, Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001.

AVAILABILITY OF PETITION

The petition to amend regulations is available upon request directed to the Department's contact person.

SUMMARY OF PETITION

Petitioner asks the Department to amend regulations establishing definitions of terms such as "Nonviolent Offender", "Violent Felony", "Primary Offense" and others, being adopted to implement, interpret, and make specific Proposition 57, the Public Safety and Rehabilitation Act of 2016, which was approved by California voters on November 8, 2016.

Petitioner states subsections 3490(a) through (f) are "arbitrary and capricious, redefines the scope of existing penal code statute, and is contrary to state and federal court rulings and the government code and Administrative Procedures Act." Petitioner contends the regulations violate the spirit and intent of Proposition 57.

Petitioner requests that the circumstances of the inmate's commitment offense determine whether the offender qualifies as non-violent. Such a change would be in keeping with the spirit of Proposition 57 and the Governor's intent in promoting the initiative.

DEPARTMENT DECISION

The Secretary of CDCR denies the petitioner's request in its entirety.

The petition is in regard to a rulemaking action which is currently being promulgated, and the provisions in question remain subject to change. The Initial Statement of Reasons, made available to the public and inmates July 14, 2017, as part of Notice of Change to Regulations 17-05, provided the following reasoning and necessity statements for these provisions:

Condemned inmates, inmates currently serving a term of life without the possibility of parole, and inmates currently serving a term of life with the possibility of parole are excluded from parole consideration under this section because the people of the State of California (through initiatives and the legislature) determined that such inmates have been convicted of violent offenses or have repeatedly committed serious crimes that require the longest possible period of incarceration (life in prison with the possibility of parole), consistent with public safety.

Inmates currently serving a term for a violent felony offense, as defined in Penal Code section 667.5, subdivision (c), are excluded from parole consideration because the crimes listed in that section of the Penal Code involve physical violence. However, inmates who have completed a violent offense term but remain incarcerated for offenses that do not qualify as a violent felony will be eligible for parole consideration, in accordance with court decisions.

Inmates convicted of a sexual offense that currently requires or will require they register pursuant to Penal Code section 290 are also excluded from parole consideration because the crimes listed in that section of the Penal Code reflect the determination of the people of the State of California (through initiatives and the legislature) that, "Sex offenders pose a potentially high risk of committing further sex offenses after release from incarceration or commitment, and the protection of the public from reoffending by these offenders is a paramount public interest." (Penal Code section 290.03.) Also, when the people of the State of California approved Proposition 35 on November 6, 2012, they declared that "Protecting every person in our state, particularly our children, from all forms of sexual exploitation is of paramount importance." (See Proposition — Californians Against Sexual Exploitation Act, 2012 Cal. Legis. Serv. Prop. 35 (Proposition 35) (WEST), section 2, paragraph 1.)

Next, this section defines the term "primary offense" to mean the single crime with the longest sentence imposed by any court, excluding all enhancements, alternative sentences, or

consecutive sentences, and defines “full term” to mean the actual number of years, months, and days the sentencing court imposed for that primary offense, not including any sentencing credits. Taken together, this means that an eligible inmate will only be considered for parole after serving the actual number of years, months, and days imposed by the sentencing court for the crime with the longest sentence. That date, less any pre-sentence credits awarded by the sentencing court, represents the inmate’s “nonviolent parole eligible date,” which shall be used to schedule the inmate’s initial parole consideration.

DISAPPROVAL DECISION

Printed below is the summary of an Office of Administrative Law disapproval decision. The full text of the disapproval decision is available at www.oal.ca.gov under the “Publications” tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

BOARD OF REGISTERED NURSING

**State of California
Office of Administrative Law**

**In re:
Board of Registered Nursing**

Regulatory Action:

Title 16, California Code of Regulations

Adopt sections: 1483.1, 1483.2, 1486

Amend sections: 1480, 1481, 1482, 1483, 1484

**DECISION OF DISAPPROVAL OF
REGULATORY ACTION**

Government Code Section 11349.3

OAL Matter Number: 2017-1020-01S

OAL Matter Type: Regular (S)

SUMMARY OF REGULATORY ACTION

This regular rulemaking by the Board of Registered Nursing (the “Board”) proposes to (1) update definitions relating to nurse practitioners and nurse practitioner education programs; (2) identify categories of nurse practitioners; (3) update requirements for obtain-

ing certification and evaluating a registered nurse’s qualifications to be certified as a nurse practitioner; (4) establish requirements for nurse practitioner education programs in California; (5) establish requirements for reporting nurse practitioner education program changes; and (6) establish requirements for clinical practice experience for nurse practitioner students enrolled in an out-of-state nurse practitioner education program.

On October 20, 2017, the Board submitted the above-referenced rulemaking action to the Office of Administrative Law (“OAL”) for review. On December 6, 2017, OAL notified the Board of OAL’s decision to disapprove the proposed rulemaking.

DECISION

OAL disapproved the above-referenced rulemaking action because the proposed regulations failed to comply with the consistency, clarity, and necessity standards of the Administrative Procedure Act (the “APA”). Additionally, the Board failed to follow procedural requirements in adopting the proposed regulations. All of these issues must be resolved prior to OAL’s approval of any regulations. This Decision of Disapproval of Regulatory Action explains the reasons for OAL’s action.

CONCLUSION

OAL disapproved the above-referenced rulemaking action for the foregoing reasons. Pursuant to Government Code section 11349.4, subdivision (a), the Board may resubmit revised regulations and/or rulemaking documents within 120 days of their receipt of this Decision of Disapproval. A copy of this Decision was emailed to the Board on the date indicated below. If you have any questions, please contact me at (916) 324-6948.

Date: December 13, 2017 Steven J. Escobar
 Attorney
 For: Debra M. Cornez
 Director

Original: Dr. Joseph Morris, Executive Officer
 Copy: Ronnie Whitaker

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2017-1127-05
BUREAU OF CANNABIS CONTROL
 Commercial Cannabis Regulation

In this emergency rulemaking action, the Bureau of Cannabis Control adopted regulations in the California Code of Regulations to implement, interpret, and make specific the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), found in Business & Professions Code, section 26000 et seq. These regulations provide licensing and enforcement criteria for commercial cannabis businesses in California, including distributors, retailers, microbusinesses, temporary cannabis events, and testing laboratories. These regulations inform applicants for licensure of the applicable meaning of key statutory terms, identify the documents and supplemental information required in an application, and provide specific clarification of terms, prohibitions, and conditions for compliance with MAUCRSA. This is a deemed emergency action pursuant to section 26013, subdivision (b)(3), of the Business & Professions Code.

Title 16
 ADOPT: 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 5053, 5054, 5055, 5300, 5301, 5302, 5303, 5304, 5305, 5306, 5307, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5400, 5401, 5402, 5403, 5404, 5405, 5406, 5407, 5408, 5409, 5410, 5411, 5412, 5413, 5414, 5415, 5416, 5417, 5418, 5419, 5420, 5421, 5422, 5423, 5424, 5425, 5426, 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5600, 5601, 5602, 5603, 5700, 5701, 5702, 5703, 5704, 5705, 5706, 5707, 5708, 5709, 5710, 5711, 5712, 5713, 5714, 5715, 5716, 5717, 5718, 5719, 5720, 5721, 5722, 5723, 5724,

5725, 5726, 5727, 5728, 5729, 5730, 5731, 5732, 5733, 5734, 5735, 5736, 5737, 5738, 5739, 5800, 5801, 5802, 5803, 5804, 5805, 5806, 5807, 5808, 5809, 5810, 5811, 5812, 5813, 5814

Filed 12/07/2017
 Effective 12/07/2017
 Agency Contact:
 CJ Croys-Schooley (916) 574-8102

File# 2017-1205-01
CALIFORNIA ALTERNATIVE ENERGY AND ADVANCED TRANSPORTATION FINANCING AUTHORITY
 Sales and Use Tax Exclusion Program

This emergency rulemaking by the California Alternative Energy and Advanced Transportation Financing Authority amends sections 10032 and 10036, in title 4 of the California Code of Regulations relating to the existing sales and use tax exclusion program for Alternative Source, Advanced Transportation, and Advanced Manufacturing projects. These amendments incorporate measures to assist companies relocating or rebuilding after critical damage caused by natural disasters to promote the goals of retaining manufacturing facilities and manufacturing jobs in California.

Title 4
 AMEND: 10032, 10036
 Filed 12/13/2017
 Effective 12/13/2017
 Agency Contact: Ashley Bonnett (916) 651-5100

File# 2017-1024-05
CALIFORNIA GAMBLING CONTROL COMMISSION
 Update of Forms #2

In this change without a regulatory effect, the California Gambling Control Commission (Commission) amends various sections to update the revision date of forms incorporated by reference on which the Commission changed its phone number and removed its facsimile number.

Title 4
 AMEND: 12200.3, 12200.5, 12200.14, 12202, 12205.1, 12220.3, 12220.5, 12220.14, 12222, 12225.1, 12301.1, 12342, 12350, 12352, 12357, 12358
 Filed 12/07/2017
 Agency Contact: Nina Tantraphol (916) 263-4904

File# 2017-1205-05
CALIFORNIA HIGHWAY PATROL
 Explosives Routes and Stopping Places

In this regulatory action, the California Highway Patrol removes 4.3 miles and extends 42.4 miles of cur-

rently designated routes for the transportation of explosives by commercial vehicles on highways in the San Diego area.

Title 13
 AMEND: 1152.6.1
 Filed 12/07/2017
 Effective 12/07/2017
 Agency Contact: Tian-Ting Shih (916) 843-3400

File# 2017-1121-05
 CALIFORNIA PRISON INDUSTRY AUTHORITY
 Conflict-of-Interest Code

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 15
 AMEND: 8199
 Filed 12/12/2017
 Effective 01/11/2018
 Agency Contact: Diana Harbaugh (916) 358-1711

File# 2017-1027-05
 DEPARTMENT OF CONSERVATION
 Guidance Document for Surface Mine Inspectors

This action by the Department of Conservation, Division of Mine Reclamation, adopts section 3504.6 of title 14 of the California Code of Regulations to establish the incorporated by reference training document entitled, "Guidance Document for Surface Mine Inspectors," in accordance with Public Resources Code section 2774, subdivision (e).

Title 14
 ADOPT: 3504.6
 Filed 12/13/2017
 Effective 04/01/2017
 Agency Contact: Paul Fry (916) 324-0681

File# 2017-1026-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 Organic Program Regulations

In this rulemaking action, the Department amends various sections in title 3 of the California Code of Regulations to change the Act from "California Organic Products Act of 2003" to "California Organic Food and Farming Act." The Department also adopts a section to establish registration requirements for organic products.

Title 3
 ADOPT: 1391.7
 AMEND: 1391, 1391.1, 1391.3
 Filed 12/12/2017
 Effective 04/01/2017
 Agency Contact: Danny Lee (916) 900-5194

File# 2017-1027-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This certificate of compliance by the Department of Food and Agriculture makes permanent the prior emergency action (OAL file no. 2017-0502-02E) that expanded the existing quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) in Waco area of Kern County by approximately 98 square miles. The effect of this action is to provide permanent authority for the state to perform quarantine activities against ACP within this additional area, along with the many already existing regulated areas in the state.

Title 3
 AMEND: 3435(b)
 Filed 12/13/2017
 Effective 12/13/2017
 Agency Contact: Rachel Avila (916) 403-6813

File# 2017-1027-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This timely certificate of compliance action by the Department of Food and Agriculture makes permanent the changes adopted in OAL File Nos. 2016-1212-02E, 2017-0523-04EE, and 2017-0725-01EE that prohibit the movement of bulk citrus within quarantine areas, except for shipments moved under the terms of a special permit as authorized under section 3154 of title 3 of the CCR.

Title 3
 AMEND: 3435(d)
 Filed 12/13/2017
 Effective 12/13/2017
 Agency Contact: Rachel Avila (916) 403-6813

File# 2017-1117-01
 DEPARTMENT OF FOOD AND AGRICULTURE
 Huanglongbing (HLB) Disease Interior Quarantine

This certificate of compliance was filed by the Department of Food and Agriculture to make permanent its prior emergency action (OAL file no. 2017-0523-05E) that expanded the quarantine area for the Huanglongbing (HLB) disease by approximately 71 square miles surrounding the Anaheim area of Orange County. The effect of this amendment is to provide permanent authority for the state to perform quarantine ac-

tivities against HLB within this additional area under quarantine.

Title 3
AMEND: 3439(b)
Filed 12/11/2017
Effective 12/11/2017
Agency Contact: Rachel Avila (916) 403-6813

File# 2017-1127-02
DEPARTMENT OF FOOD AND AGRICULTURE
Cannabis Cultivation Licensing

The Department of Food and Agriculture (DFA) submitted this deemed emergency action to adopt a chapter with seven articles and 64 sections into title 3 of the California Code of Regulations. The proposed regulations implement statutes under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Act) addressing the licensing of commercial cannabis cultivation operations in California and the statewide track and trace system, which will track activities of commercial cannabis and cannabis products from cultivation throughout the distribution chain.

Title 3
ADOPT: 8000, 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215, 8216, 8300, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8308, 8400, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8500, 8501, 8600, 8601, 8602, 8603, 8604, 8605, 8606, 8607, 8608
Filed 12/07/2017
Effective 12/07/2017
Agency Contact: Amanda Brown (916) 263-0801

File# 2017-1205-02
DEPARTMENT OF FOOD AND AGRICULTURE
Huanglongbing Disease Interior Quarantine

This emergency rulemaking by the Department of Food and Agriculture expands the quarantine area for Huanglongbing (“HLB”) disease in the Pico Rivera area of Los Angeles County. The quarantine area is being expanded by approximately four square miles in response to the confirmation on November 9, 2017, of the presence of HLB from suspect citrus tissue samples collected in the Pico Rivera area. This emergency action provides authority for the state to perform quarantine activities against HLB within this additional area. The

total area which is now under regulation is approximately 601 square miles.

Title 3
AMEND: 3439(b)
Filed 12/07/2017
Effective 12/07/2017
Agency Contact: Kyle Beucke (916) 403-6741

File# 2017-1026-01
DEPARTMENT OF PARKS AND RECREATION
Grants and Cooperative Agreements Program

This filing of changes without regulatory effect by the Department of Parks and Recreation amends four sections in title 14 of the California Code of Regulations and three documents incorporated by reference. The changes are in response to SB 249 (Stats. of 2017, ch. 459) that makes changes to the Off-Highway Motor Vehicle Recreation Act of 2003 that will be effective 1/1/18. These changes include adding Certified Community Conservation Corps and state recognized Native American tribes to the list of eligible applicants for the Grants and Cooperative Agreements Program. This action also lowers the match requirement for restoration projects from 25% to 10% of the total project cost.

Title 14
AMEND: 4970.00, 4970.03, 4970.05, 4970.10
Filed 12/06/2017
Agency Contact: Jessica Terry (916) 319-8540

File# 2017-1127-04
DEPARTMENT OF PUBLIC HEALTH
Emergency Cannabis Regulations — Cannabis Manufacturing Licensing

This emergency rulemaking action by the Department of Public Health adopts eighty-two sections in chapter 13 of division 1 of title 17 of the California Code of Regulations in response to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Senate Bill 94, Stats. 2017, Ch. 27). This action will: 1) establish the licensing scheme, including temporary licenses, for manufacturers of manufactured cannabis products, including the requirements for applications and the individuals or entities that are required to submit applications; 2) establish licensing fees; 3) set minimum standards for extraction processes; 4) set minimum standards for sanitary manufacturing practices; 5) establish licensee responsibilities for operations including requirements related to security, training, record-keeping, and disposal; 6) establish quality and safety standards for finished manufactured cannabis products; and 7) establish packaging and labeling standards for manufactured cannabis products.

Title 17

ADOPT: 40100, 40101, 40102, 40115, 40116, 40118, 40126, 40128, 40129, 40130, 40131, 40133, 40135, 40137, 40150, 40155, 40156, 40159, 40162, 40165, 40167, 40169, 40175, 40177, 40178, 40180, 40182, 40200, 40205, 40220, 40222, 40223, 40225, 40232, 40234, 40236, 40238, 40240, 40242, 40250, 40252, 40254, 40256, 40258, 40260, 40262, 40264, 40266, 40268, 40270, 40272, 40275, 40277, 40280, 40282, 40290, 40292, 40299, 40300, 40305, 40306, 40310, 40400, 40401, 40403, 40405, 40406, 40408, 40410, 40411, 40412, 40415, 40500, 40510, 40512, 40513, 40515, 40517, 40525, 40550, 40600, 40601

Filed 12/07/2017

Effective 12/07/2017

Agency Contact: Linda M. Cortez (916) 440-7807

File# 2017-1025-02

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

Financial Assurance Forms

This filing of changes without regulatory effect by the Department of Resources and Recycling Recovery (CalRecycle) amends sections in Titles 14 and 27 of the California Code of Regulations regarding Financial Assurance Forms. A statutory change in 2010, Public Resources Code section 40401, transferred all authority, duties, powers, purposes, responsibilities, and jurisdiction of the California Integrated Waste Management Board to CalRecycle. This rulemaking updates the name in the regulations and on the forms to reflect those statutory changes.

Title 14, 27

AMEND: Title 14, Sections: 18474, 18475, 18476, 18478, 18489, 18491, 18492, 18493, 18494, 18499.3, 18499.4, 18499.5, 18499.6, 18499.7, 18499.8, 18499.9, Appendix A, Forms 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, Title 27, Sections: 22240, 22241, 22242, 22243, 22244, 22246, 22247, 22249, 22249.5, 22250, 22251, 22252, 22253, 22254, Appendix 3, Forms 100, 101, 102(a), 102(b), 102(c), 103(a), 103(b), 103(c), 104, 105, 107, 109, 110, 111, 112, 113

Filed 12/11/2017

Agency Contact: Elliot Block (916) 341-6080

File# 2017-1023-01

DIVISION OF WORKERS' COMPENSATION

Workers' Compensation — MTUS — Formulary

This action adopts the workers' compensation Medical Treatment Utilization Schedule (MTUS) drug formulary and establishes an advisory Pharmacy and Therapeutics Committee.

Title 8

ADOPT: 9792.27.1, 9792.27.2, 9792.27.3, 9792.27.4, 9792.27.5, 9792.27.6, 9792.27.7, 9792.27.8, 9792.27.9, 9792.27.10, 9792.27.11, 9792.27.12, 9792.27.13, 9792.27.14, 9792.27.15, 9792.27.16, 9792.27.17, 9792.27.18, 9792.27.19, 9792.27.20, 9792.27.21, 9792.27.22, 9792.27.23

Filed 12/07/2017

Effective 01/01/2018

Agency Contact:

Jacqueline Schauer (510) 286-0563

File# 2017-1024-03

EMPLOYMENT DEVELOPMENT DEPARTMENT

Continuous Period of UI and DI Benefits and the Waiting Period

This change without regulatory effect filing by the Employment Development Department (EDD) amends two sections to redefine a single disability and waiting period requirements in response to changes made to Unemployment Insurance Code sections 2608 and 2627 by Senate Bill 667 (Stats. 2015, ch. 357). EDD also makes a number of grammatical and stylistic amendments.

Title 22

AMEND: 2608-1, 2627(b)-1

Filed 12/08/2017

Agency Contact:

Richard L. Stewart (916) 654-8410

File# 2017-1031-01

STATE MINING AND GEOLOGY BOARD

Vested Rights Determinations

This regular rulemaking by the Board repeals regulations concerning vested rights determinations when the Board assumes lead agency status pursuant to Public Resources Code section 2774.4 or 2774.5. These regulations are being repealed in response to the passage of Assembly Bill No. 1142 (2015-2016 Reg. Sess.), which repealed the Board's authority to make vested rights determinations when it exercises some or all of a lead agency's powers pursuant to subdivision (a) of Public Resources Code section 2774.4.

Title 14

AMEND: 3950

REPEAL: 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965

Filed 12/12/2017

Effective 04/01/2018

Agency Contact: Nicholas Lash (916) 322-1082

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN July 12, 2017 TO
December 13, 2017**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

- 11/30/17 AMEND: 10, 51.2, 52.1, 52.10, 52.11, 53.2, 53.3, 57.1, 58.6, 58.10, 58.13, 60.1, 64.1, 64.2, 64.3, 64.5, 67.2, 67.3, 67.6
- 11/27/17 AMEND: 18531.5
- 11/27/17 AMEND: 1859.190, 1859.194, 1859.195, 1859.198
- 11/21/17 AMEND: 559.502
- 11/21/17 AMEND: 59640
- 11/15/17 AMEND: 18535
- 10/26/17 ADOPT: 571.1
- 10/23/17 AMEND: 11024
- 10/23/17 AMEND: 59740
- 10/10/17 AMEND: 10500
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- 10/04/17 ADOPT: 280, 547.50, 547.51, 547.52, 547.53, 547.54, 547.55, 547.55.1, 547.55.2, 547.56, 547.57, 547.57.1, 547.52.2, 547.57.3, 547.57.4, 547.58, 547.58.1, 547.58.2, 547.58.3, 547.58.4, 547.58.5, 547.58.6, 547.58.7, 547.58.8, 547.58.9 AMEND: 281, 282 REPEAL: 547.50, 547.51, 547.52, 547.53, 547.54, 547.55, 547.56, 547.57
- 09/22/17 AMEND: 1859.2, 1859.81
- 09/21/17 AMEND: 59620
- 09/20/17 ADOPT: 1859.90.5 AMEND: 1859.2, 1859.90, 1859.90.2, 1859.90.4
- 08/31/17 AMEND: 10000, 10001, 10002, 10005, 10007, 10008, 10009, 10010, 10011, 10015, 10017, 10021, 10022, 10025, 10026, 10030, 10031, 10033, 10035, 10038, 10039, 10041, 10042, 10044, 10046, 10049, 10050, 10051, 10053, 10054, 10057, 10063, 10065
- 08/30/17 AMEND: 59590
- 08/16/17 AMEND: 604
- 08/14/17 AMEND: 11034

- 08/14/17 ADOPT: 2298.1, 2298.2, 2298.3, 2298.4, 2298.5, 2298.6, 2298.7, 2298.8, 2298.9, 2298.9.1 REPEAL: 2297.1, 2298
- 08/10/17 AMEND: 1897
- 07/25/17 AMEND: 57700
- 07/12/17 ADOPT: 20060, 20061, 20062, 20063, 20064, 20065, 20066, 20067

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- 12/13/17 AMEND: 3435(b)
- 12/13/17 AMEND: 3435(d)
- 12/12/17 ADOPT: 1391.7 AMEND: 1391, 1391.1, 1391.3
- 12/11/17 AMEND: 3439(b)
- 12/07/17 ADOPT: 8000, 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215, 8216, 8300, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8308, 8400, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8500, 8501, 8600, 8601, 8602, 8603, 8604, 8605, 8606, 8607, 8608
- 12/07/17 AMEND: 3439(b)
- 12/05/17 AMEND: 3591.5
- 11/28/17 AMEND: 3406(c), 3591.5(b)
- 11/22/17 AMEND: 3435(b)
- 11/21/17 AMEND: 3435(b)
- 11/21/17 REPEAL: 1408.22
- 11/20/17 AMEND: 3591.15
- 11/20/17 AMEND: 3435(b)
- 11/15/17 AMEND: 6728
- 11/09/17 AMEND: 3435(b)
- 11/07/17 ADOPT: 6690, 6691, 6692
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- 11/06/17 AMEND: 3435(b)
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- 09/28/17 AMEND: 3439(b)
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- 09/27/17 AMEND: 3435(b)
- 09/21/17 AMEND: 1430.142
- 09/19/17 AMEND: 3406(c), 3591.5(b)
- 09/14/17 AMEND: 3439
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- 09/07/17 AMEND: 3435(b)
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08/16/17	AMEND: 3435(b)	09/07/17	AMEND: 12101, 12200, 12200.6, 12200.9, 12200.13, 12202, 12220.6, 12222, 12309, 12342, 12354, 12359, 12464, 12465, Appendix A to Chapter 7 of Division 18, 12492
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08/11/17	AMEND: 3439(b)		
08/10/17	AMEND: 3435(b)		
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07/31/17	AMEND: 3435(d)		
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07/25/17	AMEND: 3591.12, 3424(c)		
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07/17/17	AMEND: 3435(b)	08/07/17	ADOPT: 8078.22, 8078.23, 8078.24, 8078.25, 8078.26, 8078.27, 8078.28, 8078.29, 8078.30, 8078.31, 8078.32, 8078.33, 8078.34, 8078.35 AMEND: 8070, 8071, 8072, 8073, 8074, 8076, 8078.3 REPEAL: 8078.1, 8078.2
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 10/31/17 AMEND: 711
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 11/07/17 ADOPT: 9517.1
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11/28/17 AMEND: 9789.25

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10/26/17 ADOPT: 1711 AMEND: 1712, 1713, 1717 REPEAL: 1711, 1721

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10/02/17 ADOPT: 1535.1, 5205, 8359.1 AMEND: 5155

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09/27/17 AMEND: 5191(b)

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09/14/17 AMEND: 336

07/31/17 AMEND: 3650

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10/26/17 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622

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09/20/17 AMEND: 2498.5

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11/29/17 AMEND: 2030, 2038, 2060

11/29/17 AMEND: 2030, 2038, 2060

11/27/17 AMEND: 301, 303, 308, 411, 415, 420

11/07/17 ADOPT: 999.224, 999.225, 999.226, 999.227, 999.228, 999.229

10/05/17 AMEND: 78.4

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07/31/17 ADOPT: 5470, 5471, 5472, 5473, 5474, 5474.1, 5474.2, 5475, 5476, 5477, 5478 AMEND: 5469 REPEAL: 5473

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11/16/17 AMEND: 1157.21

11/15/17 AMEND: 180.00

11/13/17 ADOPT: 2774 AMEND: 2750, 2751, 2752, 2753, 2754.1, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2767.1, 2768, 2769, 2770, 2771, 2772, 2773

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10/25/17 AMEND: 26.01, 26.02

10/23/17 AMEND: 1153

10/16/17 ADOPT: 2208, 2208.1, 2208.2 AMEND: 1956.8

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12/13/17 ADOPT: 3504.6

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11/20/17 ADOPT: 1.95

11/16/17 AMEND: 2975

11/15/17 AMEND: 1038

11/14/17 AMEND: 1035.1, 1035.2, 1035.3

10/31/17 AMEND: 917, 917.2, 917.3, 917.4, 917.5, 917.7, 917.9, 917.10, 917.11, 918, 918.1, 918.4, 918.5, 918.6, 918.7, 918.8, 918.10, 919, 919.1, 919.2, 919.3, 919.4, 919.5, 919.9, 919.10, 919.11, 919.12, 919.16, 920, 921, 921.1, 921.3, 921.4, 921.5, 921.6, 921.7, 921.8, 921.9, 923, 923.1, 923.2, 923.3, 923.4, 923.5, 923.6, 923.7, 923.8, 923.9, 923.9.1, 924, 924.1, 924.2, 924.3, 924.4, 924.5, 925, 925.1, 925.2, 925.3, 925.4, 925.5, 925.6, 925.7, 925.8, 925.9, 925.11, 926, 926.1, 926.2, 926.3, 926.4, 926.5, 926.6, 926.7, 926.8, 926.9, 926.10, 926.11, 926.12, 926.13, 926.14, 926.15, 926.16, 926.17, 926.18, 926.19, 926.23, 926.25, 927, 927.1, 927.2, 927.3, 927.4, 927.5, 927.6, 927.7, 927.8, 927.9, 927.10, 927.11, 927.12, 927.13, 927.14, 927.15, 927.16, 927.17, 928, 928.1, 928.2, 928.3, 928.4, 928.6, 928.7, 929, 929.1, 929.2, 929.3, 929.4, 929.5, 929.6, 929.7, 937.3, 945, 945.1, 945.3, 945.5, 957.4, 961.1, 961.2, 961.3, 961.7, 961.8, 965, 965.1, 965.2, 965.3, 965.4, 965.5, 965.6, 965.7, 965.8, 965.9, 965.10, 1020, 1022, 1022.1, 1022.2, 1022.3, 1022.4, 1022.5, 1023, 1023.1, 1024, 1024.1, 1024.2, 1024.3, 1024.5, 1024.6, 1025, 1026, 1027, 1027.1, 1027.2, 1027.3, 1029, 1030, 1032, 1032.7, 1032.8, 1032.9, 1033, 1034, 1034.2, 1035, 1035.4, 1036.1, 1037, 1037.1, 1037.3, 1037.4, 1037.5, 1037.6, 1037.7, 1037.8, 1037.9, 1037.10, 1037.11, 1038.1, 1038.2, 1038.3, 1039, 1039.1, 1040, 1041, 1042, 1043, 1045, 1050, 1051, 1051.1, 1051.2, 1051.3, 1051.4, 1051.5, 1051.6, 1052, 1052.1, 1052.2, 1052.3, 1052.4, 1052.5, 1053, 1054, 1054.1, 1054.2, 1054.3, 1054.4, 1054.5, 1054.6, 1054.7, 1054.8, 1055, 1055.1, 1055.2, 1055.3, 1055.4, 1055.5, 1055.6, 1056, 1056.1, 1056.2, 1056.3, 1056.5, 1056.6, 1057.1, 1057.2, 1057.5, 1058, 1058.3, 1058.4, 1058.5, 1059, 1060, 1070, 1071, 1072, 1072.1, 1072.3, 1072.4, 1072.5, 1072.6, 1072.7, 1073, 1074, 1074.1, 1075, 1080.1, 1080.2, 1080.3, 1080.4, 1080.5, 1090, 1090.1, 1090.2, 1090.3, 1090.4, 1090.5, 1090.6, 1090.7, 1090.8, 1090.9, 1090.10, 1090.11, 1090.12, 1090.13, 1090.14, 1090.16, 1090.17, 1090.18, 1090.19, 1090.20, 1090.21, 1090.22, 1090.23, 1090.24, 1090.25, 1090.26, 1090.27, 1090.28, 1091.1, 1091.3, 1091.4, 1091.45, 1091.5, 1091.6, 1091.7, 1091.8, 1091.10, 1091.11, 1091.12, 1091.13, 1091.14, 1091.15, 1092, 1092.01, 1092.02, 1092.04, 1092.05, 1092.06, 1092.07, 1092.09, 1092.10, 1092.11, 1092.12, 1092.13, 1092.14, 1092.15, 1092.16, 1092.17, 1092.18, 1092.19, 1092.20, 1092.21, 1092.22, 1092.23, 1092.24, 1092.25, 1092.26, 1092.27, 1092.28, 1092.29, 1092.31, 1092.32, 1093, 1093.1, 1093.2, 1093.3, 1093.4, 1093.6, 1100, 1101, 1102, 1103, 1103.1, 1103.2, 1104, 1104.1, 1104.2, 1104.3, 1105, 1105.1, 1105.3, 1105.4, 1106, 1106.1, 1106.2, 1106.4, 1106.5, 1107, 1108, 1109, 1109.1, 1109.2, 1109.3, 1109.4, 1109.5, 1109.6, 1110, 1115, 1115.1, 1115.2, 1115.3.

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10/04/17 AMEND: 18419

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11/30/17 AMEND: 1
11/27/17 AMEND: 3600(b), 3600(e)
11/03/17 ADOPT: 1712.4, 1714.4, 1730.4, 1740.4
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