



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. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Waukena Joint Union District
Tahoe Resource Conservation
District
Julian Charter Schools

A written comment period has been established commencing on April 4, 2025, and closing on May 19, 2025. Written comments should be directed to the Fair Political Practices Commission, Attention: Andrea Spiller Hernandez, 1102 Q Street, Suite 3050, Sacramento, California 95811.

At the end of the 45-day comment period, the proposed conflict-of-interest codes will be submitted to the Commission's Executive Director for their review, unless any interested person or their duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed codes will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest codes, proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon their own motion or at the request of any interested person, will approve, or revise and approve, or re-

turn the proposed codes to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest codes. Any written comments must be received no later than May 19, 2025. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses, or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code, and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest codes should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fppc.ca.gov.

**AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES**

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fppc.ca.gov.

TITLE 10. FILM COMMISSION**CALIFORNIA SOUNDSTAGE FILMING
TAX CREDIT PROGRAM**

Notice is hereby given that the California Film Commission (CFC) proposes to amend the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The CFC proposes to amend sections 5530, 5531, and 5539 in Article 4 of Chapter 7.75 of Title 10 of the California Code of Regulations in order to implement, interpret and make specific Revenue and Taxation Code sections 17053.98 and 23698 relating to a film and television tax credit program.

No public hearing is scheduled; however, any interested person or their duly authorized representative may request a public hearing no later than fifteen (15) days prior to the close of the public comment period.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the Agency. Written comments will be accepted by the Agency through May 19, 2025. Submit comments to:

Name: Leah Medrano
Address: California Film Commission,
7080 Hollywood Boulevard
Hollywood, CA 90028
Email: SoundstageIncentive@film.ca.gov

AUTHORITY AND REFERENCE

The proposed regulation will be adopted under the authority of Government Code section 11152, and Revenue and Taxation Code sections 17053.98(e) and 23698(e). The proposed regulation implements, inter-

prets, and makes specific Revenue and Taxation Code sections 17053.98 and 23698.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The California Film Commission (CFC) proposes to amend sections 5530, 5531, and 5539 in Article 4 of Chapter 7.75 of Title 10 of the California Code of Regulations. The sections contain requirements related to motion picture production infrastructure and the procedure for certifying studio construction projects for use in the motion picture industry. The proposed amendments will enable applicants to apply for this certification during a longer time span and will also enable applicants to more accurately fulfill expenditure thresholds for large projects.

**SUMMARY OF RELATED EXISTING
LAWS AND REGULATIONS**

In 2021, the Legislature and Administration approved SB 144 (Chapter 114, Stat. 2021), as modified by AB 176 (Chapter 256, Stat. 2021), which among other things, created the new California Soundstage Filming Tax Credit Program (Soundstage Filming Program), applicable to taxable years beginning on or after January 1, 2022, and before January 1, 2032. Permanent regulations for the California Soundstage Filming Tax Credit Program were first adopted on February 15, 2023. On July 10, 2023, the Legislature and Administration approved SB 132 (Chapter 56, Stat. 2023), which contained modifications to the Program. Through the rulemaking process, the permanent regulations of the Soundstage Filming Program were amended as Emergency Regulations as of August 18, 2023, and made permanent as of February 8, 2024. Additional amendments to section 5541, related to end credits and collective bargaining agreements, became effective on June 12, 2024. These promulgated regulations provide a program to the motion picture industry allocating tax credits for qualified motion pictures and incentivizing construction of soundstages in California.

After the adoption of the amended regulations, the CFC was made aware that larger projects may struggle to meet a threshold in current regulations, which stipulates that at least 70% of the construction and renovation expenditures must be spent on the soundstage component(s) of a Phase A applicant's studio construction project. Because the per-square-foot construction cost for soundstages is comparatively low, given that it is in essence a large open space, this presents a challenge for comprehensive studio construction projects that are also building office, and mill space, for example: spaces that are more cost-

intensive per square foot. The 70% threshold was put in place in regulations under the CFC’s rulemaking authority and is not mandated by statute. For this reason, the CFC is proposing to amend the regulations to allow studio construction projects over \$100 million to meet a lower soundstage spend percentage threshold. In addition, current regulations stipulate that the CFC stop certifying soundstages within a certain time after all Soundstage Program funds have been allocated to Phase B projects. However, as of SB 132 (Chapter 56, Stat. 2023), there is a provision in the law to allow projects filming on certified stages to also qualify for any successor programs to Program 3.0, and therefore it is not necessary to maintain the correlation between Phase B funding availability and Phase A certification. The CFC is proposing to amend the regulations to allow for certification of Phase A projects throughout the entirety of the Soundstage Program (2022–2032).

BROAD OBJECTIVES AND ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

The Soundstage Filming Program encourages production companies regardless of distribution outlet to film in California instead of other states, provinces, and countries offering incentives. The Program is structured to encourage job creation and training opportunities for disadvantaged youth, and to increase and retain, as well as to encourage and support infrastructure growth for motion picture production in California. The proposed amendments to the previously adopted Soundstage Filming Program regulations will increase access to the Program, enabling the state to successfully operate it and realize its benefits. The objective of CFC’s proposed amendments is to enable the California Soundstage Filming Program to fulfill the intent of the statute to stimulate infrastructure growth and ensure as many applicants as possible are able to benefit from the Program.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing these regulations, the CFC has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations. The CFC has endeavored to ensure that these regulatory amendments comply with the non–duplication standard found in Title 1, California Code of Regulations.

ESTIMATES OF ECONOMIC IMPACT

The California Film Commission has made the following determinations:

- Mandate on local agencies and 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.
- Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.
- Potential cost impact on representative person or businesses: The agency 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

The California Film Commission has determined that the proposed regulations will not directly affect small businesses. The businesses that may elect to participate in the Program and in such cases will be complying with these regulations are film production companies and/or construction or developer entities, and are as such not small businesses, as defined in section 11342.610 of the Government Code. Small businesses in California may, however, provide goods and services to the businesses electing to comply with these regulations and thus benefit from the additional filming in California.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Pursuant to paragraph (3) of subdivision (e) and clause (iii) of subparagraph (c) of paragraph (10) of subdivision (k) of Sections 17053.98 and 23698 of the Revenue and Taxation Code the CFC is not required to provide an economic impact analysis. Due to the nature of tax credit incentives in relation to economic impact, the CFC has been exempted from the economic impact analysis throughout the existence of the California Film and Television Tax Credit Programs in all iterations; this exemption is consistent with previous practice.

**REASONABLE ALTERNATIVES
CONSIDERED**

The California Film Commission must determine that no reasonable alternative considered by the Commission 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 as 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.

CONTACT PERSON

Inquiries concerning the proposed action may be directed to:

Name: Leah Medrano, Deputy Director
Email: soundstageincentive@film.ca.gov
Phone Number: (323) 860-2960

The backup contact person for these inquiries is:

Name: Charlie Savage, Program Assistant
Email: soundstageincentive@film.ca.gov
Phone Number: (323) 817-4101

Questions on the substance of the proposed regulations may be directed to:

Name: Leah Medrano, Deputy Director
Email: soundstageincentive@film.ca.gov
Phone Number: (323) 860-2960

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After the close of the forty-five (45) day public comment period, the CFC may adopt the proposed regulation. As a result of public comments, either oral or written, that are received by the CFC regarding this proposal, the CFC may determine that changes to the proposed regulation are appropriate. If the CFC makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the CFC adopts the regulations as revised. The CFC will provide notification of any such modifications to all persons whose comments were received during the public comment period, all persons whose comments (written or oral) were received at the public hearing (if one is held) and all persons who requested notice of such modifications. Otherwise, please send requests for copies of any modified regulations to the attention of the contact person at the above email address. The CFC

will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF INITIAL
STATEMENT OF REASONS,
RULEMAKING FILE AND EXPRESS
TERMS OF THE PROPOSED REGULATIONS**

The CFC has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the California Film Commission, 7080 Hollywood Boulevard, Suite 900, Hollywood, California during normal business working hours (9:00 a.m.–5:00 p.m.). Please reach out to the designated Contact Person at the above email address to arrange a date and time to inspect the files. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons and the proposed text of the regulations. Copies of these items are available, upon request, from the Contact Person designated in this Notice.

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

The CFC is required to prepare a Final Statement of Reasons. Once the CFC has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy. Requests for copies should be addressed to the Contact Person identified in this Notice.

OFFICE INTERNET WEBSITE

The Office maintains an Internet website for the electronic publication and distribution of written material. Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations can be accessed through our website at: www.film.ca.gov

**TITLE 10. DEPARTMENT OF
FINANCIAL PROTECTION AND
INNOVATION**

The Commissioner of the Department of Financial Protection and Innovation (Department) proposes to amend the regulations listed below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

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:

Regular Mail

Department of Financial Protection and
Innovation
Attention: Diana Pha, Regulations Coordinator,
Legal Division
651 Bannon Street, Suite 300
Sacramento, CA 95811

Electronic Mail: regulations@dfpi.ca.gov

Comments may be submitted through May 19, 2025.

AUTHORITY

Sections 334, 2011, 3203, 3207, 3215, 3217, and 3413, Financial Code.

REFERENCE

Sections 331.5, 2011, 3102, 3201, 3203, 3205, 3207, 3217, 3219, 3307, 3409, 3413, 3501, 3603, 3701, 3702, 3905, and 3906, Financial Code; Sections 494.5, 17900, 17910, 17913, 17915, 17916, and 17926, Business and Professions Code; Sections 1798.17 and 1798.24, Civil Code; Section 995.320, Code of Civil Procedure; Section 17520, Family Code; Sections 11019.9 and 11523, Government Code; and 5 U.S.C. section 552a.

INFORMATIVE DIGEST

Policy Statement Overview and Specific Benefits Anticipated from the Regulatory Action

The objective of the proposed regulations is to implement the provisions of the Digital Financial Assets Law as efficiently and effectively as possible, by:

- Explaining that a person incidentally conducting money transmission of legal tender in the normal course of digital financial asset activity is exempt from the requirements of the Money Transmission Act;

- Explaining, in easily understandable detail, the process and requirements for applying for a license as a covered person;
- Requiring applicants and licensees to notify the Department of any subsequent change to information in applications; and
- Explaining how a licensee can surrender its DFAL license.

The proposed regulatory action establishes a structure for the Department to evaluate an applicant and be notified of changes to an applicant's or licensee's location or licensing status.

The benefits anticipated from this regulatory action include protective benefits for consumers and transparency in the application process for covered persons, which will improve the Department's regulatory oversight of the digital financial asset industry.

The proposed rulemaking is expected to benefit California's economy by facilitating a process by which covered persons can become licensed and provide Californians a safe, regulated opportunity to participate in digital financial asset business activity.

SUMMARY OF EXISTING LAWS AND REGULATIONS AND EFFECT OF PROPOSED ACTION

Digital Financial Assets Law

On October 13, 2023, Governor Gavin Newsom signed Assembly Bill 39 and Senate Bill 401, which together created the Digital Financial Assets Law (DFAL). Later, on September 29, 2024, Governor Newsom signed AB 1934 which extended the date of licensure under DFAL from July 1, 2025 to July 1, 2026.

The DFAL prohibits, on or after July 1, 2026, a person from engaging in digital financial asset business activity, or holding itself out as being able to engage in digital financial asset business activity, with or on behalf of a resident, unless the person is licensed with the Department of Financial Protection and Innovation (DFPI), has submitted a license application on or before July 1, 2026 and is awaiting approval or denial of that application, or is exempt from licensure.

Financial Code sections 3203 and 3307 specify the information that must be included in an application, the investigation the Department must conduct of the applicant and related parties, and requirements for a licensee in the event of a material change information. The proposed regulations clarify how an application should be submitted, the items required in the application, and how an applicant can inform the Department of material changes to information contained in its application.

Financial Code section 3207 states that a licensee is required to maintain a surety bond. The proposed regulations clarify this requirement, including how the licensee can provide evidence of such bond.

Financial Code sections 3217 and 3219 permit the Department to use the Nationwide Multistate Licensing System and Registry (NMLS) to collect and maintain records and process transaction fees or other fees. The proposed regulations clarify that applicants and licensees are required to submit records and fees through NMLS.

Financial Code section 3906 requires digital financial asset transaction kiosks operators to provide location information of such kiosks and to provide updates in the event of any changes. The proposed regulations clarify how to submit that information.

Money Transmission Act

Effective January 1, 2014, the California Legislature enacted AB 2209, which included numerous substantive and technical amendments to the Money Transmission Act (MTA) (Financial Code section 2000 et seq.). The MTA prohibits a person from engaging in the business of money transmission in California unless the person is licensed under the MTA, or the person is exempt from licensure. The proposed regulations clarify a person is exempt from MTA licensure for money transmission of legal tender incidental to the normal course of digital financial asset activity.

EXISTING FEDERAL REGULATION OR STATUTE

The Department has determined that these proposed regulations are not inconsistent or incompatible with existing federal regulation or statute.

EXISTING STATE REGULATIONS

The Department has determined that these proposed regulations are not inconsistent or incompatible with existing state regulations. No existing state regulations pertain specifically to the implementation of the Digital Financial Assets Law.

FORMS INCORPORATED BY REFERENCE

The following forms are incorporated by reference:

- NMLS Company Form, Version 14.0, dated March 10, 2025;
- NMLS Individual Form, Version 1, dated May 2024; and
- “Personal Financial Statement for the Confidential Use of the Commissioner of Financial Protection and Innovation,” Version Rev. 03–25

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and 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.

Cost or impacts on a representative private person or business: \$8,190.18 for the first full year, and \$150 per year thereafter.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: none.

Significant effect on housing costs: none.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The Department has determined that:

- The proposed action will not create new jobs or eliminate existing jobs within the state;
- The proposed action will not create new businesses or eliminate existing businesses within this state;
- The proposed action will not have a negative impact on the expansion of businesses currently doing business within California;
- As stated above, the benefits to the health and welfare of California residents include protection for consumers and transparency in the application process, economic opportunities, and improvement in the Department’s oversight of the digital financial asset industry. No benefits or adverse impacts to worker safety or to the state’s environment are anticipated from this regulatory action.

BUSINESS REPORTING REQUIREMENT

The Department finds that it is necessary for the health, safety, or welfare of the people of California that the reporting requirements in these regulations apply to businesses.

EFFECT ON SMALL BUSINESS

Entities engaging in digital financial business activity are excluded from the Government Code’s defi-

dition of a “small business,” as provided in section 11342.610, subdivision (b)(1). Thus, the Department has determined these proposed regulations will not directly affect small businesses, except to the extent they receive a consumer protection benefit from the Department’s regulation of the digital financial assets industry.

CONSIDERATION OF ALTERNATIVES

The Department must determine 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, 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 Department invites interested persons to submit alternatives with respect to the proposed regulations during the comment period. A discussion of alternatives that the Department itself considered are described in the Initial Statement of Reasons.

AVAILABILITY OF THE NOTICE, STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office located at the address listed in this notice. As of the date this notice is published, the rulemaking file consists of this notice, the initial statement of reasons, and the proposed text of the regulations. Copies may be obtained by contacting the contact person at the address or phone number listed in this notice.

AVAILABILITY OF THE DOCUMENTS ON THE INTERNET

The notice, initial statement of reasons and proposed text are also available on the Department’s website at www.dfpi.ca.gov. To access the documents from the Department’s website, click on “Laws and Regulations” under the “Rules & Enforcement” tab at the top of the home page, then on the “Digital Financial Assets Law” link under the heading “Proposed and Approved Regulations (By subject)”.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations as substantially described in this notice. If the Department makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. A request for a copy of any modified regulation(s) should be addressed to the contact person named in this notice. 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 THE FINAL STATEMENT OF REASONS

Upon its completion, the final statement of reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the website listed above.

CONTACT PERSONS

Inquiries concerning the proposed administrative action including requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, or the modified text of the regulations, or questions regarding the timelines or rulemaking status, may be directed to:

Diana Pha, Regulations Coordinator
Department of Financial Protection and Innovation
651 Bannon Street, Suite 300
Sacramento, CA 95811
Telephone: (916) 208–8326
Email: regulations@dfpi.ca.gov

The backup contact person for these inquiries is:

Adam Wright
Department of Financial Protection and Innovation
340 West Fourth Street
Los Angeles California 90013
Telephone: (213) 576–7523
Email: adam.wright@dfpi.ca.gov

TITLE 12. DEPARTMENT OF VETERANS AFFAIRS

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the *California Department of Veterans Affairs*, 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 April 4, 2025 and closing on May 19, 2025. All inquiries should be directed to the contact listed below.

The *California Department of Veterans Affairs* 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: Updates to the naming convention of Divisions/Programs, moves Executive positions to their Division/Program, clearly identifies filers for each Home individually, identifies The Commission as the filing officer for specific positions, updates to disclosure categories 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 May 19, 2025, 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 May 4, 2025.

The *California Department of Veterans Affairs* 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: Darrin Vitt, Conflict-of-Interest Coordinator, (916) 651-7875, Darrin.Vitt@Calvet.ca.gov.

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 219, 220, 265, 275, 399, 713, 1050, 1053.1, 1055.1, 2084, 7071, 7149.8, 7380 and 8587.1, of the Fish and Game Code, interpret or make specific sections 110, 200, 205, 206, 255, 265, 270, 275, 713, 1050, 1053.1, 1055.1, 2084, 7071, 7120, 7149.8, 7380, 7381, 7382 and 8587.1, proposes to amend sections 1.74, 5.80, 5.81, 27.60, 27.90, 27.91 and 701, repeal sections 5.78, 5.79, 27.92, 27.93 and 27.95, Title 14, California Code of Regulations (CCR), relating to white sturgeon fishing.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Unless otherwise specified, all section references in this document are to Title 14, CCR.

On November 29, 2023, the California Fish and Game Commission (Commission) received a petition from San Francisco Baykeeper, The Bay Institute, Restore the Delta, and California Sportfishing Protection Alliance to list white sturgeon as threatened under the California Endangered Species Act (CESA). The petitioners argued that long term declines in the abundance of white sturgeon are due to 1) Central Valley water management infrastructure and operations, 2) overharvest in the recreational fishery, 3) Harmful Algal Blooms, and 4) other factors such as poaching, pollution, vessel strikes, and climate change. The California Department of Fish and Wildlife (Department) returned an evaluation on March 15, 2024, determining that the petition provided sufficient scientific information to indicate that the petitioned action may be warranted. On June 19, 2024, the Commission voted that white sturgeon warranted candidacy under CESA and directed the Department to initiate a status review of white sturgeon.

Under CESA, candidate species receive protections while a status review is conducted. This prohibition of take includes non-harvest "catch-and-release" angling; however, California Fish and Game Code Section 2084 permits the Commission to authorize the take of candidate species of fish by hook and line for sport based on the best available scientific information. Scientific studies of the effects of angling on

white sturgeon in other populations indicate that the species is robust and tolerates catch-and-release angling well. Since the best available science suggests the risks would be minimal.

At the August 2024 Commission meeting, the Department presented an emergency exemption regulation package under Section 2084 that would allow for a catch-and-release fishery during the candidacy period. The Commission voted to approve the Section 2084 exemption, and it went into effect on September 6, 2024.

The goal of the emergency regulations that this regulation extends is to continue to permit a catch-and-release fishery for white sturgeon during the CESA, while providing recreational opportunities for anglers and mitigating adverse economic impacts to businesses that serve sturgeon angling.

The proposed regulations in this Certificate of Compliance are fundamentally the same as the original emergency ruling with the following clarifications:

- The previous long-term sturgeon fishing regulations for inland (5.80) and ocean (27.90) will be edited so that they mirror the language in the emergency regulations (5.78 and 27.93). This language includes both species and report card regulations.
- Sections 5.80 and 27.90 have been edited to change the sturgeon fishing report card season from October 1 through June 30 to encompass the fishing season rather than follow the calendar year. This is the only major difference between the existing emergency regulations and what is proposed in this Certificate of Compliance.
- The emergency regulations (5.78 and 27.93) will be allowed to expire to avoid confusion and duplication.
- The previous long-term sturgeon report card regulations (5.79 and 27.92) will be repealed because all relevant report card information is now included in 5.80 and 27.90.
- The general report card section (1.74) will be edited to remove sturgeon specific information that is now found in 5.80 and 27.90.
- The fee for a white sturgeon sport fishing report card will be set from a range of \$5 to \$11.

BENEFIT OF THE REGULATIONS

The status of the existing white sturgeon population and the impacts of recent Harmful Algal Blooms are currently not known. The Department piloted a new sturgeon abundance monitoring program in 2024 to provide population data and the species is currently the subject of a comprehensive CESA species status review. Evidence from successful recreational fisher-

ies on other West Coast rivers and states indicate that the species tolerates catch-and-release angling well and can coexist with a financially lucrative fishery. Maintaining the opportunity for catch-and-release angling will protect the remaining population while still permitting angling and business opportunities.

CONSISTENCY AND COMPATIBILITY WITH EXISTING REGULATIONS

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to adopt regulations governing white sturgeon sport fishing (Section 200, California Fish and Game Code). No other state agency has the authority to adopt regulations governing white sturgeon sport fishing. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding the adoption of white sturgeon sport fishing regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

PUBLIC PARTICIPATION

Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before May 29, 2025 at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on June 6, 2025. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244–2090.

Meetings

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Capitol Event Center, 1020 11th Street, Sacramento California on **Wednesday April 16, 2025**, and may continue on **Thursday April 17, 2025**. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling 916–653–4899. Please refer to the

Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in Sacramento, California on **Wednesday June 11, 2025**, and may continue on **Thursday June 12, 2025**. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling 916-653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

AVAILABILITY OF DOCUMENTS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Commission website at www.fgc.ca.gov. The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Melissa Miller-Henson, Executive Director, Fish and Game Commission, 715 P Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Melissa Miller-Henson or Jenn Bacon at FGC@fgc.ca.gov or at the preceding address or phone number. **John Kelly, Statewide Sturgeon Coordinator, Department of Fish and Wildlife, has been designated to respond to questions on the substance of the proposed regulations. Dr. Kelly can be reached at stururgeon@wildlife.ca.gov.**

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

IMPACT OF REGULATORY ACTION/ RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed 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. The proposed 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. A bag limit maintains the existing economic climate because the reduction is not significant enough to alter fishing behavior beyond reducing daily harvest.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The Commission does not anticipate any benefits to the health and welfare of California residents, or worker safety. The Commission anticipates benefits to the State's environment by sustainably managing California's sport-fishing resources.

(c) Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No change in gear or equipment requirements are introduced for the recreational white sturgeon fishery. However, the proposed fee range of \$5 to \$11.06 may lower the sturgeon report card fee below the current expected price of \$11.06, which would represent a slight cost benefit to fishers.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

No costs or savings to state agencies or costs/savings in federal funding to the state are anticipated. The Department's existing level of monitoring and en-

forcement activities are expected to be unchanged by this action. However, it is anticipated that the proposed easing of take limits during the CESA candidacy may result in changes to sturgeon report card sales.

(e) Nondiscretionary Costs/Savings to Local Agencies:
None.

(f) Programs Mandated on Local Agencies or School Districts:
None.

(g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:
None.

(h) Effect on Housing Costs:
None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, 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 law.

TITLE 16. ARCHITECTS BOARD

REASONABLE ACCOMMODATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the

written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Person" in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under "Contact Person" in this Notice, must be **received by the Board at its office no later than by Monday, May 19, 2025**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 5526 and 5550 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC section 5550 and Government Code sections 12944 and 12926, the Board is considering amending section 124 of title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Currently, Board regulations 16 CCR section 124 describes the method by which candidates apply for and retake the California Supplemental Examination (CSE). The existing regulation states candidates submit an application with required fee and information to the Board when they have been deemed eligible. Additionally, candidates who fail the CSE must reapply and wait at least 90 days to retake the examination. The current regulation does not have codified procedures for candidates to apply for reasonable accommodations when requesting to take the CSE.

This proposal would put into regulation the Board's existing process for evaluating reasonable accommodation requests for the CSE.

This regulatory proposal will amend 16 CCR section 124. The amendment to the regulation through this proposed rulemaking is as follows:

Add 16 CCR section 124(b) subparagraph (5) to clarify the require documents candidates need to submit to request reasonable accommodations.

ANTICIPATED BENEFITS OF PROPOSAL

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by providing clarifying language to help facilitate licensure. Furthermore, it provides equity for candidates with impairments which will in turn reduce delays in the licensure process by allowing those candidates to take the licensure examination without disadvantage and potentially reduce their fail rate.

This regulatory proposal does not affect worker safety or the state’s environment.

EVALUATION OF CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The regulations do not result in a fiscal impact to the state. This proposal clarifies the documentation required to request reasonable accommodation when taking the Board examination. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

The regulations do not result in cost or savings in federal funds to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The rulemaking file includes the facts, evidence, documents, testimony, and/or other evidence that supports this determination. The Board has not considered proposed alternatives that would lessen any adverse economic impact on business and invites submission of such proposals.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses: The Board has determined that this regulatory proposal will not impact the creation or elimination of jobs within California, creation of new business or the elimination of existing businesses within California, or the expansion of existing businesses in California.

Benefits of Regulation: The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by aligning licensure requirements with the national standards.

The current regulations don’t clearly explain how candidates can request accommodations for disabilities or impairments for the CSE. The Board allows these requests and works with the Office of Professional Examination Services. The proposed change will formally include the Board’s process in the regulations, encouraging more architectural candidates with disabilities to take the licensing exam.

This regulatory proposal does not affect worker safety, or the state’s environment.

Business Reporting Requirements: The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business: The Board has determined that the proposed regulations will not affect small businesses. Any small businesses owned by candidates of the Board will not be impacted because any costs of compliance are a result of current law.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation 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; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit written comments relevant to the above determinations at the Board’s office at 2420 Del Paso Road, Suite 105, Sac-

ramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 2420 Del Paso Road, Suite 105, Sacramento, California 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Timothy Rodda
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone Number: (279) 895–1246
E–Mail Address: timothy.rodga@dca.ca.gov

The backup contact person is:

Name: Laura Zuniga
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone Number: (916) 471–0760
E–Mail Address: laura.zuniga@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Materials regarding this proposal can be found at https://www.cab.ca.gov/resrcs/laws_regs/prop_leg.shtml.

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board’s website at https://www.cab.ca.gov/resrcs/laws_regs/approv_reg.shtml.

TITLE 18. DEPARTMENT OF TAX AND FEE ADMINISTRATION

SALES OF CERTAIN VEHICLES AND TRAILERS FOR USE IN INTERSTATE OR OUT–OF–STATE COMMERCE, AND SALES OF VEHICLES FOR USE EXCLUSIVELY OUT–OF–STATE OR IN INTERSTATE OR FOREIGN COMMERCE

NOTICE IS HEREBY GIVEN that the California Department of Tax and Fee Administration (Department), pursuant to the authority in Revenue and Taxation Code (RTC) section 7051, proposes to adopt amendments to California Code of Regulations (CCR), title 18, section (Regulation or Reg.) 1620.1, Sales of Certain Vehicles and Trailers for Use in Interstate or Out–of–State Commerce, and adopt new Regulation 1620.15, Sales of Vehicles for Use Exclusively Out–of–State or in Interstate or Foreign Commerce. The proposed amendments to Regulation 1620.1 delete the provisions that incorporate or clarify RTC section 6388.5 and amend the regulation so that it only in-

corporates and clarifies the provisions of RTC section 6388. New Regulation 1620.15 incorporates and clarifies the provisions of RTC section 6388.5 as amended by Assembly Bill Number 321 (AB 321) (Stats. 2019, chapter 226), Senate Bill Number 1473 (SB 1473) (Stats. 2020, chapter 371), and AB 314 (Stats. 2023, chapter 427).

AUTHORITY

RTC section 7051.

REFERENCE

Regulation 1620.1: RTC sections 6388, 6388.3, 7053, and 7054.

Regulation 1620.15: RTC sections 6388.3, 6388.5, 7053, and 7054.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

SUMMARY OF EXISTING LAWS

RTC section 6388 and 6388.5

RTC sections 6388 and 6388.5 provide exemptions from sales and use tax for the sale or storage, use, or other consumption of certain vehicles. The exemption provided by RTC section 6388 applies to a new or remanufactured truck, truck tractor, semitrailer, or trailer with an unladen weight of 6,000 pounds or more, or a new or remanufactured trailer coach or a new or remanufactured auxiliary dolly if:

- It is purchased from a dealer located outside this state for use without this state;
- Delivered by the manufacturer or remanufacturer to the purchaser within this state;
- The purchaser drives or moves the vehicle from the manufacturer's or remanufacturer's place of business in this state to any point outside this state within 30 days after the date of delivery; and
- The purchaser furnishes the following to the manufacturer or remanufacturer:
 - Written evidence of an out-of-state registration for the vehicle;
 - The purchaser's affidavit that they are not a resident of California and that they purchased the vehicle from a dealer at a specified location without the state for use outside this state; and
 - The purchaser's affidavit that the vehicle was moved or driven to a point outside this state within 30 days of the date of delivery of the vehicle to the purchaser.

Prior to the legislative changes discussed below, the exemption provided by RTC section 6388.5 applied to a new or remanufactured trailer or semitrailer with an unladen weight of 6,000 pounds or more that was:

1. Manufactured or remanufactured outside this state if:

- It was purchased for use without this state;
- Delivered by the manufacturer, remanufacturer, or dealer to the purchaser within this state; and
- Driven or moved by the purchaser to any point outside this state within 30 days from and after the date of delivery.

2. Manufactured or remanufactured in this state if:

- It was purchased for use without this state;
- Delivered by the manufacturer, remanufacturer, or dealer to the purchaser within this state; and
- Driven or moved by the purchaser to any point outside this state within 75 days from and after the date of delivery.

Also, the exemption provided by RTC section 6388.5 only applied if the purchaser or the purchaser's agent furnishes the following to the manufacturer, remanufacturer, or dealer:

- Written evidence of an out-of-state license and registration for the vehicle. However, in cases where the vehicle was subject to the permanent trailer identification plate program (PTI Program) under Vehicle Code section 5014.1 and was used exclusively in interstate or foreign commerce, or both, written evidence of the purchaser's or lessee's United States Department of Transportation number or Single State Registration System (SSRS) filing could be substituted for the written evidence of an out-of-state license and registration.
- The purchaser's affidavit attesting that they purchased the vehicle from a dealer at a specified location for use exclusively outside this state, or exclusively in interstate or foreign commerce, or both.
- The purchaser's affidavit that the vehicle has been moved or driven to a point outside this state within the appropriate period of either 30 days or 75 days of the date of delivery of the vehicle to the purchaser.

AB 321

Section 1 of AB 321 amended RTC section 6388.5 to expand its exemption so it also applies to a new, used, or remanufactured truck with an unladen weight of 6,000 pounds or more. It also amended RTC section 6388.5 so it would become inoperative on January 1, 2024, and be repealed as of that date.

Section 2 of AB 321 also enacted a new version of RTC section 6388.5 (new RTC section 6388.5) to be-

come operative on January 1, 2024, which was the same as RTC section 6388.5 read prior to the amendments made by section 1. Therefore, beginning January 1, 2024, the law would revert to the pre–AB 321 exemption and RTC section 6388.5 would only apply to a new or remanufactured trailer or semitrailer.

In addition, section 6 of AB 321 provided for the amendments made to RTC section 6388.5 by section 1 of AB 321 to become operative on January 1, 2020. So, in the absence of further legislation, the expanded provisions for trucks with an unladen weight of 6,000 pounds or more would only be operative January 1, 2020, through December 31, 2023.

SB 1473

Section 28 of SB 1473 replaced SSRS with “Unified Carrier Registration System” (UCRS) in RTC section 6388.5 so that, in cases where a vehicle is subject to the permanent trailer identification plate program under Vehicle Code section 5014.1 and is used exclusively in interstate or foreign commerce, or both, written evidence of the purchaser’s or lessee’s UCRS filing may be substituted for written evidence of an out-of-state license and registration. Section 28 also added provisions to RTC section 6388.5 providing that, in cases where a vehicle is registered under the International Registration Plan (IRP) pursuant to Vehicle Code section 8052 and is used exclusively in interstate or foreign commerce, or both, written evidence of the purchaser’s or lessee’s United States Department of Transportation number or UCRS filing may be substituted for written evidence of an out-of-state license and registration. Also, section 33 of SB 1473 provides that SB 1473’s amendments to RTC section 6388.5 do not constitute a change in, but are declaratory of, existing law.

In addition, section 29 of SB 1473 replaced SSRS with UCRS in new RTC section 6388.5. However, it did not add provisions to new RTC section 6388.5 for vehicles registered under the IRP. So, in the absence of further legislation, the provisions for vehicles registered under the IRP in current RTC section 6388.5 would only be operative through December 31, 2023.

AB 314

Section 1 of AB 314 amended RTC section 6388.5 to expand its exemption so it also applies to a “used” trailer or semitrailer with an unladen weight of 6,000 pounds or more. It also amended RTC section 6388.5 so it would become inoperative on January 1, 2029, and be repealed as of that date.

Section 2 of AB 314 also amended new RTC section 6388.5 so it would become operative on January 1, 2029. Therefore, beginning January 1, 2029, the law will revert to the pre–AB 321 exemption. RTC section 6388.5 will only apply to a new or remanufactured trailer or semitrailer. Also, the provisions for vehicles registered under the IRP will no longer apply.

In addition, section 5 of AB 314 provided for the amendments made to RTC section 6388.5 by section 1 of AB 314 to become operative immediately. So, in the absence of further legislation, the expanded exemption for trucks with an unladen weight of 6,000 pounds or more will be operative January 1, 2020, through December 31, 2028, and the expanded exemption for used trailers and semitrailers with an unladen weight of 6,000 pounds or more will be operative October 8, 2023, through December 31, 2028.

Regulation 1620.1

Regulation 1620.1 incorporates and clarifies the provisions of RTC sections 6388 and 6388.5 prior to the amendments made to RTC section 6388.5 by AB 321, SB 1473, and AB 314. The regulation’s appendix also includes a sample affidavit that purchasers, including lessors, can use to satisfy both statutes’ affidavit requirements, in accordance with RTC section 6388.3. The provisions of RTC section 6388 were not amended by the recent legislation discussed above.

Mobile Transportation Equipment

In general, the sale of tangible personal property to a lessor that will lease the property in the regular course of the lessor’s business is a non-taxable sale for resale. (Regs. 1660, 1668.) Also, tax applies to the rentals payable from the lease of the property unless the property is leased in substantially the same form as acquired and the lessor timely elects to pay tax on the purchase price. (Reg. 1660.) However, sales of mobile transportation equipment (MTE) to a lessor are treated differently.

Regulation 1661, Leases of Mobile Transportation Equipment, clarifies that sales or use tax generally applies to the sale of MTE to a lessor measured by the sale or purchase price, unless the lessor makes a timely election to report their tax liability measured by the fair rental value of the MTE. Regulation 1661 also clarifies that the term MTE, as defined in RTC section 6023, generally “includes equipment such as railroad cars and locomotives, buses, trucks (except ‘one-way rental trucks’), truck tractors, truck trailers, dollies, bogies, chassis, reusable cargo shipping containers, aircraft and ships, and tangible personal property which is or becomes a component part of such equipment.” Therefore, a vehicle that is eligible for the exemption provided by RTC section 6388 or 6388.5 is MTE subject to the provisions of Regulation 1661, unless excluded by Regulation 1661. Also, subdivision (d) of Regulation 1620.1 currently clarifies that the sale of such a vehicle to a lessor can qualify for the exemptions provided by RTC section 6388 and 6388.5.

EFFECT, OBJECTIVE, AND BENEFITS
OF THE PROPOSED AMENDMENTS AND
NEW REGULATION

The Department determined that there are issues (or problems within the meaning of Gov. Code (GC), § 11346.2, subdivision (b)) because Regulation 1620.1 is not consistent with the amendments AB 321 and SB 1473 made to RTC section 6388.5. The Department considered solely amending Regulation 1620.1 to incorporate the amendments made to RTC section 6388.5 to have the effect and accomplish the objective of addressing those issues (or problems). However, the way the regulation is currently written and differences between RTC sections 6388 and 6388.5, including differences in the vehicles to which their exemptions apply, made it difficult to solely update Regulation 1620.1. Therefore, to have the effect and accomplish the objective of addressing the issues (or problems), the Department determined that it is reasonably necessary to propose to amend Regulation 1620.1 so that it only includes and clarifies the provisions of RTC section 6388. The Department also determined that it is reasonably necessary to propose to adopt new Regulation 1620.15 to include and clarify the provisions of RTC section 6388.5, as amended by AB 321 and SB 1473, in the same manner as amended Regulation 1620.1 incorporates and clarifies RTC section 6388.

Subsequently, the Department prepared drafts of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15, which are discussed below. The Department distributed the drafts to the interested parties with a discussion paper dated May 18, 2023, explaining the proposed amendments and new regulation. The Department also conducted an interested parties meeting on June 8, 2023, to discuss the proposed amendments and new regulation. However, no interested parties commented on the drafts of the proposed amendments or new regulation.

Amendments to Regulation 1620.1

The Department determined that it is reasonably necessary to change the title of Regulation 1620.1 to “Sales of Certain Vehicles to Non-Residents for Use Out-of-State.” This is because the Department determined that the exemption provided by RTC section 6388 only applies to sales of certain vehicles to non-residents for use outside this state and the provisions regarding the exemption provided by RTC section 6388.5 are being removed from the regulation.

The Department determined that it is reasonably necessary to propose to add periods to the ends of the titles of subdivisions (a) and (b) of Regulation 1620.1 to make their punctuation consistent with the punctuation of the titles of subdivision (c) and (d). The Department determined that it is reasonably necessary to propose to insert “The following terms have the fol-

lowing meanings for purposes of this regulation:” before the definitions in subdivision (a) of Regulation 1620.1 to limit the application of all the definitions. The Department determined that it is reasonably necessary to propose to delete subdivisions (a)(1), (2), and (6) from Regulation 1620.1, which define “Permanent Trailer Identification (PTI) Program,” “Purchaser’s Agent,” and “United States Department of Transportation (USDOT) Number,” because those terms are used in RTC section 6388.5, but not RTC section 6388. Also, the terms “permanent trailer identification plate program or PTI plate program,” “purchaser’s agent,” and “USDOT number” are being defined in new Regulation 1620.15 (discussed below).

The Department determined that it is reasonably necessary to propose to add a new subdivision (a)(1) to Regulation 1620.1 to define the term “dealer” because that term is used in RTC section 6388, but not defined in the statute. New subdivision (a)(1) generally defines “dealer” to mean a person that is engaged wholly or in part in the business of selling or leasing vehicles, whether or not such vehicles are owned by the person, because the Department determined that RTC section 6388 does not require the term “dealer” to be given a specific or narrow meaning. The Department also determined that it is reasonably necessary to propose to add a new subdivision (a)(2) to Regulation 1620.1 to define the term “Department” to mean the California Department of Tax and Fee Administration because the term “Department” is used in the proposed amendments to Regulation 1620.1.

The Department determined that it is reasonably necessary to propose to amend the definition of “remanufacturer” in subdivision (a)(3) of Regulation 1620.1 to clarify that a remanufacturer is a person that is licensed as a remanufacturer as defined in Vehicle Code section 507.8 by the Department of Motor Vehicles (DMV) or licensed as a remanufacturer by the appropriate governmental agency in another state. The Department determined that it is reasonably necessary to propose to amend the definition of “remanufactured vehicle” in subdivision (a)(3) to clarify that it has the same meaning as set forth in Vehicle Code section 507.5 and that a vehicle constructed in another state will qualify as a remanufactured vehicle if it was constructed by a person licensed as a remanufacturer by the appropriate governmental agency in that state and the vehicle meets that state’s requirements to be a remanufactured vehicle. This is because RTC section 6388 does not define either term, and the Department determined that an out-of-state remanufacturer may not be required to be licensed by the DMV as a remanufacturer and a vehicle that is remanufactured in another state may have to satisfy different requirements to qualify as a remanufactured vehicle in that state. The Department also determined that is rea-

sonably necessary to propose to amend the definition of “remanufactured vehicle” to clarify that the term “used vehicle” means a used vehicle as defined in Vehicle Code section 665 to avoid confusion.

The Department determined that it is reasonably necessary to propose to delete subdivisions (a)(4) and (7) from Regulation 1620.1, which define the terms “Single State Registration System (SSRS)” and “United States — Federal Maritime Commission (FMC) Number,” because neither term is used in RTC sections 6388. The Department determined that it is reasonably necessary to propose to amend the definition of the term “vehicle” in subdivision (a)(8) so the term only includes a new or remanufactured truck, truck tractor, semitrailer, or trailer with an unladen weight of 6,000 pounds or more, or a new or remanufactured trailer coach, or auxiliary dolly because the exemption provided by RTC section 6388 is limited to those vehicles. The Department determined that it is reasonably necessary to propose to delete subdivision (a)(5), which defines the term “trailer,” and delete the other references to trailers from the regulation since trailers are included in the amended definition of “vehicle.” The Department determined that it is reasonably necessary to propose to renumber subdivision (a)(8) as subdivision (a)(4) after the deletion of subdivisions (a)(4) through (7).

The Department determined that it is reasonably necessary to propose to combine current subdivisions (b)(1) and (b)(2)(A) of Regulation 1620.1, renumber the combined text as subdivision (b), and renumber current subdivisions (b)(2)(A)1 through 4 as subdivisions (b)(1) through (4). This is because the amendments clarify that tax generally applies to vehicles, clarify that tax does not apply when the requirements for the RTC section 6388 exemption are satisfied, and incorporate and clarify the statutory requirements for the RTC section 6388 exemption.

The Department determined that it is reasonably necessary to propose to amend renumbered subdivision (b)(3) in Regulation 1620.1 to clarify that in the absence of evidence to the contrary, it is presumed that a manufacturer or remanufacturer accepted an affidavit in good faith if the affidavit contains the essential elements required by subdivision (c) (discussed below) and otherwise appears to be valid on its face, and delete the third paragraph in current subdivision (c), which provides a similar presumption. The Department determined that it is reasonably necessary to propose to delete the requirements for a valid affidavit from current subdivision (b)(2)(A)3 and include clarified requirements for a properly completed affidavit in subdivision (c), which is called “Affidavit.” The Department determined that it is reasonably necessary to propose to delete current subdivision (b)(2)(B) because its presumption is inconsistent with RTC section

6388. The Department determined that it is reasonably necessary to propose to delete current subdivision (b)(2)(C), which refers to the affidavit in the regulation’s appendix, because the proposed amendments also deleted the affidavit in the appendix (discussed below). The Department also determined that it is reasonably necessary to propose to delete current subdivision (b)(3) and include similar provisions in proposed Regulation 1620.15 (discussed below) because current subdivision (b)(3) incorporates and clarifies provisions in RTC section 6388.5, but not RTC section 6388.

The Department determined that it is reasonably necessary to propose to reformat the first paragraph in subdivision (c) of Regulation 1620.1 as subdivision (c)(1) and delete all the text from reformatted subdivision (c)(1) related to the provisions of RTC section 6388.5. In addition, the Department determined that it is reasonably necessary to propose to add text to the end of reformatted subdivision (c)(1) to prescribe and clarify the requirements for a properly completed affidavit for the RTC section 6388 exemption. This is because the Department determined that the amendments are reasonably necessary to ensure that Regulation 1620.1 only includes and clarifies the provisions of RTC section 6388.

Amended subdivision (c)(1) requires a properly completed affidavit to be signed and dated by the purchaser and include:

- A description of the vehicle, including year, make and model, VIN or serial number, and unladen weight;
- The name, telephone number, and out-of-state address of the purchaser;
- The name of the dealer and the address of the dealer’s out-of-state location from which the vehicle was purchased;
- The name and address of the manufacturer or remanufacturer that delivered the vehicle to the purchaser;
- The date of delivery and date of removal of the vehicle from this state; and
- A statement that the purchaser is not a resident of California, the vehicle was purchased from the dealer’s specified out-of-state location for use outside this state, and was removed from this state within 30 days after the date of delivery of the vehicle to the purchaser.

In addition, the Department determined that it is reasonably necessary to propose to add new subdivision (c)(2) to provide that a properly completed form provided by the Department for use as an affidavit for the RTC section 6388 exemption will satisfy the requirements of subdivision (c)(1) to avoid confusion about the Department’s forms. The Department also deter-

mined that it is reasonably necessary to propose to reformat the second paragraph in current subdivision (c) as subdivision (c)(3), revise it so it only incorporates and clarifies the provisions of RTC section 6388 and it does not incorporate or clarify the provisions of RTC section 6388.5, and revise it to make it consistent with the requirements in new subdivision (c)(1)(A). The Department determined that the amendments to subdivision (c) are reasonably necessary to ensure that Regulation 1620.1 only includes and clarifies the provisions of RTC section 6388.

The Department determined that it is reasonably necessary to propose to amend subdivision (d) of Regulation 1620.1 to clarify that the sale of a vehicle to a lessor qualifies for the RTC section 6388 exemption provided the sale and subsequent use of the vehicle meets the requirements in subdivision (b). The Department determined that it is reasonably necessary to propose to amend subdivision (d) of Regulation 1620.1 to require a lessor to provide the name and address of the lessee on the affidavit required by subdivision (b) if the documentation provided pursuant to subdivision (b)(4) shows that the vehicle is registered in the lessee's name because it helps connect the affidavit for a vehicle with the evidence of out-of-state registration for that vehicle. The Department also determined that it is reasonably necessary to propose to delete all the text that incorporates or clarifies the provisions of RTC section 6388.5 and the non-statutory requirements regarding lessees from subdivision (d) to make the subdivision consistent with RTC section 6388.

The Department determined that it is reasonably necessary to propose to amend subdivision (e) of Regulation 1620.1 so that it only requires purchasers to maintain records documenting that they purchased a qualifying vehicle, removed it from the state within 30 days after the date of delivery, and it was used outside the state, and provide those records to the Department upon request. The Department determined that it is also reasonably necessary to propose to delete all the text related to the provisions of RTC section 6388.5 from subdivision (e). This is because the Department determined that the amendments to subdivision (e) are reasonably necessary to make the subdivision consistent with RTC section 6388.

In addition, revised subdivision (c)(1) of Regulation 1620.1 prescribes the requirements for a properly completed affidavit and revised subdivision (c)(2) provides that a properly completed form provided by the Department for use as an affidavit for the RTC section 6388 exemption will satisfy the requirements of subdivision (c)(1). Therefore, the Department determined that it is reasonably necessary to propose to delete the regulation's Appendix, which contains a form for use as an affidavit for the RTC section 6388 and 6388.5 exemptions, because the Department determined that

there is no longer any need to include a form in the regulation for use as an affidavit for the RTC section 6388 exemption.

Finally, the Department determined that it is reasonably necessary to propose to delete the references to RTC sections 6388.5 and 6421 from Regulation 1620.1's reference note because those sections are not implemented, interpreted, or made specific by the amended regulation. The Department also determined that it is reasonably necessary to propose to add references to RTC sections 7053 and 7054 to Regulation 1620.1's reference note because those sections are implemented, interpreted, and made specific by the record requirements in subdivision (e).

New Regulation 1620.15

The draft of new Regulation 1620.15 included and clarified the provisions of RTC section 6388.5 as amended by AB 321 and SB 1473. The Department determined that it is reasonably necessary to propose to name the regulation "Sales of Vehicles for Use Exclusively Out-of-State or in Interstate or Foreign Commerce" because the exemption provided by RTC section 6388.5 only applies to sales of vehicles for use exclusively outside this state, or exclusively in interstate or foreign commerce, or both.

The Department determined that it is reasonably necessary to propose to include definitions for the terms used within Regulation 1620.15 in subdivision (a) of the regulation. The Department determined that it is reasonably necessary to propose to include definitions for the terms "dealer," "Department," "International Registration Plan," "purchaser," and "Unified Carrier Registration System filing" in subdivisions (a)(1), (2), (3), (5), and (8) because all those terms, except "Department," are used in RTC section 6388.5, and "Department" is used throughout Regulation 1620.15. The Department determined that it is reasonably necessary to propose to include the same general definition of the term "dealer" included in the amendments to Regulation 1620.1. The Department determined that it is reasonably necessary to propose to define the term "International Registration Plan" or "IRP" to mean the International Registration Plan Agreement developed by the American Association of Motor Vehicle Administrators referred to in Vehicle Code section 8052 because the Department determined that it is the plan referred to in RTC section 6388.5. The Department determined that it is reasonably necessary to propose to include a new general definition for the term "purchaser" because the Department determined that RTC section 6388.5 does not require that term to be given a special or specific meaning. The Department also determined that it is reasonably necessary to propose to define the term "Unified Carrier Registration System filing" or "UCRS filing" to mean a person's application for registration in the online federal registra-

tion system being implemented by the Federal Motor Carrier Safety Administration (FMCSA) in the United States Department of Transportation (USDOT) because the Department determined that it was the system established and named the “Unified Carrier Registration System” pursuant to section 13908 of title 49 of the United States Code.

The Department determined that it is reasonably necessary to propose to include definitions for the terms “permanent trailer identification plate program” or “PTI plate program,” “purchaser’s agent,” “remanufacturer,” “remanufactured vehicle,” and “USDOT number” in subdivisions (a)(4), (6), (7), and (9) of Regulation 1620.15 because those terms are used in RTC section 6388.5. The Department determined that it is reasonably necessary to propose to define “permanent trailer identification plate program” or “PTI plate program” similar to the first sentence in the current definition of “Permanent Trailer Identification (PTI) Program” in Regulation 1620.1. The proposed definition provides that “permanent trailer identification plate program” or “PTI plate program” means the registration program for assigning permanent trailer identification certificates and permanent trailer identification plates to certain trailers, pursuant to Vehicle Code section 5014.1, administered by the Department of Motor Vehicles (DMV). The Department determined that it is reasonably necessary to propose to define “purchaser’s agent” based upon the definition of “Purchaser’s Agent” in current Regulation 1620.1 and clarify that a purchaser must authorize a person to act as its agent in writing prior to using the person as an agent to furnish the evidence and affidavit required for the RTC section 6388.5 exemption. The Department determined that it is reasonably necessary to propose to define “remanufacturer” and “remanufactured vehicle” the same way as those terms are defined in the proposed amendments to Regulation 1620.1 because nothing indicates that the Legislature intended for those terms to have different meanings in RTC sections 6388 and 6388.5. The Department determined that it is reasonably necessary to propose to define “USDOT number” based on the definition of United States Department of Transportation (USDOT) Number in current Regulation 1620.1, but revise it to more closely match the FMCSA’s description of a USDOT number at <https://www.fmcsa.dot.gov/registration/do-i-need-usdot-number>.

The Department determined that it is reasonably necessary to propose to include a new definition for the term “vehicle” in subdivision (a)(10) of Regulation 1620.15 that only includes the vehicles to which the RTC section 6388.5 exemption applies. The Department also determined that it was reasonably necessary to propose to divide the definition of vehicle into two subdivisions, (A) and (B), that apply to purchases

in different periods. This is because the expanded exemption for new, used, or remanufactured trucks that was added to current RTC section 6388.5 by AB 321 became operative on January 1, 2020, and would have expired on January 1, 2024, when current RTC would have been repealed by its own terms, in the absence of further legislation. Therefore, subdivision (a)(10)(A) provided that for purchases prior to January 1, 2020, and on or after January 1, 2024, the term “vehicle” means a new or remanufactured trailer or semitrailer with an unladen weight of 6,000 pounds or more. Subdivision (a)(10)(B) provided that for purchases on January 1, 2020, through December 31, 2023, the term “vehicle” means a new, used, or remanufactured truck or a new or remanufactured trailer or semitrailer with an unladen weight of 6,000 pounds or more.

The Department determined that it is reasonably necessary to propose that subdivision (b) of Regulation 1620.15 clarify that tax generally applies to vehicles, clarify that tax does not apply when the requirements for the RTC section 6388.5 exemption are satisfied, and incorporate and clarify the statutory requirements for the RTC section 6388.5 exemption, similar to revised subdivision (b) of Regulation 1620.1. Therefore, subdivision (b)(1) incorporates the statutory requirement to remove a vehicle to a point outside this state within 30 days or 75 days after the date of delivery, subdivision (b)(2) incorporates the statutory requirement to provide a copy of the out-of-state license and registration for the vehicle or written evidence of the purchaser’s or lessee’s USDOT number or UCRS filing, when permitted, to the manufacturer, remanufacturer, or dealer. Subdivision (b)(3) incorporates the statutory requirement to provide the purchaser’s affidavit to the manufacturer, remanufacturer, or dealer. Subdivisions (b)(2) and (3) clarify that the documents must be provided to the delivering manufacturer, remanufacturer, or dealer. Subdivision (b)(3) also requires an affidavit to be accepted in good faith and provides a presumption that an affidavit was accepted in good faith if the affidavit contains the essential elements required by subdivision (c) and appears to be valid on its face, the same as revised renumbered subdivision (b)(3) of Regulation 1620.1.

The Department determined that it is reasonably necessary to propose that subdivision (c)(1) of Regulation 1620.15 incorporate and clarify the requirements for a properly completed affidavit for the RTC section 6388.5 exemption. Therefore, subdivision (c)(1) requires a properly completed affidavit to be signed and dated by the purchaser or purchaser’s agent, provided to the manufacturer, remanufacturer, or dealer that delivered the vehicle to the purchaser after the vehicle is removed from this state, and include:

- A description of the vehicle, including year, make and model, VIN or serial number, and unladen weight;
- The name, telephone number, and address of the purchaser;
- The name and address of the dealer from which the vehicle was purchased, and the address of the specific location from which the vehicle was purchased if it was different from the dealer's address;
- The name of the manufacturer or remanufacturer that manufactured or remanufactured the vehicle and the state where the vehicle was manufactured or remanufactured;
- The name and address of the dealer, manufacturer, or remanufacturer that delivered the vehicle to the purchaser in this state;
- The date of delivery and date of removal of the vehicle from this state; and
- A statement that the vehicle was purchased from the dealer at the specified location for use exclusively outside this state, or exclusively in interstate or foreign commerce, or both, and that the vehicle was removed from this state within 30 days after the date of delivery of the vehicle to the purchaser if the vehicle was manufactured or remanufactured outside this state or 75 days after the date of delivery to the purchaser if the vehicle was manufactured or remanufactured in this state.

The Department determined that it is reasonably necessary to propose that subdivision (c)(2) of Regulation 1620.15 provide that a properly completed form provided by the Department for use as an affidavit for the RTC section 6388.5 exemption will satisfy the requirements of subdivision (c)(1) to avoid confusion about the Department's forms. The Department also determined that it is reasonably necessary to propose that subdivision (c)(3) provide procedures that allow a purchaser or purchaser's agent to provide a single affidavit listing multiple vehicles that were purchased from the same location in the same transaction, which are the same as the procedures provided in revised reformatting subdivision (c)(3) of Regulation 1620.1.

The Department determined that it is reasonably necessary to propose that subdivision (d) of Regulation 1620.15 clarify that the sale of a vehicle to a lessor qualifies for the RTC section 6388.5 exemption provided that the sale and subsequent use of the vehicle meet the requirements in subdivision (b), similar to revised subdivision (d) of Regulation 1620.1. The Department also determined that it is reasonably necessary to propose that subdivision (d) require a lessor to provide the name and address of the lessee on the affidavit required by subdivision (b)(3) if the documen-

tation provided pursuant to subdivision (b)(2) shows that the vehicle is registered in the lessee's name, assigns or confirms the lessee's USDOT number, or includes a copy of the lessee's current UCRS filing. This is because it helps connect the affidavit for a vehicle with the documentation provided pursuant to subdivision (b)(2) for that vehicle.

Finally, the Department determined that it is reasonably necessary to propose that subdivision (e) of Regulation 1620.15 require purchasers to maintain records documenting that they purchased a qualifying vehicle, removed it from the state within either 30 days or 75 days after the date of delivery, and it was used exclusively out-of-state, or exclusively or in interstate or foreign commerce, or both, and provide those records to the Department upon request.

Changes to New Regulation 1620.15

The Department subsequently determined that there was an issue (or problem) with its draft of new Regulation 1620.15 because it was not consistent with the amendments AB 314 made to RTC section 6388.5. Therefore, the Department determined that it is reasonably necessary to propose to revise subdivisions (a)(10) and (b)(2)(B) of new Regulation 1620.15 to have the effect and accomplish the objective of addressing that issue (or problem).

The Department determined that it is reasonably necessary to propose to reformat subdivisions (a)(10)(A) and (B), as subdivision (a)(10)(A)(i) and (ii). The Department determined that it is reasonably necessary to propose to revise reformatting subdivision (a)(10)(A)(i) to provide that for purchases prior to January 1, 2020, and on and after January 1, 2029, "vehicle" means a new or remanufactured trailer or semitrailer with an unladen weight of 6,000 pounds or more. The Department determined that it is reasonably necessary to propose to revise reformatting subdivision (a)(10)(A)(ii) to provide that for purchases on January 1, 2020, through October 7, 2023, "vehicle" means a new, used, or remanufactured truck or a new or remanufactured trailer or semitrailer with an unladen weight of 6,000 pounds or more. The Department also determined that it is reasonably necessary to propose to add subdivision (a)(10)(A)(iii) to provide that for purchases on October 8, 2023, through December 31, 2028, "vehicle" means a new, used, or remanufactured truck or a new, used, or remanufactured trailer or semitrailer with an unladen weight of 6,000 pounds or more. This is because AB 314 expanded the exemption provided by current RTC section 6388.5, so it applies to a "used" trailer or semitrailer with an unladen weight of 6,000 pounds or more, beginning on October 8, 2023. It also amended current RTC section 6388.5 so it will become inoperative on January 1, 2029, and be repealed as of that date.

The Department determined that it is reasonably necessary to revise subdivision (b)(2)(B) to clarify that its provisions apply to a vehicle purchased on or before December 31, 2028. This is because AB 314 amended current RTC section 6388.5 so it will become inoperative on January 1, 2029, and its provisions for providing written evidence of the purchaser's or lessee's USDOT number or UCRS filing will be repealed as of that date.

Changes to the Definition of "Vehicle" in Both Regulations

Finally, the Department determined that there was an issue (or problem) with the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 because some taxpayers may not be aware that a vehicle that is eligible for the exemption provided by RTC section 6388 or 6388.5 is MTE subject to the provisions of Regulation 1661, unless excluded by Regulation 1661. Therefore, the Department determined that it is reasonably necessary to propose to revise renumbered subdivision (a)(4) of Regulation 1620.1 and add subdivision (a)(10)(B) to new Regulation 1620.15 to clarify that "A vehicle is mobile transportation equipment subject to the provisions of Regulation 1661, Leases of Mobile Transportation Equipment, unless excluded by Regulation 1661," to have the effect and accomplish the objective of addressing that issue (or problem).

DETERMINATIONS

The Department has determined that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 is reasonably necessary to have the effect and accomplish the objective of addressing the issues (or problems) discussed above by:

- Amending Regulation 1620.1 so that it only includes and clarifies the provisions of RTC section 6388; and
- Adopting new Regulation 1620.15 to include and clarify the provisions of RTC section 6388.5, as amended by AB 321, SB 1473, and AB 314, in the same manner as amended Regulation 1620.1 incorporates and clarifies RTC section 6388.

The Department anticipates that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 will promote fairness and benefit the Department and taxpayers by clarifying the exemptions provided by RTC section 6388 and 6388.5.

The Department has performed an evaluation of whether the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 are inconsistent or incompatible with existing state regulations and determined that the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 are not inconsistent or incompatible with existing state regulations because they are the only state regulations that imple-

ment, interpret, or make specific RTC sections 6388 and 6388.5. Also, the Department has determined that there is no existing federal regulation or statute that is comparable to the proposed amendments to Regulation 1620.1 and new Regulation 1620.15.

NO MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department has determined that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 will not impose a mandate on local agencies or school districts, including a mandate that requires state reimbursement under part 7 (commencing with section 17500) of division 4 of title 2 of the GC.

ONE-TIME COST TO THE DEPARTMENT, BUT NO OTHER COST OR SAVINGS TO STATE AGENCIES, LOCAL AGENCIES, AND SCHOOL DISTRICTS

The Department has determined that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 will result in an absorbable \$484 one-time cost for the Department to update its website after the proposed regulatory action is completed. The Department has determined that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 will not result in any other direct or indirect cost or savings to any state agency, no cost to any local agency or school district that is required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the GC, no other non-discretionary cost or savings imposed on local agencies, and no cost or savings in federal funding to the State of California.

NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Department has made an initial determination that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 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 adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 may affect small business.

**NO COST IMPACTS TO PRIVATE
PERSONS OR BUSINESSES**

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
ASSESSMENT REQUIRED BY GC
SECTION 11346.3, SUBDIVISION (B)**

The Department assessed the economic impact of adopting the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 on California businesses and individuals and determined that the proposed regulatory action is not a major regulation, as defined in GC section 11342.548 and CCR, title 1, section 2000. Therefore, the Department prepared the economic impact assessment required by GC section 11346.3, subdivision (b)(1), and included it in the initial statement of reasons. In the economic impact assessment, the Department determined that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 will neither create nor eliminate jobs in the State of California nor result in the creation of new businesses or the elimination of existing businesses within the State of California and will not affect the expansion of businesses currently doing business within the State of California. Furthermore, the Department determined that the adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 will not affect the benefits of the regulations to the health and welfare of California residents, worker safety, or the state's environment.

**NO SIGNIFICANT EFFECT
ON HOUSING COSTS**

The adoption of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 will not have a significant effect on housing costs.

ALTERNATIVES

The Department must determine that no reasonable alternative considered by it 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, 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 than the proposed action.

CONTACT PERSONS

Questions regarding the substance of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 should be directed to Robert Prasad, Program Policy Specialist, by telephone at (916) 309-5296, by email at BTC.InformationRequests@cdtfa.ca.gov, or by mail at California Department of Tax and Fee Administration, Attention: Robert Prasad, MIC:50, 651 Bannon Street, Suite 100, P.O. Box 942879, Sacramento, CA 94279-0050.

Written comments for the Department's consideration, written requests to hold a public hearing, notices of intent to present testimony or witnesses at the public hearing, and other inquiries concerning the proposed regulatory action should be directed to Kim DeArte, Regulations Coordinator, by telephone at (916) 309-5227, by fax at (916) 322-2958, by email at CDTFARegulations@cdtfa.ca.gov, or by mail to: California Department of Tax and Fee Administration, Attention: Kim DeArte, MIC:50, 651 Bannon Street, Suite 100, P.O. Box 942879, Sacramento, CA 94279-0050. Kim DeArte is the designated backup contact person to Robert Prasad.

WRITTEN COMMENT PERIOD

The written comment period ends on May 19, 2025. The Department will consider the statements, arguments, and/or contentions contained in written comments received by Kim DeArte at the postal address, email address, or fax number provided above, prior to the close of the written comment period, before the Department decides whether to adopt the proposed amendments to Regulation 1620.1 and new Regulation 1620.15. The Department will only consider written comments received by that time.

However, if a public hearing is held, written comments may also be submitted during the day of and at the public hearing and the Department will consider the statements, arguments, and/or contentions contained in written comments submitted during the day of or at the public hearing before the Department decides whether to adopt the proposed amendments to Regulation 1620.1 and new Regulation 1620.15.

**AVAILABILITY OF INITIAL
STATEMENT OF REASONS AND
TEXT OF PROPOSED REGULATION**

The Department has prepared copies of the text of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 illustrating the express terms of the proposed action. The Department has also prepared an initial statement of reasons for the proposed adoption of the amendments to Regulation 1620.1 and

new Regulation 1620.15, which includes the economic impact assessment required by GC section 11346.3, subdivision (b)(1). These documents and all the information on which the proposed regulatory action is based are available to the public upon request. The rulemaking file is available for public inspection at 651 Bannon Street, Suite 100, Sacramento, California. The express terms of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 and the initial statement of reasons are also available on the Department's website at www.cdtfa.ca.gov/taxes-and-fees/regscont.htm.

PUBLIC HEARING

The Department has not scheduled a public hearing to discuss the proposed amendments to Regulation 1620.1 and new Regulation 1620.15. However, any interested person or his or her authorized representative may submit a written request for a public hearing no later than 15 days before the close of the written comment period, and the Department will hold a public hearing if it receives a timely written request.

SUBSTANTIALLY RELATED CHANGES PURSUANT TO GC SECTION 11346.8

The Department may adopt the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 with changes that are non-substantial or solely grammatical in nature, or sufficiently related to the original proposed text that the public was adequately placed on notice that the changes could result from the originally proposed regulatory action. If a sufficiently related change is made, the Department will make the full text of the resulting regulation, with the change clearly indicated, available to the public for at least 15 days before adoption. The text of the resulting regulation will be mailed to those interested parties who commented on the original proposed regulation orally or in writing or who asked to be informed of such changes. The text of the resulting regulation will also be available to the public from Kim DeArte. The Department will consider timely written comments it receives regarding a sufficiently related change.

AVAILABILITY OF FINAL STATEMENT OF REASONS

If the Department adopts the proposed amendments to Regulation 1620.1 and new Regulation 1620.15, the Department will prepare a final statement of reasons. Upon its completion, the final statement of reasons will be made available for inspection at 651 Bannon Street, Suite 100, Sacramento, California, and avail-

able upon request by contacting the contact person(s) named above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the notice, initial statement of reasons, and the text of the proposed amendments to Regulation 1620.1 and new Regulation 1620.15 are available on the Department's website at www.cdtfa.ca.gov/taxes-and-fees/regscont.htm. If the Department publishes other related documents, they will also be available at that website.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT CONSISTENCY DETERMINATION NUMBER 1653–2025–152–001–R1

Project: Deep Creek
Location: Lassen County
Applicant: Joseph Bertotti

BACKGROUND

Project Location: The Deep Creek (Project) is located at Hole in One Ranch, 464–950 Old Cutoff Road, Janesville, California, 96114, at a property owned by Joseph Bertotti, Assessor Parcel Number (APN) 129–690–45–11, and affects Deep Creek, a tributary to Honey Lake, which provides habitat for migratory birds.

Project Description: Deep Creek is currently incised (between 5–10 ft) due to previous high intensity storm events. The Project seeks to add beaver dam analogues (BDAs) to the stream to create natural log jams allowing for wood and sediment to accumulate and fill the stream. BDAs are low-tech woody structures designed to facilitate process-based restoration of streams and riparian areas. These structures are designed to be short-lived and used primarily as a temporary tool to promote natural process recovery. The desired outcome is to initiate restoration of natural processes that self-sustain healthy valley bottoms and riparian habitats.

The Project activities include installation of up to 30 BDAs, averaging 10-feet across and 1-foot high. The structures will be hand built and a post pounder will

be used to secure posts for BDAs. The BDAs will be constructed with vegetative materials (willows, conifer branches, sage, and sod), starting at the bottom of the drainage and working upstream. Small amounts of sod with roots and grasses will be used to seal up the structures. Material movement will be by hand and impacts could be permanent, although structures may move with high flows.

Currently the Project area is managed for grazing and this Project will install 1650 feet of fence around the riparian area to allow for control of livestock. This will increase the riparian area by 4.5 acres. 50 native tree/shrub clusters will be planted, consisting of cottonwood, wild rose, chokecherry, and current. Plants will have protective enclosures and a drip water line will help them establish.

The Project is expected to benefit migratory songbirds who might breed in more extensive riparian vegetation, beavers who are already in the area, and wetland birds that will utilize the wetted area that is expected to expand. Other species may benefit from the Project due to the channel staying wetter and green longer in the summer.

Project Size: The total area of ground disturbance associated with the Project is approximately 0.34 acres and 300 linear feet. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050, subdivision (e), resulting from the Project include those associated with the following: native plant material.

Project Timeframes: Start date: August 2024

Completion date: December 2026

Work window: September 1–March 15

Water Quality Certification Background: Because the Project's primary purpose is habitat restoration intended to improve the quality of waters in California and improve wetland and stream habitat, the Lahontan Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 6A182409003. The NOA describes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts caused by the Project.

Receiving Water: Deep Creek, a tributary to Honey Lake.

Filled or Excavated Area: Permanent area impacted: 0.34 acres maximum

Temporary area impacted: 0.34 acres maximum

Length permanently impacted: 300 linear feet

Length temporarily impacted: 300 linear feet

Discharge Volume: 37.04 cubic yards (cy) of native plant material.

Regional Water Board staff determined that the Project may proceed under the Order. Additionally, Regional Water Board staff determined that the Project, as described in the Notice of Intent (NOI) complies with the California Environmental Quality Act (Public Resources Code, § 21000 et seq.).

On February 26, 2025, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653, subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on February 26, 2025, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2025–0226–01) on March 14, 2025. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653, subdivision (f).

DETERMINATION

CDFW has determined that the NOA, NOI, and related species protection measures are consistent with HREA as to the Project and meets the conditions set forth in Fish and Game Code section 1653 for authorizing the Project.

Specifically, CDFW finds that: (1) The Project purpose is voluntary habitat restoration and the Project is not required as mitigation; (2) the Project is not part of a regulatory permit for a non-habitat restoration or enhancement construction activity, a regulatory settlement, a regulatory enforcement action, or a court order; and (3) the Project meets the eligibility requirements of the State Water Resources Control Board's Order for Clean Water Act section 401 General Water Quality Certification for Small Habitat Restoration Projects.

AVOIDANCE AND MINIMIZATION MEASURES

The avoidance and minimization measures for Project, as required by Fish and Game Code section 1653, subdivision (b)(4), were included in an attachment to the NOI. The specific avoidance and minimization re-

quirements are found in the addendum titled: General Environmental Protection Measures (beginning on page 13), of the NOI.

MONITORING AND REPORTING

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant's Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI titled: Monitoring Plan (beginning on page 9).

NOTICE OF COMPLETION

Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects requires the Applicant to submit a Notice of Completion (NOC) no later than 30 days after the project has been completed. A complete NOC includes at a minimum:

- photographs with a descriptive title;
- date the photograph was taken;
- name of the photographic site;
- WDID number indicated above;
- success criteria for the Project.

The NOC shall demonstrate that the Applicant has carried out the Project in accordance with the Project description as provided in the Applicant's NOI. Applicant shall include the project name, WDID number with all future inquiries and document submissions. Pursuant to Fish and Game Code section 1653, subdivision (g), the Applicant shall submit the monitoring plan, monitoring report, and notice of completion to CDFW as required by the General Order. Applicant shall submit documents electronically to: Stacey.Alexander@wildlife.ca.gov.

PROJECT AUTHORIZATION

Pursuant to Fish and Game Code section 1654, CDFW's approval of a habitat restoration or enhancement project pursuant to section 1652 or 1653 shall be in lieu of any other permit, agreement, license, or other approval issued by the department, including, but not limited to, those issued pursuant to Chapter 6 (commencing with section 1600) and Chapter 10 (commencing with section 1900) of this Division and Chapter 1.5 (commencing with section 2050) of Division 3. Additionally, Applicant must adhere to all measures contained in the approved NOA and comply with other conditions described in the NOI.

If there are any substantive changes to the Project or if the Water Board amends or replaces the NOA, the

Applicant shall be required to obtain a new consistency determination from CDFW. (See generally Fish & Game Code, § 1654, subdivision (c).)

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT CONSISTENCY DETERMINATION NUMBER 1653–2025–153–001–R1

Project: Elks Lodge Floodplain Project
Location: Tehama County
Applicant: John Hannon (U.S. Bureau of Reclamation)
Notifier: Jeff Souza (Tehama Environmental Solutions Inc.)

BACKGROUND

Project Location: The Upper Sacramento River Anadromous Fish Restoration Program: Elks Lodge Floodplain Project (Project) is located off Gilmore Road in Red Bluff, California, 96080, between the Sacramento River and East Sand Slough at a property owned by U.S. Bureau of Reclamation, Assessor Parcel Number (APN) 041–320–013, and affects a floodplain adjacent to the Sacramento River. The Sacramento River supports populations of fall–run Chinook Salmon (*Oncorhynchus tshawytscha*), winter–run Chinook Salmon, Central Valley spring–run Chinook Salmon and California Central Valley steelhead trout (*Oncorhynchus mykiss*).

Project Description:

The former Elks Lodge boat harbor (Project area) currently floods seasonally but does not drain back to the Sacramento River, this causes juvenile salmonids to become stranded and perish when water levels drop. The Project aims to eliminate rearing and emigration stranding and associated mortality caused by the Project area and instead create approximately three acres of periodically inundated floodplain rearing habitat for juvenile salmonids. This will be done by altering the topography of the Project area and changing the elevation of the entrance point (where the river meets the floodplain) to allow for an increase in inundation frequencies and allow the site to drain back to the river between high flow events.

The Project will regrade approximately 5,000 cubic yards (cy) of material to create floodplain habitat for flows at 10,000 to 12,000 cubic feet per second. Side slopes, two islands, and two floodplain features will be created to provide varied depths during floods. Two

large trees that will be removed near the inlet will be salvaged and partially buried onsite to provide aquatic and terrestrial habitat. Anticipated equipment includes a dozer, an excavator, and a dump truck. The excavator will be used to excavate the inlet and excavate and install the two trees. The dozer and dump truck will be used for the bulk of the site grading.

Approximately 1.82 acres of herbaceous wetland and 1.46 acres of herbaceous upland vegetation will be revegetated. Narrow-leaved willow cuttings will be installed around the two islands if willows are impacted near the river. Project construction is anticipated to take a total of one week.

Project Size: The total area of ground disturbance associated with the Project is approximately 2.54 acres and 500 linear feet. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050, subdivision (e), resulting from the Project include those associated with the following: soil, trees, native vegetation, and erosion control material.

Project Timeframes: Start date: September 2025

Completion date: December 2029

Work window: September 1–December 1, work period will be based on flows in the Sacramento River. Work will be done before high flow events.

Water Quality Certification Background: Because the Project's primary purpose is habitat restoration intended to improve the quality of waters in California and improve fish rearing habitat, the Central Valley Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 5A52CR00241. The NOA describes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts to salmonids.

Receiving Water: Sacramento River.

Filled or Excavated Area: Temporary area impacted: 4.15 acres maximum

Permanent area impacted: 2.54 acres maximum

Length temporarily impacted: 500 linear feet

Length permanently impacted: 500 linear feet

Discharge Volume: 4,900 cy of soil, two trees, and 24 willow cuttings.

Regional Water Board staff determined that the Project may proceed under the Order. Additionally, Regional Water Board staff determined that the Project,

as described in the Notice of Intent (NOI) complies with the California Environmental Quality Act (Public Resources Code, § 21000 et seq.).

On March 4, 2025, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653, subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on March 4, 2025, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2025–0304–07) on March 14, 2025. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653, subdivision (f).

DETERMINATION

CDFW has determined that the NOA, NOI, and related species protection measures are consistent with HREA as to the Project and meets the conditions set forth in Fish and Game Code section 1653 for authorizing the Project.

Specifically, CDFW finds that: (1) The Project purpose is voluntary habitat restoration and the Project is not required as mitigation; (2) the Project is not part of a regulatory permit for a non-habitat restoration or enhancement construction activity, a regulatory settlement, a regulatory enforcement action, or a court order; and (3) the Project meets the eligibility requirements of the State Water Resources Control Board's Order for Clean Water Act section 401 General Water Quality Certification for Small Habitat Restoration Projects.

AVOIDANCE AND MINIMIZATION MEASURES

The avoidance and minimization measures for Project, as required by Fish and Game Code section 1653, subdivision (b)(4), were included in an attachment to the NOI. The specific avoidance and minimization requirements are found in the addendum titled: Species Protection Measures Incorporated into the Project Design (beginning on page 7), of the NOI.

MONITORING AND REPORTING

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant's Monitoring and Reporting Plan provides a timeline for res-

toration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI titled: Long-term Maintenance and Monitoring (beginning on page 49).

NOTICE OF COMPLETION

Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects requires the Applicant to submit a Notice of Completion (NOC) no later than 30 days after the project has been completed. A complete NOC includes at a minimum:

- photographs with a descriptive title;
- date the photograph was taken;
- name of the photographic site;
- WDID number indicated above;
- success criteria for the Project.

The NOC shall demonstrate that the Applicant has carried out the Project in accordance with the Project description as provided in the Applicant’s NOI. Applicant shall include the project name, WDID number with all future inquiries and document submissions. Pursuant to Fish and Game Code section 1653, subdivision (g), the Applicant shall submit the monitoring plan, monitoring report, and notice of completion to CDFW as required by the General Order. Applicant shall submit documents electronically to: Stacey.Alexander@wildlife.ca.gov.

PROJECT AUTHORIZATION

Pursuant to Fish and Game Code section 1654, CDFW’s approval of a habitat restoration or enhancement project pursuant to section 1652 or 1653 shall be in lieu of any other permit, agreement, license, or other approval issued by the department, including, but not limited to, those issued pursuant to Chapter 6 (commencing with section 1600) and Chapter 10 (commencing with section 1900) of this Division and Chapter 1.5 (commencing with section 2050) of Division 3. Additionally, Applicant must adhere to all measures contained in the approved NOA and comply with other conditions described in the NOI.

If there are any substantive changes to the Project or if the Water Board amends or replaces the NOA, the Applicant shall be required to obtain a new consistency determination from CDFW. (See generally Fish & Game Code, § 1654, subdivision (c).)

NATIVE AMERICAN HERITAGE COMMISSION

NOTICE OF CORRECTION

On January 31, 2025, the Native American Heritage Commission published a Notice of Proposed Rulemaking Action concerning California Native American Graves Protection and Repatriation Act (“CalNAGPRA”) Mediation and Dispute Resolution. (Notice Register 2025, Number 5–Z, January 31, 2025.)

The published Notice stated that the proposed regulation section numbers are in Title 14, sections 29001–29015. These numbers are incorrect.

The correct proposed section numbers are Title 14, sections 31000–31015.

If you have any questions, please contact Michelle Carr at Michelle.Carr@nahc.ca.gov.

RULEMAKING PETITION DECISION

ENERGY CONSERVATION AND DEVELOPMENT COMMISSION

ORDER NO: 25–0317–05
IN THE MATTER OF: PETITION FOR
RULEMAKING ON TELEVISION
DATA REPORTING

ORDER DENYING PETITION FOR RULEMAKING

I. INTRODUCTION AND PROCEDURAL HISTORY

The California Energy Commission (CEC) previously adopted minimum efficiency standards for televisions, based on a prior uniform method of test. The U.S. Department of Energy subsequently adopted a federal test standard for televisions, which impacted manufacturers’ ability to certify to the CEC’s database that their products comply with existing state efficiency requirements.

On September 22, 2023, California published a regulatory advisory acknowledging this limitation and indicating the intent to open a future rulemaking action to establish new efficiency standards for in-scope products that can be certified utilizing the new federal test procedure.

The CEC subsequently adopted a set of administrative changes to California Code of Regulations (CCR), title 20, on April 10, 2024, which included changes to data reporting requirements for televisions consistent with the new federal test method.

On February 26, 2025, the Consumer Technology Association (CTA or Petitioner) filed a petition requesting the CEC institute a formal rulemaking (Petition) to amend the data reporting requirements for televisions in its Modernized Appliance Efficiency Database System (MAEDbS) set forth in CCR, title 20, section 1606, Table X. Petition asserts that such a rulemaking is needed to align with the data required by the U.S. Federal Trade Commission’s mandatory data reporting for the Energy Guide labeling program.

On March 10, 2025, the CEC’s Executive Director certified that the petition met the filing requirements of CCR, title 20, section 1221. On March 17, 2025, CEC staff filed a recommendation that the CEC deny the Petition because all of the topics identified by the Petitioner are within the scope of the CEC’s existing Order Instituting Rulemaking (OIR) proceeding on this topic, which was adopted by the CEC on August 14, 2024. Through this existing proceeding, the CEC is continuously engaging with stakeholders to receive feedback on whether new or modified regulations, including efficiency standards, testing methods, and certification requirements, are needed in the CEC’s Appliance Efficiency Regulations (CCR, title 20, sections 1601–1609) implementing Public Resources Code section 25402(c). The CEC considered the Petition at its March 17, 2025, Business Meeting.

II. CEC FINDINGS

Based on the entirety of the record, the CEC finds that:

- 1) The Petition, filed with the Executive Director on February 26, 2025, meets the requirements of CCR, title 20, section 1221.
- 2) The Petition requests that the CEC initiate a formal rulemaking process to amend the data reporting requirements for televisions MAEDbS set forth in CCR, title 20, section 1606, Table X.
- 3) The CEC’s Appliance Efficiency Regulations (CCR, title 20, sections 1601–1609) continue to benefit from an open and transparent public process with robust engagement from regulated entities. The request by Petitioner is within the scope of the CEC’s existing Order Instituting Rulemaking for Televisions and Displays (Docket Number 24–AAER–01).
- 4) Government Code section 11340.7(c) requires that the CEC, within 30 days of the petition’s filing, either deny the petition and indicate why the agency has reached its decision on the merits or grant the petition and schedule the matter for

public hearing in accordance with the rulemaking provisions of the Administrative Procedure Act (Gov. Code section 11346 et seq.). California Code of Regulations, title 20, Section 1221(c) interprets this provision and requires either a written denial of a petition for rulemaking, or the issuance of an appropriate order pursuant to CCR, title 20, Section 1222 within 30 days of the filing of the petition.

- 5) Public Resources Code Sections 25213 and 25218(e) authorize the CEC to adopt rules and regulations, as necessary, to carry out its statutory duties. Public Resources Code section 25402 specifically authorizes the CEC to establish regulations that promote the use of energy– and water–efficient appliances. Amending the data reporting requirements for televisions in its Modernized Appliance Efficiency Database System (MAEDbS) set forth in California Code of Regulations, title 20, section 1606, Table X is within the CEC’s rulemaking authority.
- 6) Amendments to the data reporting identified by the Petitioner are within the scope of the CEC’s existing proceeding on this topic (Docket Number 24–AAER–01). Thus, an additional OIR as requested by the Petitioner is duplicative of existing actions at the CEC.

III. CONCLUSION AND ORDER

- 1) For the reasons stated above, the CEC hereby DENIES CTA’s Petition for Rulemaking.
- 2) CEC staff is directed to consider CTA’s proposed reduction in data collection in the next rulemaking proceeding for which it is in scope, consistent with the goals of the petition process and our principles of transparency and service to the public trust.
- 3) The CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to carry out the above direction.
- 4) CEC staff is directed to file this Order and supporting documentation with the Office of Administrative Law in accordance with Government Code section 11340.7(d) and provide any additional information required to submit this decision pursuant to Government Code section 11340.7.
- 5) Any interested person may obtain a copy of the petition by accessing TN# 261999 in CEC Docket Number 23–OIR–01, or by contacting Peter Strait, Appliances Branch Manager at Peter.Strait@energy.ca.gov.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on March 17, 2025.

AYE: Hochschild, Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: March 18, 2025

SIGNED BY:

/s/

Kristine Banaag
Secretariat

**SUMMARY OF
REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE
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.

California Alternative Energy and Advanced Transportation Financing Authority
File # 2025–0205–03

Commercial Energy Efficiency Financing Program

This certificate of compliance action by the California Alternative Energy and Advanced Transportation Financing Authority makes permanent, with amendments, emergency regulations regarding the Commercial Energy Efficiency Financing Program (also known as the GoGreen Business Program).

Title 04

Adopt: 10092.16; 10092.17

Amend: 10092.1; 10092.2; 10092.4; 10092.5;
10092.6; 10092.7; 10092.8; 10092.9; 10092.10;
10092.13;

10092.14; 10092.15

Filed 03/20/2025

Effective 03/20/2025

Agency Contact: Jonathan Verhoef (916) 653–1375

California Alternative Energy and Advanced Transportation Financing Authority

File # 2025–0205–03

Commercial Energy Efficiency Financing Program

This certificate of compliance action by the California Alternative Energy and Advanced Transportation Financing Authority makes permanent, with amendments, emergency regulations regarding the Commercial Energy Efficiency Financing Program (also known as the GoGreen Business Program).

Title 04

Adopt: 10092.16; 10092.17

Amend: 10092.1; 10092.2; 10092.4; 10092.5;
10092.6; 10092.7; 10092.8; 10092.9; 10092.10;
10092.13;

10092.14; 10092.15

Filed 03/20/2025

Effective 03/20/2025

Agency Contact: Jonathan Verhoef (916) 653–1375

California Department of Tax and Fee Administration

File # 2025–0313–01

Tax Revenue Sharing Agreement Reporting and Publication

This emergency regulatory action by the California Department of Tax and Fee Administration (CDTFA) specifies how local agencies are to report to the CDTFA information about rebated sales and use tax revenue agreements, in compliance with Revenue and Taxation Code section 7213.

Title 18

Adopt: 1808

Filed 03/24/2025

Effective 03/24/2025

Agency Contact: Kim DeArte (916) 309–5227

Department of Corrections and Rehabilitation

File # 2025–0311–01

Sex Offender Treatment

In this action, the Department of Corrections and Rehabilitation readopts an emergency regulation, Section 3574 into California Code of Regulations, Title 15, pursuant to Penal Code 5058.3(a). Section 3574 defines the various phases of the sex offender treatment program mandated by Penal Code (PC) Section 3008(d) and establishes a review process which facilitates the completion or continuation of that treatment.

Title 15

Adopt: 3574

Filed 03/24/2025

Effective 03/24/2025

Agency Contact: Dmitriy Kostyuk (279) 223–2313

Department of Public Health
File # 2025–0313–02
Serving Size, Age, for Industrial Hemp

This action by the Department of Public Health re-adopts emergency regulations that establish serving size and package size limits for industrial hemp final form food products intended for human consumption and an age requirement for offering or selling industrial hemp final form food products pursuant to Health and Safety Code section 110065(b)(3).

Title 17
Adopt: 23000, 23005, 23015, 23100
Filed 03/24/2025
Effective 03/24/2025
Agency Contact: Dawn Basciano (916) 440–7367

Department of Justice
File # 2025–0205–02
Department of Conservation, Geologic Energy Management Division Bond Forms

This action submitted by the Department of Justice is a request pursuant to Government Code section 11343.8 to file and print the Department of Conservation’s new oil, gas, and geothermal resources bond forms to replace the older version of the forms.

Title 11
Amend: 25 (54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7 54.8, 54.9, 54.10)
Filed 03/20/2025
Effective 03/20/2025
Agency Contact: Lisa W. Chao (213) 269–6239

Department of Justice
File # 2025–0210–02
DFPI Digital Financial Assets Law Licensee Surety Bond Form

This action submitted by the Department of Justice is a request pursuant to Government Code section 11343.8 to file and print the Department of Financial Protection and Innovation’s (DFPI’s) new Digital Financial Assets Law Licensee Surety Bond Form.

Title 11
Adopt: 25 (31.30)
Filed 03/24/2025
Effective 03/24/2025
Agency Contact: Donny P. Lee (213) 269–6312

California Highway Patrol
File # 2025–0206–01
CVSA NAS Out-of-Service Criteria

This change without regulatory effect incorporates by reference the April 1, 2025, version of the Commercial Vehicle Safety Alliance (CVSA) North American

Standard (NAS) Out-of-Service Criteria to replace the prior version.

Title 13
Amend: 1239
Filed 03/20/2025
Effective 04/01/2025
Agency Contact: Erica De Parsia (916) 843–3400

Department of Motor Vehicles
File # 2025–0212–01
Interstate Carrier Program form

This action without regulatory effect amends the Interstate Carrier Program (ICP) Inventory Order Form, REG 215 I, which is incorporated by reference, to remove the pre-filled reference to obsolete letter sequencing for ordering sequential license plates.

Title 13
Amend: 226.22, 226.52
Filed 03/26/2025
Agency Contact: Randi Calkins (916) 282–7294

Fish and Game Commission
File # 2025–0219–02
Plants of California Declared to be Endangered, Threatened or Rare

This action without regulatory effect by the Fish and Game Commission proposes to update the names and families in the endangered, threatened, and rare plants list pursuant to taxonomic updates in the Jepson Manual and the Jepson Online Interchange.

Title 14
Amend: 670.2
Filed 03/20/2025
Agency Contact: Jennifer Bacon (916) 653–4899

Board of Pilot Commissioners
File # 2025–0206–02
Pilot Boat Regulations

This regular rulemaking action by the Board of Pilot Commissioners (Board) amends the procedures by which the Board will authorize pilots to recover from the Pilot Boat Surcharge Account the costs associated with obtaining and modifying pilot boats.

Title 07
Amend: 236.1
Filed 03/21/2025
Effective 07/01/2025
Agency Contact: Allen Garfinkle (415) 397–2253

Commission on Peace Officer Standards and Training
File # 2025–0205–01

Commission Regulation 1203 Peace Officer
Disqualification

This regular rulemaking by the Commission on Peace Officer Standards and Training amends its process regarding the revocation of a peace officer’s certification when the peace officer is, or has become, ineligible to hold office as a peace officer pursuant to Government Code section 1029.

Title 11
Amend: 1203
Filed 03/19/2025
Effective 03/19/2025
Agency Contact: Katelynn Poulos (916) 227–4894

Department of Corrections and Rehabilitation
File # 2025–0211–04

Discharge of Parole and Voting Rights

Through this regulatory action, the Department of Corrections and Rehabilitation amends section 3075.3 of the California Code of Regulations, title 15, to comply with the amended California Constitution following the passage of Proposition 17, the Voting Rights Restoration for Persons on Parole Amendment.

Title 15
Amend: 3075.3
Filed 03/24/2025
Effective 07/01/2025
Agency Contact: Josh Jugum (279) 223–2317

Department of Health Care Access and Information
File # 2025–0210–01

HPD Program NCP Data Collection

This action adopts and amends regulations for the Health Care Payments Data Program (HPD) to collect non–claims payment (NCP) data.

Title 22
Adopt: 97341, 97353
Amend: 97300, 97305, 97340, 97342, 97344, 97350, 97351, 97352
Filed 03/25/2025
Effective 03/25/2025
Agency Contact: Sherry Mung (916) 326–3939

San Francisco Bay Conservation and Development
Commission

File # 2025–0207–03

Adoption of Regional Shoreline Adaptation Plan, a
part of San Francisco Bay Plan

In this regular rulemaking pursuant to Government Code section 11354.1, the San Francisco Bay Conservation and Development Commission is amending the San Francisco Bay Plan by (1) incorporating by reference the Regional Shoreline Adaptation Plan, which establishes guidelines for the preparation of the sea level rise plan required pursuant to Public Resources Code section 30985, subdivision (a), and (2) adopting and amending Climate Change Findings.

Title 14
Amend: 11900
Filed 03/24/2025
Effective 03/24/2025
Agency Contact: Amanda Boyd (415) 352–3643

Department of Food and Agriculture

File # 2025–0303–01

Apiary Fees

This regular rulemaking action by the California Department of Food and Agriculture amends regulations regarding apiary registration, assessment fees and penalties.

Title 03
Amend: 2950, 2951, 2952, 2953, 2954
Filed 03/20/2025
Effective 03/20/2025
Agency Contact: Rachel Avila (916) 698–2947

**PRIOR REGULATORY
DECISIONS AND CCR
CHANGES FILED WITH THE
SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit oal.ca.gov.