



California Regulatory Notice Register

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JUNE 27, 2025

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STATE AGENCY: Public Employment Relations Board
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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: Oakdale Irrigation District
San Joaquin Tributaries Authority
Sonoma Clean Power Authority
- STATE AGENCY: Public Employment Relations Board
Sacramento-San Joaquin Delta Conservancy

ADOPTION

- MULTI-COUNTY: El Rico Groundwater Sustainability Agency

A written comment period has been established commencing on June 27, 2025, and closing on August 11, 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 return 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 August 11, 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@fpcc.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@fpcc.ca.gov.

TITLE 2. OFFICE OF TAX APPEALS

AMEND CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the **Office of Tax Appeals**, 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 Friday, June 27, 2025, and closing on Monday, August 11, 2025. All inquiries should be directed to the contact listed below.

The **Office of Tax Appeals** 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: classification updates, new positions, and also makes other technical changes.

Information on the code amendment is attached to this email.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than Monday, August 11, 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 Monday, July 28, 2025.

The **Office of Tax Appeals** 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: OTATraining@ota.ca.gov or call Shnieta Paige at 916-202-9287.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

3024.8. APPLICATION AND FEES

4603. SCHEDULE OF CHARGES

The Department of Food and Agriculture (Department) proposes to amend Title 3 of the California Code of Regulations (CCR) Section 3024.8 to add Grapevine Registration and Certification Fees. The Department also proposes to remove Grapevine Registration and Certification Fees from CCR Section 4603. The fees will also be updated to cover the current cost of the program.

PUBLIC HEARING

A public hearing is not scheduled. However, a public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes on August 11, 2025. The Department will consider only comments received at the Department offices, by that date or postmarked no later than August 11, 2025. Submit comments to:

Erin Lovig, Senior Environmental Scientist
Supervisor

California Department of Food and Agriculture
 Plant Health and Pest Prevention Services
 1220 N Street,
 Sacramento, CA 95814
 (916) 403–6650
Permits@cdfa.ca.gov

Questions regarding the substance of the proposed regulation should be directed to Erin Lovig. In her absence, you may contact Rachel Avila at (916) 698–2947 or rachel.avila@cdfa.ca.gov.

AUTHORITY

The Department proposes to amend Sections 3024.8 and 4603 pursuant to the authority vested by Sections 407, 5823, 5851, 5852 and 52331 of the Food and Agricultural Code (FAC).

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5821, 5822, 5851, 5852 and 52331 of the FAC.

**INFORMATIVE DIGEST/POLICY
 STATEMENT OVERVIEW**

These regulation amendments are intended to address the following obligations: The Department is required to correctly reference sections in Food and Agricultural Code (FAC) that allow the Department to have registration and certification fees; currently the CCR sections that these fees are located in does not. The Department is also required to fulfill the obligation that the fees are based upon the approximate cost of the service which is rendered. These changes correct both these issues.

EXISTING LAWS & REGULATIONS

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code that the Secretary is directed or authorized to administer or enforce.

Existing law, FAC Section 5821, provides that the Secretary, for the purpose of promoting and protecting the agricultural industry of the state, may, upon request, inspect plants and the premises upon or near which they are growing and the records of their sources and qualities. She may upon the basis of the information thus determined, maintain registries of the plants which are found not to be infested or infected, or liable to become infested or infected, with pests.

Existing law, FAC Section 5822, provides that the Secretary may (a) certify as to the pest freedom of

plants which may have been inspected or registered or may certify as to the true pest condition of the plants. (b) Issue tags, labels, or certificates in evidence of inspection or registry. (c) Supervise or conduct any special treatments which may be necessary to insure the pest freedom of plants for propagation or planting purposes. (d) Fix uniform fees to be charged for inspections, registrations, certifications, and special treatments. The fees shall be based upon the approximate cost of the service which is rendered.

Existing law, FAC Section 5823, provides that the Secretary may also establish and enforce regulations which are necessary to carry out the purposes of this article.

Existing law, FAC Section 5851, provides that the Secretary may (a) Perform nonregulatory services such as export market phytosanitary and product quality analyses, certification, diagnostics, inspections, quality assurance, and testing relating to nursery stock, plants, seed, or plant pests and diseases. (b) Accredited and monitor or audit private entities as necessary. (c) Establish charges sufficient to recover its costs for nonregulatory services such as export market phytosanitary and product quality activities.

Existing law, FAC Section 5852, subsections (a) and (g) provides that the Secretary may provide, upon request, nonregulatory accreditation, analytical, certification, diagnostic, inspection, quality assurance, testing, and other nonregulatory services relating to nursery stock, plants, seed, or other plant pests and diseases on a charge–for–service basis or may accredit private persons or business entities to perform those services. The Department may establish, by regulation, a schedule of charges to cover the department’s costs for specific services it provides. Charges for the accreditation and monitoring of laboratories located outside the state shall include the expenses for all required travel and per diem and may include application, basic, initial, renewal, and other charges that the department deems necessary to cover its costs for accreditation and monitoring or auditing for compliance. Funds collected through cost–recovery charges are dedicated to, and may only be used for, carrying out the activities and functions specified in this article.

Existing law, FAC Section 52331, subsection (a) provides that the Secretary may (d) Establish a reasonable schedule of fees for tests, examinations, and services except those which are required for quarantine or other purposes, not directly related to the enforcement of this chapter. The schedule shall be based upon the approximate cost of the service rendered. The director may, however, provide for the examination of seeds for identification purposes without charge.

**ANTICIPATED BENEFITS OF THE
PROPOSED AMENDMENT**

These amendments allow the Department to meet the registration and certification regulatory requirement of fees defraying program costs. Grapevine Registration and Certification also provides for the certification of grapevine stock as free of pests of interest, thus protecting the state's agriculture and environment by preventing the introduction and spread of injurious pests. The Grapevine Registration and Certification program benefits California businesses by allowing nurseries to fulfill contract obligations and regulatory mandates for export of nursery stock.

There are no existing, comparable federal regulations or statutes.

There are no known specific benefits to worker safety or the health of California residents.

**EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS**

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of Sections 3024.8 and 4603 and has determined that they are not inconsistent or incompatible with existing state regulations.

**CALIFORNIA ENVIRONMENTAL
QUALITY ACT (CEQA)**

Prior to conducting any action authorized by this regulation, the Department shall comply with the California Environmental Quality Act of 1970 (Public Resources Code Section 21000 et seq. as amended) and the State CEQA Guidelines (Title 14 California Code of Regulations Section 15000 et seq.).

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: The current fee structure has been resulting in an expenditure vs. revenue deficit of over \$200k, which goes against California Department of Food and Agriculture (CDFA) Grapevine Registration and Certification program regulatory requirements that fees defray expenses. The fee changes will remove this deficit.

Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code sec. 17500 et seq. (Gov. Code sec. 11346.5(a)(6)): None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the State: None.

Cost impacts on a representative private person or business: This regulation may increase operational expenses for grapevine producers that choose to participate in Grapevine Registration and Certification but will have no direct impact on job creation or elimination for agricultural staff.

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.

Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: Voluntary participants in the Grapevine Registration & Certification Program may need to raise the price per unit sold for grapevine that is certified through this program. There is no other State program that is identical to this CDFA program, but certified grapevine stock sold by California businesses could end up costing more than those from other states. Therefore, the Department has determined that this regulatory proposal will not have any significant adverse impacts on businesses currently doing business in California.

Significant effect on housing costs: None.

Small business determination: The proposed action will affect small businesses that voluntarily participate in the Registration & Certification Program by raising fees.

**RESULTS OF THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT**

These amendments move the Grapevine Registration and Certification Fees to the correct regulatory section and raise the existing fees. The Department has made an assessment that the amendment to this regulation would: (1) not create or eliminate jobs within California, (2) not create new business or eliminate existing businesses within California, (3) not affect the expansion of businesses currently doing business within California, and (4) is not expected to benefit the health and welfare of California residents, (5) is expected to benefit the state's environment, and (6) is not expected to benefit workers' safety.

The state's environment: The proposed action will benefit the state's environment as grapevine registration and certification provides for the certification of grapevine stock as free of pests of interest, thus protecting the state environment by preventing the introduction and spread of injurious pests.

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 present alternatives during the written comment period.

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

The Department has prepared an initial statement of reasons for the proposed action, and has made available all the information upon which its proposal is based and the express terms of the proposed action. The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/plant/Regulations.html). A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the comment period and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which 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. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer named herein. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the agency officer named herein.

TITLE 10. DEPARTMENT OF REAL ESTATE

IMPLEMENTATION OF AB 2992 (2024)
REGARDING BUYER-BROKER
REPRESENTATION AGREEMENTS

PROPOSED ARTICLE 18.1, SECTIONS
2908.1, 2908.2, AND 2908.3

The Real Estate Commissioner and the Department of Real Estate (collectively “DRE”), proposes adoption of Article 18.1, Sections 2908.1, 2908.2, and 2908.3 of the Regulations of the Real Estate Commissioner, California Code of Regulations, Title 10, Chapter 6 (“the Regulations”), after considering all comments, objections and recommendations regarding this proposed action. Publication of this notice commences a 45-day public comment period.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or that person’s duly authorized representative, submits a written request for a public hearing to the DRE, at the contact listed below, no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or that person’s authorized representative, may submit written comments relevant to this proposed regulatory action to DRE addressed as follows:

Regular Mail:

Department of Real Estate
Attention: Dea Franck, Sacramento Legal Office
651 Bannon Street, Suite 507
Sacramento, CA 95811

Electronic Mail:

DRE.RegComments@dre.ca.gov

Comments may be submitted until August 12, 2025.

AUTHORITY AND REFERENCE

Section 10080 of the Business and Professions Code (“Bus. & Prof. Code”) authorizes DRE to adopt regulations that are reasonably necessary for the enforcement of the provisions of the Real Estate Law (Bus. & Prof. Code sections 10000 et seq.). The proposed Sections 2908.1 and 2908.2 of the Regulations implement, interpret, and/or make specific Section 1670.50 of the Civil Code as adopted as Section 2 of the larger AB 2992 (Stephanie Nguyen, Chapter 516, Statutes of 2024) (“Section 1670.50”) and Section 2079.13 of the Civil Code as amended as Section 3 of the larger AB 2992 (“Section 2079.13”). The proposed Section 2908.3 also implements, interprets, and/or makes specific both Sections 1670.50 and 2079.13 as well as Section 10131 of the Business and Professions Code as amended by AB 2992.

INFORMATIVE DIGEST/PLAIN ENGLISH OVERVIEW — SUMMARY OF PROPOSED REGULATIONS

Over the last several years, the United States Department of Justice and attorneys representing buyers and sellers of real estate filed numerous lawsuits against the National Association of REALTORS® (“NAR”), a number of state and local realtor associations, multiple listing services (“MLSs”), and various national real estate brokerages (collectively “Real Estate Defendants”) alleging that the Real Estate Defendants engaged in anti-competitive activities in violation of federal antitrust laws (“NAR Lawsuits”). In March 2024, NAR entered into a settlement agreement with the seller plaintiffs to settle the seller-side class action lawsuits against the Real Estate Defendants (“NAR Settlement”). NAR Settlement provided, among other things, that no later than August 1, 2024, all principal brokers or brokerage firms participating in a multiple listing service and working with a buyer must enter into a written agreement before the buyer tours any home.

This California Association of Realtors’ sponsored AB 2992 as a result of the NAR Lawsuits and in light of the changing landscape of the real estate industry when it comes to broker compensation, specifically brokers who represent real estate buyers. While California currently requires that a written listing agreement be executed between sellers of real property and a listing agent, California did not require a written agency agreement between buyers and their agents prior to the passage of AB 2992. AB 2992 provides, among other things, a definition of a “buyer–broker representation agreement”, details minimum required terms and conditions for such agreements, provides term length and renewal limitations for said agree-

ments, and identifies the type of real estate licensed activities requiring a signed buyer–broker representation agreement. Beginning January 1, 2025, AB 2992 requires, among other things, that buyer–broker representation agreements be executed between a buyer’s agent and a buyer “as soon as practicable, but no later than the execution of the buyer’s offer to purchase real property.”

The three sections of the proposed Article 18.1 will:

- Clarify the maximum length of the initial term and any optional renewal term of a buyer–broker representation agreement and the conditions upon which those terms commence.
- Makes expressly clear that the maximum initial and renewal term lengths set forth in the statute do not apply to buyer–broker representation agreements between real estate brokers and corporations, limited liability companies, and partnerships.
- Makes expressly clear the statutory prohibition that buyer–broker representation agreements cannot renew automatically and that such renewals need to be effectuated via a writing that is signed by the parties.
- Clarify the timing of and creates a rebuttable presumption as to when it would be initially practicable for a buyer’s agent to enter into a buyer–broker representation agreement with a buyer as contemplated in the statute.
- Makes expressly clear that a buyer–broker representation agreement is only required if a real estate broker is performing services for or on behalf of a buyer of real property or an interest in real property for which a real estate license is required.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

AB 2992 requires, among other things, that the maximum length of the initial term and any renewal term of a buyer–broker representation agreement is three months from the date the agreement was made. Proposed Section 2908.1(a) clarifies the maximum length of the initial term and any optional renewal term of a buyer–broker representation agreement be 90 calendar days and clarifies the conditions upon which those terms commence. Combined together, these parameters will result in there being one consistent, standard term length for all buyer–broker representation agreements executed in California that can be easily calculated and subject to one interpretation. As a result, there will be a decreased likelihood of contractual disputes regarding the term lengths of buyer–broker representation agreements resulting in the decreased

likelihood of litigation and the increased likelihood of smoother real estate transactions.

Proposed Section 2908.1(b) makes it expressly clear that the maximum initial and renewal term lengths set forth in AB 2992 do not apply to buyer–broker representation agreements between real estate brokers and corporations, limited liability companies, and partnerships; the benefit of this language is to make clear and eliminate any possible confusion as to whether the maximum three–month term limitation for the initial term of the agreement and any renewal term applies to buyer–broker representation agreements between real estate brokers and corporations, limited liability companies, or partnerships; it does not.

Proposed Section 2908.1(c) makes it expressly clear that AB 2992’s prohibition that buyer–broker representation agreements cannot renew automatically and proposed Section 2908.1(d) reiterates AB 2992’s requirement that such renewals need to be effectuated in writing and signed by the parties; this proposed language is necessary so that a reader of Section 2908.1 can read this regulation in its totality and understand all of the buyer–broker representation agreement renewal limitations and requirements and not have to read the regulation in conjunction with the underlying statute to get to the same result.

Proposed Section 2908.2 clarifies the timing of and creates a rebuttable presumption as to when it would be initially practicable for a buyer’s agent to enter into a buyer–broker representation agreement with a buyer as contemplated in AB 2992. Specifically, proposed Section 2908.2 provides that it is “practicable for a buyer’s agent to obtain a signed buyer–broker representation agreement before the buyer’s agent shows a buyer a property in person or virtually.” The NAR Settlement uses the touring of a house as the deadline by which a written buyer agency agreement must be signed. Many California real estate licensees are members of NAR, so it is beneficial to try to align what action by a broker would trigger the requirement of a signed buyer–broker representation agreement, i.e., before the buyer’s agent shows a buyer a property in person or virtually, with the NAR Settlement to the extent that the underlying statute would allow.

Proposed Section 2908.3 makes it expressly clear that brokers only need signed buyer–broker representation agreements in place when providing services to buyers related to real estate sales transactions as those terms are defined in Civil Code section 7029.13 for which a real estate license is required pursuant to Business and Professions Code section 10131(a). This language is beneficial for both consumers and the real estate industry because it eliminates any confusion as to when buyer–broker representation agreements are statutorily required. Without such clarification brokers and individuals, such as prospective lessees, may

think that such agreements are required under AB 2992 when they are not, which could lead to unnecessary administrative burdens and a delay in services to be provided.

WHETHER PROPOSED REGULATIONS
ARE INCONSISTENT OR INCOMPATIBLE
WITH EXISTING STATE REGULATIONS

After conducting a review for any related regulations, DRE has determined that there are no other regulations concerning the subject of buyer–broker representation agreements. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE
PROPOSED ACTION

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

Significant, statewide adverse economic impact directly affecting businesses, 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 DRE concludes that it is: (1) unlikely that this regulation proposal (“proposal”) will eliminate any jobs for real estate licensees or associated professions; (2) unlikely that this proposal will create jobs; (3) unlikely that this proposal will create new businesses of any sort; (4) unlikely that this proposal will eliminate any existing businesses; (5) unlikely that this proposal will result in the expansion of businesses currently doing business in the state; (6) will benefit the health and welfare of California residents by promoting industry transparency and helping to ensure smoother real estate transactions by minimizing the risk of misunderstandings and disputes between buyers and real estate

licensees; and (7) not expected that this proposal will affect worker safety or the state’s environment.

SMALL BUSINESS DETERMINATION

The DRE has determined that there will be very minimal fiscal impact on small businesses resulting from this regulation proposal aside from the incidental, *de minimus* administrative cost of obtaining and retaining signed buyer–broker representation agreements as required by AB 2992 and the proposed regulations.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), DRE must determine that no reasonable alternative considered, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which this regulatory 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.

DRE invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSON

Inquiries concerning this action may be directed to Dea Franck at (916) 737–4497, or via email at DRE.RegComments@dre.ca.gov. The backup contact person is Stephen Lerner at (916) 737–4293.

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

DRE will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its headquarters office: 651 Bannon Street, Suite 507, Sacramento, California. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and the Form 400 under which the package was submitted to the Office of Administrative Law for publication. Copies may be obtained by contacting Dea Franck at the mailing address and/or email address listed on the first page of this notice.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the notice, the initial statement of reasons, and the text of the regulations in underline and strikeout can be accessed through DRE’s website at www.dre.ca.gov.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

AMEND CONFLICT–OF–INTEREST CODE

NOTICE IS HEREBY GIVEN that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendments to its Conflict of Interest Code (COIC). A comment period has been established commencing on June 27, 2025 and closing on August 13, 2025. All inquiries should be directed to the contact listed below.

POST proposes to amend its COIC 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 amendments carry out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the COIC include the following subjects:
1) POST proposes amendments to Disclosure Catego-

ry 1 in order to properly recognize the expansion of POST’s regulatory and licensing duties due to the passage of Senate Bill 2 in 2021, 2) POST proposes a clarifying amendment to Disclosure Category 2, which is applicable to the Executive Director’s and Commission members’ disclosure obligations. This amendment provides further clarification about certain disclosure obligations as those obligations relate outside vendors who provide leasehold interests, goods or services to POST, and 3) POST proposes amendments to the COIC in order to provide greater specificity for each POST subdivision and bureau regarding the specific job classifications that are subject to this COIC. The proposed amendments also make other technical changes.

Information on the COIC amendments is available on the agency’s intranet site and attached to this email.

Any interested person may submit written comments relating to the proposed amendments by submitting them no later than August 13, 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 July 29, 2025.

POST 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 these proposed amendments and any communication required by this notice should be directed to: Bryant Henley, Attorney IV, Legal Affairs Bureau, (916) 227–4838, Bryant.Henley@post.ca.gov.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Amend Commission Regulation 1005 and Commission Procedure D–14 — District Attorney Investigator Transition Course

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described be-

low in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code (GC) section 11346.8, any interested person, or their duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

**PUBLIC COMMENTS DUE BY
AUGUST 11, 2025**

Notice is also given that any interested person, or authorized representative, may submit written comment(s) relevant to the proposed regulatory action by fax at (916) 404–5619, by email to Andrew Mendonsa, andrew.mendonsa@post.ca.gov, or by letter to:

Commission on POST
Attention: Rulemaking
860 Stillwater Road, Suite 100
West Sacramento, CA 95605–1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code (PC) section 13503 (authority of POST), PC § 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific PC § 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Commission Regulation 1005

At the February 2018 Commission meeting, to more accurately reflect the needs of the field, the Commission approved to change the name and the course Learning Domains of the 80–hour “District Attorney Investigation and Trial Preparation Course” to the “District Attorney Investigator Transition Course.” At that time, the “Training specifications for the Investigation and Trial Preparation Course” was left incorporated by reference into regulation. The referenced document was last updated in regulation in 2009 and no longer represents the minimum hourly requirements or topics covered in the course.

Commission Procedure D–14

In March 2025, POST staff met with subject matter experts, including instructors and representatives from the California District Attorney Investigator’s Association. The subject matter experts agreed that the “Training Specification for the Investigation and Trial Preparation Course” that is currently incorporated by reference in Commission Regulation 1005

is no longer suitable or necessary, and recommended including hourly requirements and minimum topics in the POST Administrative Manual, under existing Commission Procedure D-14.

ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENTS

The specific benefits anticipated by the proposed regulatory changes to the regulation will help ensure consistent training material for District Attorney Investigators across the state of California. Additionally, the proposed regulatory changes will increase the effectiveness of law enforcement standards for peace officers in preserving the peace, protection of public health and safety, and welfare of California. There would be no effect in regard to the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

POST has determined that these proposed amendments are not inconsistent nor incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, POST has concluded that these are the only regulations that concern processes and procedures for peace officer eligibility in the state.

FORMS/DOCUMENTS INCORPORATED BY REFERENCE

Training Specifications for the Investigation and Trial Preparation Course (repealed)

DISCLOSURES REGARDING THE PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Costs to any local agency or school district which must be reimbursed in accordance with GC §§ 17500 through 17630: None.

Other non-discretionary costs or savings imposed on local agencies: None.

Costs or savings in federal funding to the state: None.

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

Significant, statewide adverse economic impact directly affecting California businesses: POST has determined that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulations only affect state agencies that are adopting, amending or repealing regulations. Additionally, the Commission's main function to select and maintain training standards for law enforcement has no effect financially on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create or eliminate jobs in the state of California, (2) unlikely that the proposal will create new businesses or eliminate any existing businesses, and (3) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders. The specific benefits anticipated by the proposed regulatory changes to the regulation will help ensure consistent training material for District Attorney Investigators across the state of California. Additionally, the proposed regulatory changes will increase the effectiveness of law enforcement standards for peace officers in preserving the peace, protection of public health and safety, and welfare of California. There would be no effect in regard to the environment, the prevention of discrimination, and the increase in openness and transparency in business and government. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

In accordance with GC § 11346.5, subdivision (a)(13), POST must determine that no reasonable alternative it considered, or that has otherwise identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective 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 than the proposed action.

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to [Andrew Mendonsa](#), Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at (916) 227–2510. General questions regarding the regulatory process may be directed to [Ashley Anderson](#) at (916) 970–4635.

TEXT OF PROPOSAL

Individuals may request copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to, the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630. These documents are also located on the POST Website at <https://post.ca.gov/Regulatory-Actions>.

ADOPTION OF PROPOSED REGULATIONS/AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s)

named above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations and the initial statement of reasons.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to the contact person(s) named above.

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE

ADD SECTION 181, COMMERCIAL FISHERY LINE MARKING PROHIBITION

In accordance with Fish and Game Code Section 9056, the Department of Fish and Wildlife (Department) proposes to add Section 181, Commercial Fishery Line Marking Prohibition to Title 14 of the California Code of Regulations. Proposed Section 181 would prohibit state-managed commercial fisheries from using any line with a pattern that has been assigned to another state fishery operating off the U.S. West Coast. The proposed changes are necessary to prevent the misidentification of the responsible fishery in marine life entanglement events.

The proposed regulation described below may be adopted after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held virtually via webinar/teleconference on August 12, 2025. Instructions for participation in the webinar/teleconference hearing will be posted at <https://wildlife.ca.gov/Notices/Regulations/Commercial-Lines> at least seven days in advance of the meeting.

WRITTEN COMMENT PERIOD

Written comments may be submitted at any time before or on August 12, 2025, by mail or email to the contact as follows:

California Department of Fish and Wildlife
Regulations Unit
Attention: Daphne Nandino, Regulatory Scientist
P.O. Box 944209
Sacramento, CA 94244–2090
Email: Regulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Authority: Section 9056, Fish and Game Code.
Reference: Section 9056, Fish and Game Code.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Beginning in 2014, the number of large whale entanglements caused by commercial fishing gear increased significantly along the U.S. West Coast. From 1982 to 2023, the commercial Dungeness crab fishery contributed to 71 confirmed whale entanglements, more than any other fishery on the U.S. West. In 2020, to help reduce and mitigate entanglements, California adopted the Risk Assessment and Mitigation Program (RAMP) into Title 14 as Section 132.8. As part of the RAMP regulations update the Department adopted in 2025 (OAL matter Number 2025–04–04), all commercial Dungeness crab traps in California will be required to have lines with alternating black–and–purple coloring starting November 1, 2025. This requirement would make the gear more identifiable in the event of an entanglement, which would further aid in the development of reduction and mitigation measures. Both the states of Oregon and Washington have already adopted similar measures for their respective Dungeness crab fisheries. To help ensure that the source of an entanglement is not misidentified, this proposal would prohibit every state–managed commercial fishery from using line markings assigned to another state fishery operating on the U.S. West Coast.

REGULATORY PROPOSAL

In order to prevent the misidentification of the responsible fishery during marine life entanglement events, the Department proposes to add the following section:

Section 181. Prohibition on the Use of Line Markings Assigned to Another Fishery It is unlawful to use fishing gear that has on any part of the gear line marks or multi–colored line required for any other Washington, Oregon, or California state fishery operating in state or federal waters off the U.S. West Coast unless legally participating in the fishery requiring such line marks or multi–colored line.

**BENEFITS OF THE
PROPOSED REGULATIONS**

This proposal aims to prevent state–managed commercial fisheries from using line with markings that have been assigned to another state managed fishery. In concert with fishery specific line marking requirements under RAMP, the proposed regulation will ensure the source of an marine life entanglement is at-

tributed to the commercial fishing gear responsible, enabling the state to develop effective mitigation measures to reduce and mitigate future entanglements.

**CONSISTENCY AND COMPATIBILITY
WITH EXISTING REGULATIONS**

The Legislature has delegated authority to the Department to adopt regulations regarding the marking and color coding of lines used in state managed fisheries (Section 9056 of the Fish and Game Code). The Department has reviewed existing regulations in Title 14, California Code of Regulations (CCR) and finds that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. Department staff have searched the CCR and have found that no current CCR section restricts any commercial fishery from using line marking already reserved for another fishery operating on the West Coast.

**DOCUMENTS INCORPORATED
BY REFERENCE**

None.

DOCUMENTS RELIED UPON

Benson, S.R. (2019). Biology of Leatherback Turtle off California: Movements, Foraging Ecology, Abundance, and Status. California Dungeness Crab Fishing Gear Working Group, 23 April 2019. https://www.opc.ca.gov/webmaster/media_library/2019/10/D_Crab_working_group_3–5Sep2019_Leatherback.pdf.

Saez L, Lawson D, DeAngelis M. (2021). Large whale entanglements off the U.S. West Coast, from 1982–2017. National Oceanic and Atmospheric Administration Technical Memorandum NMFS–OPR–63A. 50 page <https://repository.library.noaa.gov/view/noaa/29002>.

Washington Department of Fish and Wildlife. (2025). Proposed Rule Making CR–102 (June 2024) (Implements RCW 34.05.320) WSR 25–03–125 Amending commercial crab gear requirements and implementing comprehensive line marking in the coastal Dungeness crab fishery. <https://wdfw.wa.gov/sites/default/files/about/regulations/filings/2025/combined-wsr-25-03-125.pdf>.

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

Impact of the Regulatory Action/Results of the Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulation 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 Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The Department does not anticipate any adverse economic impacts to businesses that would affect their ability to compete with businesses from other states as a result of these regulations to prohibit state–managed commercial fisheries from using line markings already assigned to another state fishery operating on the U.S. West Coast. The proposed regulations impose no costs that would create an adverse economic impact, as commercial fishery participants in the state do not use these line markings and would thus not incur replacement costs to comply with the regulation.

(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 Department does not anticipate any economic impacts to the creation or elimination of jobs within the state, the creation or elimination of businesses within the state, or the expansion of businesses within the state as a result of these regulations to prohibit state–managed commercial fisheries from using line markings already assigned to another state fishery operating on the U.S. West Coast. The proposed regulations impose no costs that would create an adverse economic impact that would affect jobs in the affected sector, as commercial fishery participants in the state do not use these line markings and would thus not incur replacement costs to comply with the regulation.

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

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.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(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

The Department does not anticipate any impacts to small businesses. The proposed regulations impose no costs that would create an adverse economic impact, as commercial fishery participants in the state, including those that are small businesses, do not use these line markings, and would thus not incur replacement costs to comply with the regulation.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State:

The Department does not anticipate any effects of the regulation on the creation or elimination of jobs within the state as the regulation prohibits the use of line with markings assigned to another state fishery on the West Coast that are not currently used by commercial fishery participants in the state, thus imposing no new costs on these businesses that would impact the creation or elimination of jobs in that sector.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State:

The Department does not anticipate any cost impacts to the creation or elimination of businesses within the state as a result of these regulations to prohibit state–managed commercial fisheries from using line markings already assigned to another state fishery operating on the U.S. West Coast. The proposed regulations impose no costs that would create an adverse economic impact that would affect businesses in a way that spur their creation or elimination, as commercial fishing vessels in the state do not use these line markings and would thus not incur replacement costs to comply with the regulation.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State:

The Department does not anticipate any cost impacts to the expansion of businesses currently doing businesses within the state as a result of these regulations to prohibit state–managed commercial fisheries from using line markings already assigned to another state fishery operating on the U.S. West Coast. The proposed regulations impose no costs that would create an adverse economic impact that would affect businesses in a way that would cause them to expand or shrink their operations within the state, as commercial fishery participants in the state do not use these line markings and would thus not incur replacement costs to comply with the regulation.

(d) Benefits of the Regulation to the Health and Welfare of California Residents:

The Department does not anticipate impacts on the health and welfare of California residents.

(e) Benefits of the Regulation to Worker Safety:

The Department does not anticipate impacts to worker safety as a result of the proposed regulations.

(f) Benefits of the Regulation to the State’s Environment:

The Department anticipates benefits to the state’s environment, as ensuring that the source of an entanglement is correctly identified would help the state better develop management measures to reduce and mitigate future entanglements.

CONSIDERATION OF ALTERNATIVES

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

The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations during the written comment period.

AVAILABILITY OF RULEMAKING DOCUMENTS AND CONTACT PERSONS

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 Department website at <https://wildlife.ca.gov/notices/regulations/>.

The proposed text (the “express terms”) of the regulations, as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review at 715 P Street, Sacramento, CA 95814 (17th floor). The rulemaking file will be available electronically upon request by contacting the Department at Regulations@wildlife.ca.gov. Inquiries concerning the regulatory process or requests for documents should be directed to:

California Department of Fish and Wildlife
Daphne Nandino, Regulations Unit
P.O. Box 944209
Sacramento, CA 94244–2090
Telephone: (916) 902–9276
Email: regulations@wildlife.ca.gov

Inquiries concerning the subject matter or substance of the proposed action should be directed to:

Anthony Shiao, Environmental Scientist
California Department of Fish and Wildlife
P.O. Box 944209
Sacramento CA 94244–2090
Telephone: (805) 560–6056
Email: regulations@wildlife.ca.gov

As of the date this notice is published, the rulemaking file consists of:

1. STD Form 400.
2. Notice of Proposed Action.
3. Initial Statement of Reasons.
4. Proposed Text of the Regulation: Addition of Section 181, Title 14, CCR.
5. Economic and Fiscal Impact Assessment (Form STD 399) and addendum.
6. Documents or Reports Supporting the Proposed Regulation Change.

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

The rulemaking file is available online at: <https://wildlife.ca.gov/Notices/Regulations/Commercial-Lines>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all the timely and relevant comments received, the Department may adopt the proposed regulation substantially as described in this notice. If the Department makes modifications which 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 regulation as revised. Please send requests for copies of any modified regulation to the Regulations Unit at the address above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by checking the website at the link provided above, or the Regulations Unit at the address above.

TITLE 16. ARCHITECTS BOARD

APPLICATION EXTENSION

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 August 11, 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 115.4, 5526, 5552.5, and 5552.6 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 30, 115.4, 115.5, 115.6, 135.4, 144, 144.5, 480, 5550, 5550.5, 5551, 5552, 5552.1, 5552.5 and 5552.6, and Government Code sections 8550 and 8558, the Board is considering amending section 109 of title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Existing regulations for 16 CCR section 109 describe the method by which candidates apply for examination eligibility and a license. The existing reg-

ulation states candidates who do not take an examination within five (5) years of being made eligible for examination or from a prior examination will become inactive and have to reapply with the Board.

This proposal will define the Board’s existing process for requesting and evaluating a request to extend the candidate’s expiration date due to them being unable to test as a result of a state of emergency declared by the Governor.

This regulatory proposal will amend 16 CCR section 109. The amendment to the regulation through this proposed rulemaking is as follows:

Amend 16 CCR section 109(a)(2)(B) to add language indicating an additional subparagraph.

Add 16 CCR section 109(a)(2)(C) to identify that a candidate will not be inactive if they have been granted an extension to their eligibility period.

Amend 16 CCR section 109(a)(3) to identify that a candidate that has been granted an extension to their eligibility period will remain “active in the examination process” by definition.

Add 16 CCR section 109(a)(4) to define State of Emergency as stated in Section 8558 of the Government Code to eliminate any confusion as to what a state of emergency could refer to.

Add 16 CCR section 109(f)(1) so the Board can evaluate the request of a candidate to receive an extension to their examination application status and remain “active in the examination process.” Specifically, the portion that follows this subsection informs candidates what must be done to be issued the extension.

Add 16 CCR section 109(f)(1)(A) which clarifies the requirement that the candidate has been unable to test due to a state of emergency, which is one of the criteria to meet for an extension as identified in BPC 5552.6.

Add 16 CCR section 109(f)(1)(B) which clarifies how candidates will request an extension and the timeline by which they must submit the request. The deadline is required so the Board receives requests in a timely manner and candidates are provided sufficient time to submit the request. The “eligibility period” is clarified with the same meaning as subsection (a)(3) that defines “active in the examination process” which explains how candidates retain an active application. Further, the last sentence provides the candidate with information that there will be a list of required items to submit to the Board to satisfy the written request requirement.

Add 16 CCR section 109(f)(1)(B)(i–viii) which clarifies the information that must be contained in the extension request so the Board can accurately associate it with the correct individual. All components are necessary to avoid complications with candidates who have the same or similar name. The candidates must sign this under penalty of perjury so appropriate responsibility is taken by the candidate, to ensure all in-

formation is accurate and correct so as to not subvert the Board.

Add 16 CCR section 109(f)(1)(B)(vii)(aa-dd) which provides relevant information to the Board on how the state of emergency affected the candidate and how much time the candidate is requesting to be added to their existing eligibility period. This will allow the Board to accurately grant the requisite amount of time to the candidate so they may continue testing.

Add 16 CCR section 109(f)(2) which requires the Board to respond to the candidate in a timely manner so future licensure planning can be made with accurate information.

Add 16 CCR section 109(f)(3) to clarify the maximum amount of time granted per extension. This is beneficial to candidates so they can plan to take tests to remain active in the examination process and understand there is a maximum amount of time granted so they can plan effectively.

Amend 16 CCR sections 109(g) and (h) for consistency to provide clarity to where relevant section information can be found.

Add BPC 5552.6 to Authority Cited and Reference, and add Government Code sections 8550 and 8558 to reference. BPC 5552.6 grants authority to the Board to extend a candidate's examination application expiration date if the candidate has been impacted by a state of emergency declared by the Governor. Government Code sections 8550 and 8558 relate to the Governor declaring a state of emergency.

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 by allowing candidates an extension to an examination expiration date should they be unable to take the examination due to a state of emergency as declared by the Governor.

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 Board estimates a workload cost of \$20 per extension request. This proposal creates a pathway for candidates to be granted an extension to their examination application expiration date if they are impacted by a state of emergency declared by the Administration. Due to the infrequent nature of this event, the Board does not anticipate substantive additional workload or costs resulting from the proposed regulations. Any workload and costs will be absorbed within existing resources.

The Board does not have a total fiscal impact estimate at this time because the total number of extension requests is currently unknown.

The regulations do not result in costs 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 following:

1. Creation or elimination of jobs within California.
2. Creation of new businesses or elimination of existing businesses within California.
3. Expansion of businesses currently doing business within the state.

Benefits of Regulation: The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by facilitating the licensure process for candidates who have been negatively affected by a state of emergency. 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 regulation will not affect small businesses. Although small businesses owned by candidates of the Board may be impacted, 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, Sacramento, 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 mate-

rial 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
 Email Address: timothy.rodde@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
Email 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 20. ENERGY COMMISSION

IMPROVED ELECTRIC VEHICLE CHARGER RECORDKEEPING AND REPORTING, RELIABILITY, AND DATA SHARING

DOCKET NUMBER 22–EVI–04

INTRODUCTION

The California Energy Commission (CEC) proposes a rulemaking to establish new regulations for improved electric vehicle (EV) charger recordkeeping and reporting, reliability, and data sharing in the California Code of Regulations (CCR), Title 20, after considering all comments, objections, and recommendations regarding the proposed regulation.

The CEC proposes new regulations for recordkeeping and reporting to track the number of EV charging ports installed in California; regulations to track the reliability of publicly or ratepayer funded direct current fast charging ports and to set a 97 percent uptime standard for these charging ports; and standards for sharing real-time data on the availability and accessibility of publicly available charging infrastructure.

For more information about this proceeding, visit the CEC’s webpage for the Electric Vehicle Charging Infrastructure Reliability Reporting and Performance Standards Proceeding at <https://www.energy.ca.gov/proceedings/active-proceedings/electric-vehicle->

[charging–infrastructure–reliability–reporting–and](#). The proceeding webpage also contains, among other things, a link to the docket page for this proceeding, which contains documents filed in the proceeding, a link to the e-commenting page, and a box to subscribe for automatic email updates about the proceeding.

PUBLIC HEARING

The CEC will hold a public hearing for the proposed regulations at the date and time listed below. Interested persons, or their authorized representative, may present statements, arguments, or contentions relevant to the proposed regulations at the public hearing. The record for this hearing will be kept open until every person present at the conclusion of staff’s presentation has had an opportunity to provide comment.

Wednesday, August 13, 2025
10:00 a.m. (Pacific Time)

ATTENDANCE INSTRUCTIONS

In-person Attendance: Participants may join the public hearing at 715 P Street, Sacramento, CA 95814.

Remote Attendance: The public hearing may be accessed by clicking the Zoom link below or visiting Zoom at <https://join.zoom.us> and entering the ID and password below. If you experience difficulties joining, you may contact Zoom at (888) 799–9666 ext. 2, or the Office of the Public Advisor, Energy Equity and Tribal Affairs at publicadvisor@energy.ca.gov or by phone at (916) 957–7910.

URL: <https://energy.zoom.us/j/84251573361?pwd=I6hFdX4Gt1SsRJDtnJlNpduG6Rric5.1>
Webinar ID: 842 5157 3361
Passcode: 749458

To participate by telephone, dial (669) 900–6833 or (888) 475–4499 (toll free). When prompted, enter the webinar ID and password listed above. For Zoom technical support dial (888) 799–9666 ext. 2 or contact the CEC’s Public Advisor for help at publicadvisor@energy.ca.gov and (916) 957–7910. To comment or ask a question over the telephone, dial *9 to “raise your hand” and *6 to mute/unmute your phone line.

Zoom Closed Captioning Service: At the bottom of the screen, click the Live Transcript CC icon and choose “Show Subtitle” or “View Full Transcript” from the popup menu. To stop closed captioning, close the “Live Transcript” or select “Hide Subtitle” from the pop-up menu. If joining by phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors. An accurate transcript of the workshop

will be docketed and posted as soon as possible after the meeting concludes.

PUBLIC ADVISOR

The CEC’s Office of the Public Advisor, Energy Equity, and Tribal Affairs assists the public with participation in CEC proceedings. To request assistance, interpreting services, or reasonable modifications and accommodations, reach out via email at publicadvisor@energy.ca.gov or by phone at (916) 957–7910 as soon as possible, but at least five days in advance. The CEC will work diligently to meet all requests based on availability.

MEDIA INQUIRIES

Direct media inquiries to the Media and Public Communications Office at (916) 654–4989, or by email at mediaoffice@energy.ca.gov.

PUBLIC COMMENT PERIOD

Interested persons may present oral and written statements, arguments, or contentions regarding the proposed regulations at the public hearing, or they may submit written comments during the written public comment period for the proposed regulation that will be held from June 27, 2025, through 5:00 p.m. on August 12, 2025. Any interested person may submit written comments to the CEC for consideration on or prior to 5:00 p.m. on August 12, 2025. The CEC appreciates receiving written comments at the earliest possible date. Comments submitted outside this comment period are considered untimely.

Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine.

The CEC encourages submitting written comments through the CEC’s electronic commenting system. Visit the CEC e–comment page for docket number 22–EVI–04, at [https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=22–EVI–04](https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=22-EVI-04). Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the “Comment Text” box or attached as a downloadable, searchable document consistent with Title 20, California Code of Regulations, Section 1208.1. The maximum files size allowed is 10 MB.

Written comments may also be submitted by email. Include the docket number, “22–EVI–04,” in the subject line and email your comment to docket@energy.ca.gov.

A paper copy comment may be sent to:

California Energy Commission
Docket Unit
Docket Number 22–EVI–04
715 P Street, MS–4
Sacramento, CA 95814

To ensure you receive notice of any changes to the proposed regulations in this proceeding, please follow the instructions provided at the end of this notice to join the proceeding contact list or provide a valid email or mailing address with your comments.

**STATUTORY
AUTHORITY AND REFERENCE**

Public Resources Code Sections 2505, 2507, 25210, 25213, 25216.5, 25218(e), 25231.5, 25301, 25302, 25303, 25304, 25305, 25400–25401, 25601–25602, 25618 authorize the CEC to adopt rules or regulations, as necessary, to implement, interpret, and make specific Public Resources Code Sections 25210, 25216.5, 25223, 25229, 25231.5, 25300, 25301, 25302, 25304, 25305, 25321, 25322, 25324, 25366, 25400–25401, 25601–25602, 25618, 25900 and Government Code Section 11180.

**INFORMATIVE DIGEST AND POLICY
STATEMENT OVERVIEW**

Summary of existing laws and regulations:

Public Resources Code Section 25229 (Assembly Bill (AB) 2127, Ting, Chapter 365, Statutes of 2018) assigned the CEC the responsibility of biennially evaluating the required number of EV charging ports to meet the state’s EV adoption objectives. This evaluation requires a detailed understanding of operational charging port counts.

Effective January 1, 2023, Public Resources Code Section 25231.5 directed the CEC to develop charging port uptime recordkeeping standards and deliver infrastructure reliability assessments (AB 2061, Ting, Chapter 345, Statutes of 2022), and provided the CEC authority to require uptime recordkeeping and reporting on EV charging ports that are publicly or ratepayer funded.

Effective October 7, 2023, Public Resources Code Section 25231.5(d)(1) (AB 126, Reyes, Chapter 319, Statutes of 2023) directed the CEC to adopt tools to increase charging station uptime, including requirements for uptime, and operation and maintenance. Public Resources Code Section 25231.5(d)(2) also directed the CEC to set standards for data sharing regarding the availability and accessibility of publicly available charging infrastructure, and further mandates the establishment of standards for notifying cus-

tomers regarding the availability and accessibility of public charging infrastructure by January 2025.

Existing law directs the CEC to release a biennial Integrated Energy Policy Report (IEPR) that provides a cohesive assessment of major energy trends and issues in California, including transportation forecasting and assessment activities.¹ The CEC lacks sufficient information on the number of EV charging ports in California to optimize IEPR reports. Public charging port operators are required to report the number of EV charging ports they operate to the U.S. Department of Energy Alternative Fuels and Data Center. However, this requirement is limited to publicly accessible charging ports and therefore provides an incomplete picture of the total charging ports in the state. The CEC administers a voluntary survey that collects data on some charging ports. However, the survey has inconsistent and limited responses and likely undercounts the number of shared private charging ports operating in California. Further, these data sets do not include charging port inventories for medium-duty and heavy-duty vehicles.

Effect of the proposed regulation:

To satisfy its statutory mandate and legislative directive, the CEC is proposing the regulations contained in the staff report *Tracking and Improving Reliability of California’s Electric Vehicle Chargers*. The CEC proposes new regulations for recordkeeping and reporting to track the number of EV charging ports installed in California; regulations to track the reliability of publicly or ratepayer funded direct current fast charging ports and set a 97 percent uptime standard for these charging ports; and standards for sharing real-time data on the availability and accessibility of publicly available charging infrastructure.

Difference from existing comparable federal regulation or statute:

The proposed 97 percent uptime requirement and sharing real-time availability and accessibility data for publicly or ratepayer funded charging ports largely mirrors the federal National EV Infrastructure Formula Program (23 Code of Federal Regulations, section 680.104), but differing from the federal program, these proposed regulations apply to charging ports that received an incentive through a charge on ratepayers or from a state agency, including without limitation, funds administered by the state that were installed in California after January 2024. Other than the uptime requirement, the CEC has determined that the proposed regulation does not duplicate or conflict with any federal regulations or statute.

¹ See Pub. Resources Code, § 25304.

Broad objectives of the regulations and the specific benefits anticipated by the proposed amendments:

The broad objectives of the regulations are to carry out the CEC’s statutory mandates in Public Resources Code section 25231.5 to adopt tools to increase charging station uptime, including uptime record-keeping and reporting requirements for EV charging ports, and to set standards for data sharing regarding the availability and accessibility of publicly available EV charging infrastructure. The regulations further enable the CEC to assess the EV charging infrastructure needed to meet state goals as required by Public Resources Code section 25229. Additionally, the inventory and reliability data collected through this regulation will be used to prepare the IEPR, for which the CEC is statutorily mandated to collect data and assess major energy trends and issues in the state, including transportation forecasting.

The proposed regulations are intended to improve the CEC’s understanding of gaps in the EV charging infrastructure, improve the reliability of charging infrastructure by implementing direct current fast charging port reliability performance standards, and increase public access to EV charging. Modest economic benefits are expected by increasing public information on the number, reliability, and availability and accessibility of EV charging ports installed in California. Improvements in the reliability of public EV charging infrastructure may increase consumer confidence in EVs and grow EV sales, providing additional public benefits.

Consistency or compatibility with existing state regulations:

The CEC has conducted an evaluation for any other state regulations in this topic area and has concluded that these are the only regulations concerning record-keeping and reporting, reliability performance standards, and data sharing for EV charging ports. Therefore, the CEC has determined that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

**DOCUMENTS INCORPORATED
BY REFERENCE**

The CEC proposes to incorporate by reference the following documents:

- EV Roaming Foundation, Open Charge Point Interface 2.2.1, October 6, 2021, <https://evroaming.org/app/uploads/2021/11/OCPI-2.2.1.pdf>.
- Open Charge Point Protocol, Open Charge Point Protocol version 2.0.1 Edition 3, June 27, 2024, <https://www.openchargealliance.org/downloads/>.

The above documents are reasonably available to the affected public in conformance with California Code of Regulations, Title 1, Section 20(c). All documents are available for review during business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., at the CEC located at 715 P Street, Sacramento, CA 95814, and on the CEC website at Docket 22–EVI–04, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?doctetnumber=22–EVI–04>.

MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed regulation is not mandated by federal law or regulations.

OTHER STATUTORY REQUIREMENTS

The CEC is not aware of any other statutory requirements that are relevant to the proposed regulations.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose a mandate on local agencies or school districts that requires state reimbursement pursuant to Government Code Sections 17500 et seq. None of the costs to local governments due to the proposed regulations are reimbursable to the state. Operating EV charging ports is generally a discretionary decision for local governments, so the costs are not required; moreover, the proposed amendments apply generally to all entities operating EV charging ports rather than applying specific mandates to local governments. Because they do not impose unique new requirements on local agencies, they are not a reimbursable mandate for this reason as well (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46).

FISCAL IMPACTS

The CEC has made the following initial determinations:

- Cost or savings to any state agency: The regulations will create no fiscal impact in the current fiscal year, as the regulations are not expected to enter into force until 2026. Staff expects a small fiscal impact on state agencies that directly operate EV charging ports that receive public or rate-payer funding.
- Cost to any local agency or school district that is required to be reimbursed pursuant to Government Code Sections 17500 et seq.: None of the costs to local governments due to the proposed regulations are reimbursable to the state. Operating EV charging ports is generally a discretion-

ary decision for local governments, so the costs are not required; moreover, the proposed amendments apply generally to all entities operating EV charging ports rather than applying specific mandates to local governments. Because they do not impose unique new requirements on local agencies, they are not a reimbursable mandate for this reason as well (*County of Los Angeles v. State of California*, 43 Cal.3d 46 (1987)).

- Other nondiscretionary cost or savings imposed on local agencies: Operating EV charging ports is generally a discretionary decision for local governments, so the costs are not required; moreover, the proposed regulations apply generally to all entities operating EV charging ports rather than apply specific mandates to local governments. Because they do not impose unique new requirements on local agencies, they are not a reimbursable mandate for this reason as well.
- Cost or savings in federal funding to the state: None.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

The CEC has made the initial determination that the proposed regulations will not have an adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Staff estimates that the regulations will not disadvantage California businesses by making it more expensive to produce goods or services here since EV charging available in California is not exported to residents in other states, and because the federal National EV Infrastructure Program sets similar EV charging reliability standards as the proposed regulations (23 Code of Federal Regulations, section 680.116).

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The primary business type impacted will be operators of EV charging stations. No individuals or other business types will be impacted.

Staff estimates for the initial and ongoing cost of the proposed regulation are shown in the Initiate Statement of Reasons. Staff estimates these costs as:

- Initial costs for a small business: \$2,501 (2026\$) in initial reporting costs
- Initial costs for a typical business: \$19,089 (2026\$) in initial reporting costs

- Annual ongoing costs for a small business: \$2,191 (2026\$) in reporting and uptime costs
- Annual ongoing costs for a typical business: \$79,903 (2026\$) in reporting and uptime costs

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The CEC concludes that: (1) the proposal will not create jobs within California, (2) the proposal will not eliminate jobs within California, (3) the proposal will not create new businesses in California, (4) the proposal will not eliminate existing businesses within California, and (5) the proposal will not result in the expansion of businesses currently doing business within the state.

A cost analysis of the proposed regulations conducted by CEC staff estimates that the direct costs of the regulations to regulated entities in 2026 will be approximately \$11,226,024 (2026\$). CEC staff estimates that the direct benefits of these regulations will be approximately \$56,890 (2026\$) in 2026. Therefore, the total economic impact of the regulations is approximately \$11,282,914 (2026\$) in 2026.

The proposed regulations will benefit the health and welfare of California’s residents and the state’s environment by providing improved and more accurate real-time public data about the reliability, accessibility, and pricing of EV charging ports. Ensuring that consumers have information that is reliable, accurate, and timely may increase consumers’ ability to find operational and available charging ports, significantly improve the EV driver experience by increasing convenience and security, and therefore increase consumer confidence in EVs. The regulations likely will not affect worker safety.

REPORTING REQUIREMENTS

These regulations set new reporting requirements for EV charging network providers, EV charging station operators, and EV charging site hosts, which are necessary to comply with the statutes described above. To fulfill statutory obligations and ensure consumers have increased access to reliable EV charging ports, it is necessary for the health, safety, or welfare of the people of the state that the regulations apply to businesses.

EFFECT ON SMALL BUSINESS

The proposed regulations may affect small business. For the purposes of this regulation staff defines a small business as a charging station operator operating twenty or fewer nonnetworked charging ports or a charging network provider managing 1,000 or fewer

networked charging ports. The CEC expects the average initial costs of this regulation for a small business is \$2,501 and the recurring costs for small businesses is estimated to be \$2,191 for reasonable compliance with the Proposed Action.

SIGNIFICANT EFFECT ON HOUSING COSTS

None.

ALTERNATIVES STATEMENT

In accordance with Government Code Section 11346.5, subdivision (a)(13), the CEC must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, 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 regulation; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CEC staff has considered two proposed alternatives and concluded that they are not feasible or do not allow the CEC to fulfill its statutory mandate.

CONTACT PERSONS

Questions should be addressed to:

Ross Daley, Rulemaking Coordinator
Executive Office
Ross.Daley@energy.ca.gov
+1 916 980 7949

OR:

Taylor Marvin, Supervisor
Fuels and Transportation Division
Taylor.Marvin@energy.ca.gov
+1 279 226 1009

COPIES OF THE INITIAL STATEMENT OF REASONS, THE EXPRESS TERMS, AND RULEMAKING FILE

The CEC will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the Express Terms, the Initial Statement of Reasons (ISOR) and any documents relied upon or incorporated by reference. Copies may be obtained by contacting the contact persons list-

ed above or by visiting the CEC website at Docket 22-EVI-04, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04>.

AVAILABILITY OF CHANGES TO ORIGINAL PROPOSAL FOR AT LEAST 15 DAYS PRIOR TO AGENCY ADOPTION/ REPEAL/AMENDMENT OF RESULTING REGULATIONS

Participants should be aware that any of the proposed regulations could be changed because of public comment, staff recommendation, or recommendations from Commissioners. Moreover, changes to the proposed regulations not indicated in the Express Terms could be considered if they improve the clarity or effectiveness of the regulations. If the CEC considers changes to the proposed regulations pursuant to Government Code Section 11346.8, a full copy of the text will be available for review at least 15 days prior to the date on which the CEC adopts or amends the resulting regulations.

COPY OF THE FINAL STATEMENT OF REASONS

At the conclusion of the rulemaking, persons may obtain a copy of the Final Statement of Reasons once it has been prepared by visiting the CEC website at Docket 22-EVI-04, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04>.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The CEC maintains a website to facilitate public access to documents prepared and considered as part of this rulemaking proceeding. Documents prepared by the CEC for this rulemaking have been posted on the CEC website at Docket 22-EVI-04, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04>.

INSTRUCTIONS FOR RECEIVING NOTICES AND DOCUMENTS IN THIS PROCEEDING

To stay informed about this proceeding and receive documents and notices of upcoming workshops and hearings as they are filed, please subscribe for automatic email updates for this rulemaking, by using the subscribe box here: [Electric Vehicle Charing Infrastructure Reliability Reporting and Performance Standards](#), then following any prompts. Members of the public can subscribe to this topic at the link above. The subscription sends out email notifications and direct links when documents and notices are filed in the

proceeding docket. If you are unable or do not wish to sign up for automatic email updates but still would like to receive documents and notices, please contact the contact person listed in this notice.

GENERAL PUBLIC INTEREST

FISH AND GAME COMMISSION

NOTICE OF FINDINGS FOR MOJAVE DESERT TORTOISE (*GOPHERUS AGASSIZII*) MAY 27, 2025 DRAFT

NOTICE IS HEREBY GIVEN that the California Fish and Game Commission (Commission), at a meeting on April 17-18, 2024, found pursuant to California Fish and Game Code Section 2075.5 that the information contained in the petition to list the species Mojave desert tortoise (*Gopherus agassizii*) and other information in the record before the Commission, warrants adding Mojave desert tortoise to the list of endangered species under the California Endangered Species Act (CESA; Fish and Game Code, Section 2050 et seq.). (See also California Code of Regulations, Title 14, Section 670.1, subsection (i)).

NOTICE IS ALSO GIVEN that, at its June 11-12, 2025, meeting, the Commission adopted the findings herein outlining the reasons for its determination.

I. BACKGROUND AND PROCEDURAL HISTORY

Prior Listing History

The Commission listed desert tortoise (*Gopherus agassizii*) as a threatened species under the California Endangered Species Act (CESA) in 1989. The U.S. Fish and Wildlife Service listed it under the federal Endangered Species Act (ESA) in 1990. As explained below, 2011 studies concluded that the species complex of desert tortoise consists of two species, with those present in California being classified as *Gopherus agassizii* and commonly referred to as Mojave desert tortoise.

Petition History

On March 23, 2020, Defenders of Wildlife, the Desert Tortoise Council, and the Desert Tortoise Preserve Committee submitted a petition to the Commission to change the listing status of desert tortoise (*Gopherus agassizii*; hereafter referred to as Mojave desert tortoise) from threatened to endangered under CESA. The Commission reviewed the petition for completeness and, on April 13, 2020, pursuant to Section 2073

of the California Fish and Game Code, referred the petition to the California Department of Fish and Wildlife (Department) for evaluation. The Commission gave public notice of receipt of the petition on May 1, 2020 (California Regulatory Notice Register 2020, Number 18–Z, page 693). The Department transmitted to the Commission the Department’s petition evaluation on July 23, 2020 and, on August 20, 2020, the Commission publicly received the Department’s petition evaluation.

At its October 14, 2020 meeting, the Commission determined that listing may be warranted, and subsequently provided notice regarding the Mojave desert tortoise’s status as a candidate species (California Regulatory Notice Register 2020, Number 44–Z, page 1445).

Status Review Overview

The Commission’s action, designating Mojave desert tortoise as a candidate species, triggered the Department’s process for conducting a status review to inform the Commission’s decision on whether to list the species.

On January 9, 2024, the Department transmitted to the Commission the Department’s report, *Status Review for Mojave Desert Tortoise (Gopherus agassizii) Report to the Fish and Game Commission*, dated February 2024. The Commission publicly identified receipt of the Department’s status review report as part of the Commission’s February 14–15, 2024 meeting materials. On April 18, 2024, the Commission found that the information contained in the petition to change the listing status of Mojave desert tortoise and other information in the record before the Commission, warranted listing Mojave desert tortoise as an endangered species under CESA.

Species Description

The Mojave desert tortoise is a long-lived, desert-dwelling tortoise. Desert tortoises are reptiles within the order Testudines, family Testudinidae, genus *Gopherus*. The genus *Gopherus* consists of North America’s land tortoises.

When the Commission listed desert tortoise as threatened in 1989, *Gopherus agassizii* was understood to range from southeastern California, across southern Nevada, through western Arizona, and south into Sonora and Sinaloa, Mexico. In 2011, studies of tortoise genetics, morphometrics, and ecology led experts to conclude that the species complex formerly known as “desert tortoise” in fact consists of two separate species, Mojave desert tortoise and Sonoran desert tortoise (*Gopherus morafkai*) (Murphy et al. 2011, Iverson et al. 2017). Mojave desert tortoise, also known as Agassiz’s desert tortoise, retains the original binomial scientific name (*G. agassizii*) and ranges across the deserts of southeastern California, southern Nevada, and small areas of Arizona and Utah north of

the Colorado River, as well as southwestern Utah. In California, the range of the Mojave desert tortoise includes the Mojave Desert and portions of the Sonoran and Great Basin deserts.

Mojave desert tortoise habitat typically consists of alluvial fans and plains that facilitate the digging of burrows. Mojave desert tortoises also need sufficient forage plants, as well as larger shrubs and bushes for shade and protection of burrows, and for feeding on annual forbs, annual and perennial grasses, herbaceous perennial plants, and some cacti (Berry and Murphy 2019). Mojave desert tortoises occur in very low densities or are absent where shrub cover is sparse, precipitation is low, and annual food plants are available only intermittently.

The carapace of adults ranges in size from 178 millimeters to over 370 millimeters in length. Mojave desert tortoises make extensive use of underground burrows to regulate body temperature and as protection from predators. Studies have demonstrated male home range sizes of 39–47 hectare and female home range sizes of 14–17 hectare (Harless et al. 2009). Home ranges of individuals can overlap.

Mojave desert tortoises are long-lived and females are thought to become sexually mature at 12–20 years old (mean 18.8; Medica et al. 2012), depending on locality (Woodbury and Hardy 1948, Turner et al. 1986, Curtin et al. 2009). Generation time is estimated to be around 25 years (U.S. Fish and Wildlife Service 1994). Mating occurs in late summer and fall, and females can mate with multiple males (Davy et al. 2011).

Females typically lay one or two clutches of eggs (about six eggs per clutch) per year; however, some females have been documented to lay more than two clutches (Ennen et al. 2012, Mitchell et al. 2021). Tortoise nests are typically placed near the entrance to the burrow or within suitable soil (Ennen et al. 2012), and there is no parental care once eggs have hatched (Berry and Murphy 2019). Newly hatched tortoises are about 4–5 centimeters in length (Bjurlin and Bissonette 2004) and their shells do not fully ossify (harden) until they are 5–7 years old.

II. STATUTORY AND LEGAL FRAMEWORK

The Commission, established by the California State Constitution, has exclusive statutory authority under California law to designate endangered, threatened, and candidate species under CESA (California Constitution, Article IV, Section 20, subdivision (b); California Fish and Game Code Section 2070). The CESA listing process for this species began in the present case with a petition submitted to the Commission. The regulatory and legal process that ensued is described in some detail in the preceding section, along with re-

lated references to the Fish and Game Code and controlling regulations. The CESA listing process generally is also described in some detail in published appellate case law in California, including:

- *Natural Resources Defense Council v. California Fish and Game Commission* (1994) 28 Cal.App.4th 1104;
- *Mountain Lion Foundation v. California Fish and Game Commission* (1997) 16 Cal.4th 105;
- *California Forestry Association v. California Fish and Game Commission* (2007) 156 Cal.App.4th 1535;
- *Center for Biological Diversity v. California Fish and Game Commission* (2008) 166 Cal.App.4th 597;
- *Central Coast Forest Association v. California Fish and Game Commission* (2017) 2 Cal.5th 594;
- *Central Coast Forest Association v. California Fish and Game Commission* (2018) 18 Cal.App.5th 1191; and,
- *Almond Alliance of California v. California Fish and Game Commission* (2022) 79 Cal.App.5th 337.

The “is warranted” determination stems from Commission obligations established by Fish and Game Code Section 2075.5. Under the provision, the Commission is required to make one of two findings for a candidate species at the end of the CESA listing process; namely, whether listing a species is warranted or is not warranted. Here, the Commission made the finding under Section 2075.5, subdivision (e)(2) that listing is warranted.

The Commission was guided in making its determinations by statutory provisions and other controlling law. The Fish and Game Code, for example, defines an endangered species under CESA as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease” (Section 2062). Similarly, the Fish and Game Code defines a threatened species under CESA as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter” (Section 2067).

The Commission also considered California Code of Regulations, Title 14, Section 670.1, subsection (i)(1)(A), in making its determination. The provision provides, in pertinent part, that the Commission will list the species or subspecies as endangered or threat-

ened under CESA if the Commission determines that its continued existence is in serious danger or is threatened by any one or any combination of six factors:

1. Present or threatened modification or destruction of its habitat,
2. overexploitation,
3. predation,
4. competition,
5. disease, or,
6. other natural occurrences or human-related activities.

Fish and Game Code Section 2070 provides similar guidance, providing that the Commission shall add or remove species from the list of endangered and threatened species under CESA only upon receipt of sufficient scientific information that the action is warranted. Similarly, CESA provides that it is the policy of the state, not specific to the Commission per se, that all state agencies, boards, and commissions shall seek to conserve endangered and threatened species and shall utilize their authority in furtherance of the purposes of CESA (Fish and Game Code Section 2055). The statutory guidance does not compel a particular determination by the Commission in the CESA listing context. Nevertheless, “[l]aws providing for the conservation of natural resources’ such as the CESA are of great remedial and public importance and thus should be construed liberally.” (*California Forestry Association v. California Fish and Game Commission*, supra, 156 Cal.App.4th at pages 1545–1546, citing *San Bernardino Valley Audubon Society v. City of Moreno Valley* (1996) 44 Cal.App.4th 593, 601; Fish and Game Code sections 2051 and 2052.)

Finally, in considering the six identified factors, CESA and controlling regulations require the Commission to actively seek and consider related input from the public and any interested party (see, e.g., Fish and Game Code, sections 2071, 2074.4 and 2078; California Code of Regulations, Title 14, Section 670.1, subsection (h)). The related notice obligations and public hearing opportunities before the Commission are also considerable (Fish and Game Code sections 2073.3, 2074, 2074.2, 2075, 2075.5 and 2078; California Code of Regulations, Title 14, Section 670.1, subsection (c), (e), (g) and (i); see also California Government Code Section 11120 et seq.). The referenced obligations are in addition to the requirements prescribed for the Department in the CESA listing process, including an initial evaluation of the petition, a related recommendation regarding candidacy, and a review of the candidate species’ status, culminating with a report and recommendation to the Commission as to whether listing is warranted based on the best available science (Fish and Game Code sections 2073.4, 2073.5, 2074.4 and 2074.6; California Code of Regu-

lations, Title 14, Section 670.1, subsections (d), (f) and (h)).

III. FACTUAL AND SCIENTIFIC BASES FOR THE COMMISSION’S FINAL DETERMINATION

The factual and scientific bases for the Commission’s determination that designating Mojave desert tortoise as an endangered species under CESA is warranted are set forth in detail in the Commission’s record of proceedings, including the petition; the Department’s petition evaluation report; the Department’s status review report; written and oral comments received from members of the public, the regulated community, tribal entities, and the scientific community; and other evidence included in the Commission’s record of proceedings, which is incorporated herein by reference.

The Commission determines that the continued existence of Mojave desert tortoise in the state of California is in serious danger or threatened by one or a combination of six factors as required by California Code of Regulations, Title 14, Section 670.1, subsection (i)(1)(A):

1. Present or threatened modification or destruction of its habitat,
2. overexploitation,
3. predation,
4. competition,
5. disease, or,
6. other natural occurrences or human-related activities.

The Commission also determines that the information in the Commission’s record constitutes the best scientific information available and establishes that designating Mojave desert tortoise as an endangered species under CESA is warranted. Similarly, the Commission determines that Mojave desert tortoise is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.

The items highlighted here and detailed in the following threats section represent only a portion of the complex issues aired and considered by the Commission during the CESA listing process for Mojave desert tortoise. Similarly, the issues addressed in these findings represent some, but not all, of the evidence, issues, and considerations affecting the Commission’s final determination. Other issues aired before and considered by the Commission are addressed in detail in the record before the Commission.

Background

The Commission bases its “is warranted” finding for Mojave desert tortoise most fundamentally on its

determination that Mojave desert tortoise qualifies as a “subspecies” as specified in CESA sections 2062 and 2067. The qualification is based on the evaluation of Mojave desert tortoise as an independent, separable, and important population, with a substantial risk of extinction in the foreseeable future within the meaning of CESA.

Threats

Mojave desert tortoise is endangered due to:

- Present or threatened modification or destruction of its habitat (see, e.g., Department’s status review report at pages 32–37 and 62–64, and references cited therein),
- predation (see, e.g., Department’s status review report at pages 40–43 and 62–64, and references cited therein), and,
- other natural occurrences or human-related activities, particularly:
 - Climate change (see, e.g., Department’s status review report at pages 43–46 and 62–64, and references cited therein),
 - Vehicle strikes, roads, and fencing (see, e.g., Department’s status review report at pages 37–39 and 62–64, and references cited therein),
 - Fire (see, e.g., Department’s status review report at pages 46–47 and 62–64, and references cited therein), and,
 - Impacts from invasive and non-native species (see, e.g., Department’s status review report at pages 39–40 and 62–64, and references cited therein).

The Commission finds these factors to result in a significant threat to the continued existence of Mojave desert tortoise as explained in the Department’s status review report. This finding and the Department’s explanation are supported by the whole of the record before the Commission.

IV. FINAL DETERMINATION BY THE COMMISSION

The Commission has weighed and evaluated the information for and against designating Mojave desert tortoise as an endangered species under CESA, including scientific and other general evidence in the petition; the Department’s petition evaluation report; the Department’s status review report; the Department’s related recommendations; written and oral comments received from members of the public, the regulated community, various public agencies, and the scientific community; and other evidence included in the Commission’s record of proceedings.

Based upon the evidence in the record, the Commission has determined that the best scientific informa-

tion available indicates the continued existence of Mojave desert tortoise is in serious danger or threatened by modification or destruction of the species’ habitat, predation, or other natural occurrences or human-related activities, where such factors are considered individually or in combination (see, generally, California Code of Regulations, Title 14, Section 670.1, subsection (i)(1)(A); Fish and Game Code sections 2062 and 2067).

The Commission determines that there is sufficient scientific information to indicate that designating Mojave desert tortoise as an endangered species under CESA is warranted, and that, with adoption and publication of these findings, Mojave desert tortoise shall be listed as endangered for purposes of its legal status under CESA.

**RULEMAKING PETITION
DECISION**

**DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT**

RE: RECONSIDERATION OF PETITION
P-01-25 — REQUEST TO AMEND
CALIFORNIA CODE OF REGULATIONS,
TITLE 25, SECTION 1330(C).

June 17, 2025

Neal OBrien

Nealobrien@gmail.com

Dear Neal OBrien:

The California Department of Housing and Community Development (HCD) is in receipt of your email responses submitted to HCD on April 16, 2025, and April 21, 2025. Although you have not submitted an official request for reconsideration in your emails, HCD has reconsidered your request which noted you disagreed with HCD’s decision to deny your petition request.

Government Code, section 11340.7(b), allows a state agency to grant or deny a petition in part, and to grant any other relief or take any other action as it may determine to be warranted by the petition. HCD is currently in the process of promulgating a regulatory package for public comment and the subject of your petition is beyond the scope of this rulemaking. Pursuant to Government Code, section 11340.7(a), an agency must either deny a petition or set the matter for public hearing within 30 days of approval. Due to such time constraints and the extensive regulatory action in progress, HCD is unable to engage in another

rulemaking activity within the time limits proscribed by Government Code, section 11340.7(a), and as result denies your petition in part.

HCD has further determined that “other action” is warranted within the meaning of Government Code, section 11340.7(b). To that extent, HCD may take the merits of your petition into further consideration in a future title 25 rulemaking action.

You are encouraged to [sign-up on HCD’s website](#) if you wish to receive notices of proposed rulemaking activity if you would like to provide public comment, and to stay informed.

If you believe there is a violation of the [Mobilehome Parks Act](#) or associated [regulations](#), please submit a complaint through HCD’s [Mobilehome Assistance Center](#).

Please note that interested parties have the right to obtain a copy of your petition from HCD pursuant to Government Code, section 11340.7(d).

If you have any questions regarding this matter, you may contact Mitchel Baker at (916) 214–8097.

Sincerely,

/s/

Kyle Krause

Deputy Director

Division of Codes and Standards

**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.

State Lands Commission

File # 2025–0606–02

Emergency Rulemaking for Article 4.7 Performance Standards

In this emergency rulemaking action, the State Lands Commission seeks to amend performance standards and compliance assessment for the discharge of ballast water for vessels operating in California waters to require ballast water exchange in near-coastal waters, in addition to complying with existing performance standards.

Title 02
Amend: 2292, 2293
Filed 06/16/2025
Effective 06/16/2025
Agency Contact: Nina Tantraphol (916) 574–0452

Fish and Game Commission

File # 2025–0606–03

Restricted Animals: Golden Mussel

This emergency rulemaking action by the California Fish and Game Commission readopts amendments to the existing importation, transportation, and possession of live restricted animals list by adding golden mussels (*Limnoperna fortunei*) thereto originally adopted in emergency rulemaking action 2024–1213–03E. This addition is in response to the recent discovery of this non–native species presence in California waterways.

Title 14
Amend: 671
Filed 06/16/2025
Effective 06/18/2025
Agency Contact:
Sherrie Fonbuena (916) 902–9284

Fair Political Practices Commission

File # 2025–0520–04

FPPC Electronic Filing of Statement of Economic Interests

This action by the Fair Political Practices Commission (FPPC) amends regulations related to electronic filing of statement of economic interests. The amendments re–letter provisions to reflect changes made in a prior action.

Title 02
Amend: 18313.6, 18756
Filed 06/18/2025
Effective 07/18/2025
Agency Contact:
Amanda Apostol (916) 322–5660

Commission on Peace Officer Standards and Training

File # 2025–0501–03

Reimbursement for Training of Non–Sworn Personnel

This action without regulatory effect by the Commission on Peace Officer Standards and Training (“POST”) amends section 1014 of title 11 of the California Code of Regulations (“CCR”) by removing obsolete language referencing a now–defunct bureau within POST, i.e., Management Counseling, Leadership Development Bureau.

Title 11
Amend: 1014
Filed 06/11/2025
Agency Contact: John Tomasello (916) 227–4831

Department of Social Services

File # 2025–0516–08

Repeal of Title 22, Division 2, Chapter 3, Subchapter 9, Articles 2 and 3

Through this change without regulatory effect, the Department of Social Services repeals title 22 of the California Code of Regulations sections 35401, 35403, 35405, 35407, and 35409 governing private/independent adoptions of children across state lines.

Title 22
Repeal: 35401, 35403, 35405, 35407, 35409
Filed 06/18/2025
Agency Contact: Everardo Vaca (916) 657–2363

Board of Occupational Therapy

File # 2025–0502–05

Applications

This rulemaking action by the Board of Occupational Therapy amends regulations relating to the procedures for submission of applications for licenses and limited permits.

Title 16
Amend: 4110, 4111, 4112, 4114
Filed 06/16/2025
Effective 10/01/2025
Agency Contact: Ranjila Sandhu (916) 274–1078

Bureau of Security and Investigative Services

File # 2025–0505–01

Fees

In this rulemaking action, the Board amends its regulations related to confined spaces in construction. The amendments revise definitions and various general requirements, in addition to requirements for permit space program, entry permit, and permit space rescue and emergency medical services.

Title 16
Amend: 638, 639, 640, 641, 642, 642.5
Filed 06/17/2025
Effective 10/01/2025
Agency Contact: Briana Goularte (279) 895–1250

California Energy Commission

File # 2025–0506–01

Amend the Power Source Disclosure Program

This action amends the Power Source Disclosure program requirements to, among other things, implement hourly accounting and disclosure requirements pursuant to AB 242 and SB 1158, update account-

ing methods, expand related disclosure requirements, clarify existing reporting standards, and reorganize CCR sections.

Title 20

Amend: 1391, 1392 (renumbered 1391.1 and amended), 1393 (renumbered 1392 and amended), 1394 (renumbered 1393 and amended), 1394.1 (renumbered 1393.1 and amended), 1394.2 (renumbered 1394 and amended)

Filed 06/18/2025

Effective 06/18/2025

Agency Contact: Jordan Scavo (916) 654–5158

Department of Consumer Affairs

File # 2025–0506–02

Firm Responsibilities and Attest Engagement Notification

Through this regulatory action, the California Board of Accountancy seeks to amend title 16, of the California Code of Regulations, sections 41 and 50.1, to add additional requirements for licensed accountants to follow in circumstances where an accounting firm is providing attest services when the ownership of that firm is comprised solely of licensees who have not completed the attest experience requirement, and therefore, none of the owners are authorized to sign reports on attest engagements.

Title 16

Amend: 41, 50.1

Filed 06/18/2025

Effective 10/01/2025

Agency Contact: Diana Godines (279) 226–4599

Department of Corrections and Rehabilitation

File # 2025–0505–04

Release Allowance

This action amends provisions governing the calculation of release allowances and the distribution of release allowances and trust account balances via check or debit card to eligible incarcerated persons. The regulations also remove deductions from release allowances for clothing and transportation to align with Assembly Bill 157 (Chapter 994, Stats. 2024).

Title 15

Amend: 3075.2

Filed 06/17/2025

Effective 10/01/2025

Agency Contact:

Dmitriy Kostyuk (279) 223–2313

Department of Social Services

File # 2025–0501–01

Reproductive Health of Foster Youth and Social Worker Activities

This regular rulemaking by the Department of Social Services makes additions to the Manual of Policies and Procedures regarding case plan requirements, documentation, and social worker activities related to sexual and reproductive health of foster youth to conform with existing statute.

Title MPP

Amend: 31–206, 31–320

Filed 06/13/2025

Effective 10/01/2025

Agency Contact: Tyler Penn (916) 204–0337

Division of Boating and Waterways

File # 2025–0505–02

Update Personal Flotation Device Terminology

In this regular rulemaking, the Division of Boating and Waterways is amending and repealing regulations regarding personal flotation device requirements.

Title 14

Amend: 6565.2, 6565.5, 6565.6

Repeal: 6565.4, 6565.7

Filed 06/17/2025

Effective 06/17/2025

Agency Contact: Charley Hesse (916) 327–1741

Office of Environmental Health Hazard Assessment

File # 2025–0506–03

Titanium dioxide (airborne) unbound particles of respirable size

In this regular rulemaking action, the Office of Environmental Health Hazard Assessment adopts a “No Significant Risk Level” (NRSL) for the listed chemical “titanium dioxide (airborne, unbound particles of respirable size).”

Title 27

Amend: 25705

Filed 06/18/2025

Effective 10/01/2025

Agency Contact:

Esther Barajas–Ochoa (916) 322–2068

California Horse Racing Board

File # 2025–0509–01

Prohibit Manipulation of Ear to Control Horse

This regular rulemaking action by the California Horse Racing Board prohibits assistant starters from using certain methods of manipulating a horse’s ears as a technique to control the horse while the horse is on the track or in the starting gate.

Title 04
Amend: 1693
Filed 06/17/2025
Effective 10/01/2025
Agency Contact: Rick Pimentel (916) 263–6000

Department of Developmental Services
File # 2025–0505–03
Special Incident Reporting

This action by the Department of Developmental Services amends special incident reporting (SIR) requirements to reorder provisions, define related terms, and modernize the process.

Title 17
Amend: 54327, 54327.1, 56002, 56026, 56038,
56059, 56093
Filed 06/11/2025
Effective 05/01/2026
Agency Contact: Nicole Smith (916) 654–2287

**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.