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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 5. COMMISSION ON TEACHER CREDENTIALING

REQUIREMENTS TO DETERMINE ELIGIBILITY OF INSTITUTIONS SEEKING TO OFFER EDUCATOR PREPARATION PROGRAMS

The Commission on Teacher Credentialing (Commission) proposes to take the regulatory action described below after considering all comments, objections, and recommendations regarding the proposed action. A copy of the proposed regulations is included with the new proposed text shown in underline.

The Commission has not scheduled a public hearing on this proposed action. However, the Commission 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 before the close of the comment period.

SUMMARY OF THE EFFECT OF THE PROPOSED ACTION

This proposal adds Section 80700 to Title 5 of the California Code of Regulations.

California Education Code section 44372(c) gives the Commission the authority to accredit institutions that seek to offer programs that lead to a credential to serve as an educator in California public schools. Among other responsibilities, Education Code section 44372(c) sets forth the Commission’s responsibility to rule on the eligibility of applicant institutions. The addition of Section 80700 to Title 5 will set forth the requirements for determining eligibility for institutions that have not previously been approved by the Commission on Teacher Credentialing to operate educator preparation licensure programs in California.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by email relevant to the proposed

action. The written comment period closes on June 8, 2026. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax their response to (916) 327–3165; write to the Commission on Teacher Credentialing, Attn: Lynette Roby, Commission on Teacher Credentialing, 651 Bannon Street, Suite 601, Sacramento, CA 95811; by phone at (916) 324–3668 or submit an email to Lynette.Roby@ctc.ca.gov. Alternatively contact Miranda Gutierrez at (916) 445–0928 or by email at mgutierrez@ctc.ca.gov. Any written comments received by the closing of the public comment period will be reproduced by the Commission’s staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission.

AUTHORITY

Education Code Section 44372(c) establishes authority for the Commission to rule on the eligibility of an applicant for accreditation when the applying institution has not previously prepared educators for state certification in California.

REFERENCE

The authority cited above is pursuant to subdivision (a) of Section 44227.

INFORMATION DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Effect of the Proposed Action

As stated above, these regulations are new and based on Education Code 44372(c) which states that one of the duties of the Commission shall be to “Rule on the eligibility of an applicant for accreditation when the applying institution has not previously prepared educators for state certification in California, pursuant to subdivision (a) of Section 44227.”

Anticipated Benefits of the Proposed Regulations

The proposed regulations provide clarity for education institutions seeking approval to offer new educator preparation program(s). The adoption of the proposed regulations will ensure that such institutions will have adhered to Commission eligibility requirements thus ensuring consistency and quality in the process of approving institutions to offer educator licensure programs in California.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulation amendments are not inconsistent or in-

compatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern institutional eligibility to offer educator preparation programs in California.

DISCLOSURES REGARDING THE PROPOSED ACTIONS/FISCAL IMPACT

The Commission has made the following initial determinations.

Mandate on local agencies or school districts:

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code. Local education agencies may choose to sponsor educator preparation programs utilizing the proposed regulations; however, no mandate exists requiring local agencies or school districts to have educator preparation programs and, therefore, no reimbursement in accordance with Part 7 (commencing with section 17500) of the Government Code is required.

Fiscal Impact

Costs to any local agency or school districts requiring reimbursement pursuant to Government Code section 17500 et seq.

These proposed regulations will not impose a cost to local agencies or school districts requiring reimbursement in accordance with Part 7 (commencing with section 17500) of the Government Code as sponsoring an educator preparation program which is aligned to the proposed regulations is not required by law.

5 California Code of Regulations (CCR) Section 80692 authorizes the Commission to charge a flat fee of \$2,000 to any institution seeking to be granted initial institutional approval of which includes the determination of eligibility. These fees would be unaffected by this regulatory package.

Additionally, potential educator candidates enter into approved credentialing programs of their own volition and incur the tuition assessed by the approved education institution of their choice.

Cost or savings to any state agency.

None. This will not create a cost or savings to any state agency. Fees are assessed on approved educator preparation institutions or institutions seeking approval to offer an educator preparation program.

Other non-discretionary costs or savings imposed upon local agencies.

None. Sponsoring an educator preparation program is not required by law.

Cost or savings in federal funding to the state.

None. Sponsoring an educator preparation program is not required by law and would not impact federal funding to the state.

Significant effect on housing costs

No effect on housing costs. These regulations only pertain to institutions seeking approval to offer an educator preparation program in California.

Significant Statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states

The Commission has concluded there is no significant adverse impact on business. The proposed amendments pertain to education institutions seeking eligibility to offer educator credentialing programs.

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulations:

Creation or Elimination of Jobs within California

These amendments will not create or eliminate jobs in California. The proposed amendments pertain to education institutions seeking to offer educator credentialing programs.

Creation of New Businesses within California

These amendments will not create new businesses in California. The proposed amendments pertain to education institutions seeking to offer educator credentialing programs.

Elimination of Existing Business within California

These amendments will not eliminate existing businesses in California. The proposed amendments pertain to education institutions seeking to offer educator credentialing programs.

Expansion of Businesses Currently Doing Business within the State of California

These amendments will not cause the expansion or elimination of existing businesses in California.

The proposed amendments pertain to education institutions seeking eligibility to offer educator credentialing programs.

Benefits of the Regulations to the health and welfare of California residents, worker safety, and the state's environment

The Commission anticipates that the proposed amendments will continue to benefit the health and welfare of California residents by providing clarity and consistency for education institutions seeking eligibility to offer educator preparation programs.

The Commission does not anticipate that these regulations will result in a direct benefit to worker safety or the state's environment.

COST IMPACTS ON A REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

SMALL BUSINESS DETERMINATION

The proposed regulations will not affect small business. The proposed regulations apply only to educational institutions electing to offer Commission-approved and accredited educator preparation programs. Educational institutions are California State Universities, Universities of California, private four-year colleges and universities, or local education agencies, none of which meet the definition for small business as defined in Government Code 11342.610. The vast majority of Commission approved program sponsors are nonprofit educational institutions. Very few institutions of higher education approved by the Commission are for-profit businesses. Because becoming an approved institution seeking to offer an educator preparation program is voluntary, any institution must evaluate whether they have sufficient resources to offer a high-quality preparation program in accordance with the state adopted standards, state statute, and regulations.

CONSIDERATION OF ALTERNATIVES

The Commission 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 Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the public hearing.

CONTACT PERSONS

Inquiries concerning the proposed action may be directed to:

Lynette Roby
Commission on Teacher Credentialing

651 Bannon St., Suite 600
Sacramento, CA 95811
(916) 324-3668
Lynette.Roby@ctc.ca.gov

The backup for these inquiries is:

Miranda Gutierrez
Commission on Teacher Credentialing
651 Bannon St., Suite 600
Sacramento, CA 95811
(916) 445-0928
mgutierrez@ctc.ca.gov

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

The Commission will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of the Notice of Proposed Action, the proposed text of regulations, the Initial Statement of Reasons, and an Economic and Fiscal Impact Statement STD 399. The rulemaking file for this regulatory action, which contains those items mentioned above, and all information on which the proposal is based (i.e. rulemaking file) is available to the public upon request directed to the department's contact person. Please direct requests to inspect or copy the rulemaking file to the contact person listed above, Lynette Roby or Miranda Gutierrez.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Commission may adopt the proposed regulations substantially as described in this notice. If the Commission makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before adopting the regulations as revised. Please direct requests for copies of any modified regulations to the contact person listed above. If substantive modifications are made, the Commission will accept written comments on the modified regulations for the duration of the period of public availability.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, the Commission will make copies of the Final Statement of Reasons available.

Please direct requests for copies to the contact person listed above.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications highlighted, as well as the Final Statement of Reasons, when completed, and modified text and notices thereof, if any, may be accessed via the Commission’s website at <https://www.ctc.ca.gov/commission/notices/rulemaking/>.

**TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON
TEACHER CREDENTIALING
CHAPTER 5. APPROVED PROGRAMS
ARTICLE 4. INITIAL INSTITUTIONAL
AND PROGRAM APPROVAL**

**Section 80700. Initial Institutional Approval
Eligibility Requirements**

(a) *Prerequisite — Educational institutions not currently approved by the Commission for Initial Institutional Approval (IIA) seeking to offer educator preparation programs must complete the following application requirements. Pursuant to Education Code 44372 (c), the Commission shall determine if an institution has met all eligibility requirements.*

(1) *For institutions of higher education: The institution must be accredited by the Western Association of Schools and Colleges: Senior College and University Commission (WSCUC) or another of the following regional accrediting associations: Middle States Association of Colleges and Schools (MSA)/Commission on Higher Education (MSCHE); Northwest Commission on Colleges and Universities (NWCCU); Higher Learning Commission (HLC); New England Commission of Higher Education (NECHE); Southern Association of Colleges and Schools/Commission on Colleges (SACS–COC).*

(2) *For public schools, school districts, or county offices of education: The institution must be a public school, school district or county office of education and have received approval of sponsorship from the agency’s governing board, documented by governing board minutes.*

(b) *Prior to acceptance of an application for Initial Institutional Approval (IIA), institutional personnel must attend an initial consultation meeting with Commission staff.*

(c) *Eligibility Requirements: To be considered for Initial Institutional Approval, prospective institutions must meet all eligibility criteria listed below.*

(1) *Criterion 1: Responsibility and Authority*

(A) *An institution must identify the lines of authority and responsibility for all prospective educator preparation programs within the institution.*

(B) *An institution must provide assurance in writing to the Commission that only the person(s) employed by the program sponsor will recommend individuals to the Commission for a credential or authorization.*

(2) *Criterion 2: Lawful Practices*

(A) *A program of professional preparation must be proposed and operated by an entity that makes all personnel decisions regarding employment, retention, or promotion of employees without unlawful discrimination.*

(B) *The entity must make all decisions regarding the admission, retention, and graduation of students without unlawful discrimination.*

(3) *Criterion 3: Commission Assurances and Compliance*

(A) *The institution must provide an assurance in writing for each of the following:*

1. *The institution shall comply with all relevant statutory, regulatory, and Commission requirements for program(s) the institution would like to propose.*

2. *All Commission–required reports including, but not limited to, data reports and accreditation documents, will be submitted by the Commission–approved entity for all educator preparation programs.*

3. *The institution will cooperate in an evaluation of the program by an external team or monitoring of the program by one or more Commission staff members.*

4. *The institution will participate fully in the Commission’s accreditation system and adhere to submission timelines.*

5. *Once a candidate is accepted and enrolled in an educator preparation program, the institution must offer the approved program until the candidate completes the program or is admitted to another Commission approved program.*

(4) *Criterion 4: Requests for Data*

(A) *An institution must identify a qualified officer responsible for reporting and responding to all data requests from the Commission.*

(5) *Criterion 5: Grievance Process*

(A) *An institution must have a clearly defined process identified for handling all candidate grievances in a fair and timely manner.*

(B) *An institution must make its grievance process readily accessible for all applicants and candidates.*

(6) *Criterion 6: Communication and Information*

(A) *An institution must provide a plan to the Commission for communicating and informing the public about the institution and the educator preparation programs it intends to offer.*

(B) *The institution must create and maintain a secure, easily accessible website that includes information about the institution and all approved educator preparation programs.*

(C) *The institution must provide assurance in writing to the Commission that it will make public information about all of its Commission approved educator preparation programs, the mission of the institution, its governance and administration, and its admission procedures.*

(7) *Criterion 7: Student Records Management, Access, and Security*

(A) *An institution must demonstrate that it will maintain and retain candidate records and provide verification that:*

1. *Candidates have access to and are provided with transcripts and/or other documents to verify academic units and program completion.*

2. *Candidate records, including paper or electronic versions, are maintained at the main institutional site or at a central location.*

3. *Candidate records are kept in a secure manner either in locked rooms or depositories or on a secure server located in a room not accessible by the public.*

(8) *Criterion 8: Disclosure*

(A) *Institutions must disclose information regarding:*

1. *Delivery model(s) which include online, in person, or hybrid instruction for all programs it will propose.*

2. *All locations of proposed educator preparation programs including satellite campuses.*

3. *All outside organizations, including individuals not formally employed by the institution seeking IIA, who will be providing any direct educational service, including the type of service that will be provided, as part of the proposed program(s).*

(9) *Criterion 9: Veracity in all Claims and Documentation Submitted*

(A) *The institutional leadership must provide an assurance signed by institutional leadership attesting to the veracity of all statements and documentation submitted to the Commission.*

(B) *Evidence of a lack of veracity is cause for denial of Initial Institutional Approval.*

(10) *Criterion 10: Mission and Vision*

(A) *The institution and education leadership must provide a mission and vision for educator preparation that reflects commitment to adopted state PK–12 student academic standards and frameworks adopted by the California State Board of Education.*

(11) *Criterion 11: History of Prior Experience and Effectiveness in Educator Preparation*

(A) *Institutions seeking IIA must disclose:*

1. *Its experience in sponsoring one or more educator preparation programs leading to licensure.*

2. *Its participation as a partner in an educator preparation program and/or program focused on PK–12 public education.*

(B) *The Commission may consider any additional public information regarding the history of prior experience and effectiveness of the institution and its programs in educator preparation.*

(12) *Criterion 12: Capacity and Resources*

(A) *An institution must submit to the Commission a capacity and resources plan that provides information about how it will sustain the educator preparation program(s) during a two to four–year provisional period.*

CREDITS

NOTE: Authority cited: Section 44372(c), Education Code.

TITLE 5. EDUCATION AUDIT APPEALS PANEL

SUPPLEMENTAL AUDIT GUIDE FOR K–12 LOCAL EDUCATION AGENCIES — FISCAL YEAR 2025–2026

The Education Audit Appeals Panel (EAAP) proposes to adopt an Audit Guide for Fiscal Year 2025–26 after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing regarding this proposal is not currently scheduled. No later than 15 days prior to the close of the written comment period, any interested person, or their authorized representative, may make a written request for a public hearing pursuant to Government Code section 11346.8, and a public hearing will be held. Requests for a public hearing should be addressed to Martin Vazquez.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes on midnight **June 9, 2026**. Written comments for consideration by EAAP should be directed to:

Martin Vazquez, Supervisor I
Education Audit Appeals Panel
770 L Street, Suite 1100
Sacramento, CA 95814
Email: martin.vazquez@eaap.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Article XIII, Section 36 and Article XIII A, Section 1, California Constitution; and Education Code sections 14502.1, 14503, 41020, and 41024.

Reference: Article XIII B, Section 1.5, California Constitution; and Education Code sections 2574(b)(3)(C), 8152.5, 8482.3(f)(5), 8820(i), 14501, 14502.1, 14503, 15286, 41024, 41407, 41850.1(b), 42238.02(b)(3)(B), 41372(b), 46120, 46146.5(h), 46211, 47612, 47612.5, 47634.2(d), 48301(c), 51745.6(e), 51747(k), 51747.5(f), 51749.5(g), 51749.6(d), 52065.1, 48000, and 48000.1.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

This rulemaking adopts the 2025–26 Supplemental Audit Guide, as required by Education Code section 14502.1(b), through incorporation by reference in the revised California Code of Regulations, Title 5, section 19810, the document titled “2025–26 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting” (March 1, 2026).

Education Code section 41020 requires the governing board of every local educational agency (LEA) that serves transitional kindergarten through grade 12 (TK–12) to provide for an annual audit of the LEA books and accounts. The purpose of the Audit Guide is to define terms and specify procedures to guide accountants in the conduct of statutorily required financial and compliance audits of TK–12 LEAs. Education Code section 41020(d) requires that the audit be developed and reported using a format established by the State Controller after consultation with the Superintendent of Public Instruction and Director of Finance. Education Code section 14502.1(a) requires the State Controller, in consultation with the Department of Finance, the State Department of Education, and representatives of specified organizations, to propose the content of an audit guide to promote accountability for public education funds.

The State Controller letter dated February 9, 2026, pursuant to Education Code section 14502.1(a), has proposed changes from the prior year audit guide to be reflected in the 2025–26 Supplemental Audit Guide to make clarifying revisions and address legislative changes in the conditions of apportionment. After review and possible amendment, EAAP will adopt the audit guide pursuant to the rulemaking procedures of the Administrative Procedure Act (APA) by July 1 of the fiscal year to be audited. EAAP is also authorized to adopt, before March 1 of the audit year, a supplemental audit guide to address legislative changes in the conditions of apportionment.

EAAP does not anticipate that these proposed regulations would create specific benefits to the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, nor the increase in openness and transparency in business and government. EAAP has determined that the proposed regulations will ultimately benefit the welfare of California residents by ensuring that local educational agencies comply with regulatory requirements and by improving the quality and consistency of TK–12 audits. Upon evaluation, EAAP determined the proposed changes to regulations are not inconsistent or incompatible with existing regulations, state or federal.

A description of proposed changes to California Code of Regulations, Title 5, section 19810, and a discussion of revisions to the audit guide, follow.

**TITLE 5, DIVISION 1.5
CHAPTER 3. AUDITS OF CALIFORNIA
K–12 LOCAL EDUCATION AGENCIES
ARTICLE 1. GENERAL PROVISIONS**

§ 19810. Annual Audit Guides.

(a)(1) The “2023–24 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (March 1, 2024), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2023–24 fiscal year.

(2) The “2024–25 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (March 1, 2025), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2024–25 fiscal year.

(3) The “2025–26 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (March 1, 2025), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2025–26 fiscal year.

(4) The “2026–27 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (July 1, 2026), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2026–27 fiscal year.

Paragraph (4) is being displayed as a courtesy to reflect changes being proposed in a separate rulemaking, OAL Notice File Number Z2026–0407–05.

(b) Each annual guide provides the audit steps, reporting requirements, and other guidance for the required annual financial and compliance audits, subject to auditor judgment where alternative or additional audit steps may be appropriate. Each annual

guide is superseded by a supplemental audit guide, if needed, adopted before March 1 of each fiscal year. Each annual guide, including Appendices A, B and C and any applicable supplement, is available on www.eaap.ca.gov/audit-guide, with paper or electronic copies available on request.

Note: Authority cited: Article XIII, Section 36 and Article XIII A, Section 1, California Constitution; and Sections 14502.1 and 47612, Education Code. Reference: Article XIII B, Section 1.5, California Constitution; and Sections 2574, 14501, 14502.1, 14503, 37700, 41020, 41024, 41480, 42238.02, 43520, 43521, 43522, 44258.9, 45037, 46146, 46300, 47605, 47612, 47614, 48000, 48306, 48313, 51747, 51749, 52060, 53071, 56026, 56340 and 76004, Education Code.

AUDIT GUIDE AMENDMENTS

The proposed annual 2025–26 Supplemental Audit Guide includes the following deletions and amendments:

Deletions

BZ. Expanded Learning Opportunities Grant (ELO–G) is deleted from the audit guide because LEAs are not eligible to expend state funds during the 2025–26 school year.

Amendments:

TT. Home to School Transportation Reimbursement is amended in Procedure 1 to include reference to the deadline, as required by Education Code section 39800.1(a). An amendment is also made to Procedure 5 to remove reference to the October deadline, as LEAs may submit revisions in November and December.

W. Unduplicated Local Control Funding Formula Pupil Counts is amended in Procedure 1.a to include reference, as required by Education Code section 42238.01(a)(1), to a “federal Summer Electronic Benefit Transfer for Children (Summer EBT) — compliant Universal Benefit Application” as another form of supporting documentation to verify pupil eligibility for free and reduced–price meals.

X. Local Control and Accountability Plan (LCAP) is amended to move and update Procedures 5.e and 5.f to new Procedures 7.a. and 7.b, respectively, pursuant to Education Code section 52065.1. New Procedures 7.c and 8 are added to verify the LCAP was adopted on or before July 1 of the audit year and to report the fiscal penalty in the audit finding for non–compliance with the requirements in new Procedure 7.

DZ. Expanded Learning Opportunities Program (ELO–P) is amended in Procedures 1 through 9 to incorporate changes in Education Code section 46120 related to the eligibility expansion of Rate 1 funding and to provide clarification on audit steps.

EZ. Transitional Kindergarten is amended in Procedures 2 and 4 to include updated references to Education Code section 48000.1(b) to address penalty calculation changes for average class enrollment exceeding 24 pupils and the 1 to 10 adult–to–pupil ratio. An amendment is also made to Procedure 5 to correctly reference Education Code section 48000(g)(4) instead of section 4800(g)(4).

BB. Mode of Instruction is amended in Procedure 1.a to delete reference to an outdated Education Code section 47605.4. An amendment is also made to Procedure 1.d to replace reference to an outdated Education Code section 76004(s) with section 76004(t)(2).

The proposed 2025–26 Supplemental Audit Guide also includes technical corrections to **Appendix B** and **Appendix C** to address inadvertent errors that deleted previously approved narrative.

DOCUMENT INCORPORATED BY REFERENCE

The 2025–26 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting (March 1, 2026) is incorporated by reference. Incorporation by reference simplifies the process of adopting annual audit guides and supplemental audit guides by putting the guide directly in usable format. Annual audit guides, supplemental audit guides, and the steps of the rulemaking process are readily available on the EAAP website: www.eaap.ca.gov.

FISCAL IMPACT ESTIMATES

1. Mandate on local agencies or school districts: None.
2. Cost to any local agency or school district requiring reimbursement: None.
3. Cost or savings to any state agency: None.
4. Other non–discretionary cost or savings imposed upon local agencies: None.
5. Cost or savings in federal funding to the state: None.
6. Significant effect on housing costs: None.
7. Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
8. Results of the Economic Impact Assessment:
 - a) Adoption of these regulations will not:
 - create or eliminate jobs within California;
 - create new businesses or eliminate existing businesses within California; or,

- affect the expansion of businesses currently doing business within California.
 - b) Benefit of the proposed regulation to the health and welfare of California residents, worker safety, and the State’s environment: EAAP does not anticipate that these proposed regulations would create specific benefits to the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, nor the increase in openness and transparency in business and government. The proposed regulations will ultimately benefit the welfare of California residents by ensuring that local educational agencies comply with regulatory requirements and by improving the quality and consistency of TK–12 audits.
9. Cost impact on a representative private person or business: EAAP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
10. Business report requirements: None.
11. Effect on small businesses: The proposed regulations will have no effect on small businesses because the audit guide changes do not materially alter the requirements for LEA audits performed by professional accounting firms.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), EAAP must determine that no reasonable alternative that has been considered or has been identified and brought to the attention of EAAP, 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.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action, requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, and other technical information upon which the rulemaking is based, and questions on the proposed administrative action may be directed to Martin Vazquez, Supervisor I, at (916) 505–6617 or by email at martin.vazquez@eaap.ca.gov, or Rebecca Lee, Executive Officer, at (279) 269–5775 or by email at rebecca.lee@eaap.ca.gov.

AVAILABILITY OF RULEMAKING FILE

The entire rulemaking file will be available for inspection and copying throughout the rulemaking process at the EAAP 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 proposed text of the regulations, the Initial Statement of Reasons, and the Economic Impact Assessment. A copy may be obtained by contacting Martin Vazquez at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the comment period, a hearing, if requested, and consideration of all timely and relevant comments received, EAAP may adopt the proposed regulations substantially as described in this notice. If EAAP makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before EAAP adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of Martin Vazquez at the address stated above. EAAP will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, text of the regulations in underline and strikeout, any changed or modified text, and the Final Statement of Reasons will be accessible through the EAAP website: www.eaap.ca.gov.

TITLE 20. ENERGY COMMISSION

REPLACEMENT TIRE EFFICIENCY PROGRAM

DOCKET NUMBER 26–TIRE–01

INTRODUCTION

The California Energy Commission (CEC) proposes to adopt the Replacement Tire Efficiency Program Rulemaking in the California Code of Regulations (CCR), Title 20, Chapter 14, Article 1, Sections 3301 through 3310 to implement the Replacement Tire Ef-

iciency Program pursuant to Public Resources Code Sections 25770, 25771, 25772 and 25773.

The CEC staff proposes new regulations to increase the energy efficiency of replacement tires for passenger cars and light-duty trucks. The proposed regulations set minimum performance standards for the energy efficiency and wet grip performance of replacement tires sold in California. The regulations will also set reporting requirements for tire manufacturers and brand name owners, and only tires listed in a CEC database will be legal for sale in California. The proposed express terms include the CEC staff's consideration of comments, objections, and recommendations regarding the proposed regulations received during pre-rulemaking stakeholder engagement.

PUBLIC HEARING

The CEC staff 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 June 10, 2026

10:00 a.m. (Pacific Time)

ATTENDANCE INSTRUCTIONS

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.

URL: <https://energy.zoom.us/j/89321505373?pwd=e1m5aT0aMn98YxILZlGnjXA2zxwbz4.1>

Webinar ID: 893 2150 5373

Passcode: 198841

To comment via Zoom, use the "raise hand" feature so an administrator can announce your name and unmute you for comment. To participate by telephone dial (669) 900-6833 or (888) 475-4499 (toll free). To comment over the telephone, dial *9 to "raise your hand" and *6 to mute/unmute your phone line. 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 or by phone at (916) 957-7910.

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.

PUBLIC COMMENT PERIOD

Interested persons or their authorized representatives may submit written comments during the written public comment period for the proposed regulation that will be held from April 24, 2026, through 5:00 p.m. on June 9, 2026. Any interested person may submit written comments to the CEC for consideration on or prior to 5:00 p.m. on June 9, 2026. 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 staff encourages use of its electronic commenting system. Visit the e-commenting page on the CEC website at Docket 26-TIRE-01, <https://efiling.energy.ca.gov/EComment/EComment.aspx?docket-number=26-TIRE-01>, which links to the comment page for this docket. 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 26-TIRE-01 in the subject line and email your comment to doCKET@energy.ca.gov.

A paper copy may be sent to:

California Energy Commission
Docket Unit
Docket Number 26-TIRE-01
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 25210, 25213, 25216.5(d), 25218, 25301, 25400, 25401, 25602, 25770, 25771, 25772, 25773, 25900 and Government Code Sections 11180, 11455.10, and 11455.20 authorize the CEC to adopt or amend rules or regulations, as necessary to implement, interpret, and make specific Public Resources Code Sections 25210, 25216.5(d), 25218, 25301, 25400, 25401, 25602, 25770, 25771, 25772, 25773, 25900, and Government Code Sections 11180, 11343.3, 11455.10, and 11455.20.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Summary of Existing Laws And Regulations

Public Resources Code Section 25772 (Assembly Bill [AB] 844, Nation, Chapter 645, Statutes of 2003) directs the CEC to develop a tire energy efficiency program for replacement tires designed to ensure that replacement tires sold in California are at least as energy-efficient, on average, as original equipment tires found on new passenger cars and light-duty trucks. The lack of energy efficiency standards for tires has resulted in replacement tires being less energy-efficient when compared to the original equipment tires.

Public Resources Code Section 25773 directs the CEC to develop and adopt minimum energy efficiency standards for replacement tires that are technically feasible and cost-effective, do not adversely affect tire safety, do not adversely affect the average tire life

of replacement tires, and do not adversely affect the state efforts to manage scrap tires pursuant to Chapter 17 (commencing with Section 42860) of Part 3 of Division 30.

Public Resources Code Section 25771 directs the CEC to develop and adopt:

- A database of the energy efficiency of a representative sample of replacement tires sold in the state.
- A rating system for the energy efficiency of replacement tires sold in the state based on test procedures adopted by the CEC.
- Requirements for tire manufacturers to report to the CEC the energy efficiency of replacement tires sold in the state.

The proposed regulations would require tire manufacturers and brand name owners to report the rolling resistance coefficient and wet grip index of all replacement tires sold in California, unless an exemption applies. The proposed regulations would provide procedures on the information that tire manufacturers and brand name owners must report to the CEC's database. Only tires that comply with the applicable minimum performance standards and are listed in the CEC's database will be legal for sale.

In accordance with Government Code Section 11343.3, CEC staff finds there is no evidence that these proposed regulations would affect vehicle weight or the ability of vehicle manufacturers or vehicle operators to comply with laws limiting the weight of vehicles.

Effect of the Proposed Regulation

To satisfy its statutory mandate and legislative directives, the CEC staff proposes regulations as part of its Replacement Tire Efficiency program, which can be found in the express terms and are explained in the initial statement of reasons and the staff report: *California's Proposed Replacement Tire Efficiency Program (April 2026, Publication Number CEC 600-2026-012)*. The CEC proposes new regulations to:

1. Develop a tire energy-efficiency rating system to inform drivers about the fuel efficiency of replacement tires.
2. Establish reporting requirements for tire manufacturers.
3. Develop and maintain a database of tire efficiency information for replacement tires sold in California.

4. Set minimum energy performance standards for replacement tires.
5. Set a minimum performance standard for wet grip, to ensure safety for replacement tires.

These regulations apply to all tire retailers, tire manufacturers, and tire brand name owners of any replacement tire that is offered for sale in California. The regulations require that all replacement tires sold in California, except those with a specific criterion for exemption, meet minimum performance standards for rolling resistance and wet grip.

Difference From Existing Comparable Federal Regulation or Statute

CEC staff has determined that there are no comparable federal tire efficiency regulations. While federal legislation exists calling for national efficiency standards for replacement tires under the National Highway Traffic Safety Administration (NHTSA) (49 U.S.C., § 32304A), to date no formal rulemaking has been adopted by the federal government to address replacement tire energy efficiency. The federal government partially adopted a national tire fuel efficiency consumer information program, which includes test methods for measuring tire efficiency and peak wet traction, at 49 Code of Federal Regulations Section 575.104. The federal program is limited to passenger car tires and excludes light-truck tires, whereas these regulations also apply to light-duty trucks. The federal program does not address a replacement tire efficiency rating system, a date by which manufacturers would be required to report data or a tire consumer education program. The CEC retains the ability to set tire efficiency regulations, and these proposed regulations are consistent with federal law.

Broad Objectives of the Regulations and the Specific Benefits Anticipated by the Proposed Amendments

The broad objective of the regulations is to implement a replacement tire efficiency program as mandated by Public Resources Code Sections 25770, 25771, 25772, and 25773. The regulations will provide information through a database to consumers on the energy efficiency of specific replacement tires and will require replacement tires sold in California to meet minimum efficiency and wet grip performance standards.

Through the proposed performance standards, replacement tires sold in California must meet specified levels of rolling resistance to ensure replacement tires are at least as energy-efficient, on average, as original equipment tires unless an exemption applies. In addition, to ensure tires maintain adequate traction under wet road conditions, the regulations will include a relative wet grip braking performance standard.

The regulation will be enacted in two phases starting January 1, 2028, with Phase 1 and January 1, 2031, for Phase 2. The regulation sets the more stringent requirement for tire efficiency with Phase 2.

Tire efficiency has a significant impact on the energy consumption of vehicles; it affects vehicle fuel costs and the associated greenhouse gas emissions. The regulation requirements for energy-efficient replacement tires are expected to provide significant cost savings to California drivers and sharply reduce vehicle-related emissions. Setting regulations to increase the average efficiency of replacement tires is expected to reduce fuel consumption and provide environmental benefits.

The regulations will produce about \$4 billion in cumulative fuel cost savings to California drivers between 2028 and 2035 and \$3 billion in net benefits over the same period, as defined as incremental fuel cost savings minus incremental costs. The proposed regulations will, in this estimation, reduce carbon dioxide equivalent emissions by 8.6 million metric tons between 2028 and 2035.

Consistency or Compatibility With Existing State Regulations

CEC staff has evaluated other regulations under this topic and has concluded that these are the only regulations concerning replacement tire efficiency. Therefore, CEC staff has determined that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

**DOCUMENTS INCORPORATED
BY REFERENCE**

CEC staff proposes to incorporate by reference the following documents:

FEDERAL TEST METHODS

Code of Federal Regulations, Title 49 section 574.5, subdivision (b) (October 1, 2023)

Federal Register. (39 FR 1197, pp. 1197 (January 26, 1971).)

Code of Federal Regulations, title 49 section 575.104, subdivisions (e)–(g) (October 1, 2023).

Federal Register. (43 FR 30549, pp. 30549–30551 (July 17, 1978).)

Copies available from: Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402
www.ecfr.gov

INTERNATIONAL TEST METHODS

Annex V, Laboratory Alignment Procedure for the Measurement of Rolling Resistance, of Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009.

Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020, published in the Official Journal of the European Union, 2020 O.J. (L 177) 24–26.

Commission communication in the framework of the implementation of Commission Regulation (EU) No 1235/2011 amending Regulation (EC) No 1222/2009 of the European Parliament and of the Council with regard to the wet grip grading of tyres, the measurement of rolling resistance and the verification procedure.

European Commission communication of March 23, 2012, published in the Official Journal of the European Union, 2012/C 86/03

Copies available from: Publications Office of the European Union
EUR-Lex
L-2985 Luxembourg
Luxembourg
<https://eurlex.europa.eu/homepage.html?lang=en>

INTERNATIONAL ORGANIZATION FOR STANDARDS (ISO)

ISO 28580:2018 Passenger Car, Truck and Bus Tyre Rolling Resistance Measurement Method — Single Point Test and Correlation of Measurement Results

ISO 23671:2021 Passenger car tyres — Methods of measuring relative wet grip performance — Loaded new tyres

ISO 10191:2021 Passenger car tyres — Verifying tyre capabilities — Laboratory test methods

ISO 4000-1:2024 Passenger car tyres and rims — Part 1: Tyres (metric series)

Copies available from: ISO Central Secretariat
International organization for Standardization (ISO)
1, Rue de Varembé, Case Postale 56
CH-1211 Geneva 20, Switzerland
www.iso.org
Phone: +41 22 749 01 11
Fax: +41 22 733 34 30

ASTM INTERNATIONAL

ASTM F1805-20 (2020) Standard Test Method for Single Wheel Driving Traction in a Straight Line on Snow- and Ice-Covered Surfaces

ASTM F2493–24 (2024) Standard Specification for P225/60R16 97S Radial Standard Reference Test Tire

Copies available from: 100 Barr Harbor Drive
P.O. Box C700
West Conshohocken, PA 19428–2959
www.astm.org
Phone: (610) 832–9500
FAX: (610) 832–9555

The above documents are reasonably available to the affected public in conformance with California Code of Regulations, Title 1, Section 20(c). Documents relied upon that are subject to copyright or publication restrictions can be viewed 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. Interested parties are advised to contact Julie Burbridge at Julie.Burbridge@energy.ca.gov or Ross Daley at Ross.Daley@energy.ca.gov to schedule an appointment for viewing.

MANDATED BY FEDERAL LAW OR REGULATIONS

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

OTHER STATUTORY REQUIREMENTS

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

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. Purchasing replacement tires is generally a discretionary decision for local governments, so the costs are not required. Moreover, the proposed regulations do not apply mandates specific to local governments. Because the proposed regulations 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) 42 Cal.3d 46).

FISCAL IMPACTS

CEC staff has made the following initial determinations:

- Cost or savings to any state agency: Staff expects both fiscal cost and savings for state and local agencies that directly operate passenger vehicles and light-duty trucks and procure tires through a modest incremental cost of more energy efficient tires in 2028, the first year the regulation takes effect. No costs to state and local agencies are expected in the current fiscal year. These incremental costs are anticipated to be more than offset by lower fuel costs and result in overall savings.
- Cost to any local agency or school district that is required to be reimbursed pursuant to Government Code Sections 17500 et seq.: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.

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

CEC staff has made an 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.

Tire manufacturer administrative offices will be directly affected by the adoption of the regulations by reporting requirements. No tires are manufactured in California, and therefore the economic impact of the proposed regulation on tire manufacturing operations is outside the scope of this analysis. Tire retailers (both physical retail stores and online tire sellers) will be allowed to sell only tires that are listed in the CEC database, in California. Tire retailers are found throughout the state and will be required to ensure that they only sell tires that comply with these regulations.

These regulations are not expected to disadvantage any businesses or affect their ability to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The primary business type affected by the regulation would be tire retailers and car dealerships. No tires are currently manufactured in California. Operators of passenger vehicles and light-duty trucks will also be impacted by the regulations.

CEC staff and Evergreen Economics, a third-party economic analysis firm, estimate that the cost impact on representative small businesses is \$445 per year and \$620 per year for typical businesses. The cost impact on representative individuals for a set of new tires is \$6 in Phase 1 (2028–2030) and \$28.47 in Phase 2 (from 2031 on). These costs are expected to be incurred by an individual every four years, on average. The cost impact to individuals is more than offset by the associated fuel cost savings. For instance, a driver of a gasoline passenger vehicle with a set of higher efficiency tires would save \$85 in Phase 1 and \$179 in Phase 2. These fuel savings would accrue over the four-year lifespan of the tires.

STATEMENT OF THE RESULTS OF THE STANDARDIZED REGULATORY IMPACT ANALYSIS

CEC staff worked alongside Evergreen Economics, a third-party economic analysis firm, to assess the economic impacts of the proposed regulation to produce the standardized regulatory impact analysis.

The proposed tire regulations are not expected to directly create or eliminate jobs. Job impacts involve employment changes in the manufacturing, distribution, installation, and maintenance of tires, while the regulations proposed in this report have an incremental impact on the cost of tires. No impact on jobs is expected. Fuel cost savings, however, are expected to provide some increase in household discretionary spending and the second-order creation of jobs.

The proposed regulation does not affect the expansion of businesses currently doing business in California or the creation of new businesses or the elimination of existing businesses. Tire demand is relatively inelastic, meaning that a moderate increase in the cost of tires under the proposed regulation (compared to the baseline) is unlikely to affect overall demand for tires. Tire manufacturing also does not take place in California, so any marginal increase in manufacturing costs will not occur in California.

The proposed regulations are not expected to affect the competitiveness of California businesses. The proposed regulation would apply to tire retailers, both in-store and online, and tire manufacturers doing business in California. An adverse effect on the competitiveness of California retailers is unlikely since all replacement tires under the scope of the proposed regulations must comply with the performance standards to be legal for sale.

Tire manufacturing and most of the research and development for the tire industry occur outside California. It is unlikely that significant investments will occur in California because of the proposed regulations.

California has the highest vehicle registration count in the nation. Therefore, providing products that meet regulation and consumer needs is important to manufacturers from many different industries. Tire manufacturers maintain competitive advantage by investing in new tire model designs and manufacturing processes for innovations in efficient tire technology.

The proposed regulations are expected to produce net benefits by reducing fuel consumption and carbon dioxide equivalent emissions and increasing household discretionary spending produced from fuel savings. The regulations will produce about \$4 billion in cumulative fuel cost savings for California drivers between 2028 and 2035 and \$3 billion in net benefits over the same period. The net benefits are estimated to increase household discretionary income. The proposed regulations will reduce carbon dioxide equivalent emissions by 8.6 million metric tons between 2028 and 2035. The net fuel cost benefit from fuel efficient tires is expected to increase household discretionary spending and result in the second-order creation of jobs and improved quality of life. The social benefits of abated carbon dioxide emissions include the health benefits associated with reduced air pollution.

Increased energy efficiency in tires is not expected to adversely affect safety or the welfare of California residents, nor are the proposed regulations expected to affect worker safety and the California environment.

SUMMARY OF DEPARTMENT OF FINANCE COMMENTS ON THE STANDARDIZED REGULATORY IMPACT ASSESSMENT AND CEC RESPONSES

The California Energy Commission appreciates the Department of Finance's (DOF) review of the Standardized Regulatory Impact Assessment for the Replacement Tire Efficiency program. Please see below for CEC's response to Finance's feedback and questions.

DOF Comment 1

“First, in the fiscal impact section, the SRIA must include an analysis on the direct impacts of increased sales taxes paid on more expensive tires and reduced state excise and local taxes from lower fuel consumption. Based on information provided in the SRIA, Finance estimates additional sales tax gains in the range of \$5 million to \$10 million each for state taxes and local taxes on tires which are offset by decreases in gasoline excise tax revenues and in local sales tax revenues on gasoline in the likely ranges of \$100 million to \$130 million and \$30 million to \$40 million in constant dollars respectively, all in the peak impact year of 2034.”

Response 1

Table 13 of the SRIA estimates that the incremental cost of tires attributable to the regulation will be \$186.31M in the peak cost year of 2035. Using the statewide sales tax rate of 7.25 percent, this incremental consumer cost will result in increased state sales

tax revenue of \$13.5M in 2035. Incremental local tax revenue is not estimated here, as local tax rates vary throughout the state.

Staff estimate the fiscal impact of the regulations in terms of reduced excise tax revenue and state sales tax as follows:

Fuel	2034 fuel savings (gallons)	2034 fuel cost savings (dollars)	Fuel cost ¹	Sales tax rate ²	Excise tax rate ²	2034 revenue impact
Gasoline	153,542,539	\$706,296,000	\$4.60	2.25%	\$0.612	\$(109,510,000)
Diesel	3,615,703	\$16,632,000	\$4.60	13%	\$0.466	\$(3,598,000)
¹ See SRIA, Table 9, pg. 8. This assumed fuel cost is not adjusted for inflation. ² 07/2025–06/2026 rates. See California Department of Tax and Fee Administration, “Sales Tax Rates for Fuels,” https://cdtfa.ca.gov/taxes-and-fees/sales-tax-rates-for-fuels.htm . Sales and excise taxes on fuel are included in the retail purchase price.						

Source: CEC staff.

The decrease in state fuel tax revenue for 2034, estimated by CEC staff, remains near DOF’s higher range estimate. While reduced gasoline and diesel sales have a fiscal impact for the state, it is important to note that the regulations produce fuel cost savings of \$999.05M across all fuels in 2034. Moreover, other regulations and market developments that increase the efficiency of vehicles and result in electric vehicle adoption will also reduce fuel excise tax revenue.

Staff will update the final Form 399 to include incremental tire sales revenue and decreased fuel sales and excise tax revenue.

DOF Comment 2

“Also, Finance estimates that CEC’s costs could be understated by \$1 million to \$5 million as the SRIA’s fiscal estimates do not include costs associated with workload and information technology expenses needed to implement a new regulatory program such as the costs of creating a new database to track industry compliance.”

Response 2

To clarify, CEC is not planning to create a new certification database for this program, but rather to host data on compliant replacement tires using the existing California Certification Database. The database is designed to incorporate new products and already has over 20 different products within it. This database can be readily updated to include replacement tires as a new product category. Therefore, the cost of developing a new database is negligible. For that reason, CEC stands by three-year fiscal impact estimates to the CEC provided in the SRIA, which include the costs of testing the updated database, monitoring, and other internal compliance tasks. These costs are included in the 1.5 PY (mid-range air pollution specialist) and their fully loaded salary.

DOF Comment 3

“Second, the SRIA shall provide the rationale for any assumptions that are material to the analysis, including but not limited to:

- The SRIA assumes that the average life expectancy of a set of four tires is four years. Please include the source for this assumption, as some sources suggest that lifespans of four to six years are common. With an average lifespan of six years, costs would be about \$62 million, or one-third, less in each year when fully phased-in and benefits would not fully phase in until two years later.
- The SRIA must explain how the CEC derived the estimates of (1) additional costs of \$6.50 for a compliant light tire (used for cars and SUVs, 81 percent of the market for replacement tires) and \$9.75 for a heavy tire (trucks and vans, 19 percent of the market) and (2) the assumptions of 100 percent compliance with phase 1 of the regulation and 90 percent for phase 2. The tire cost estimate is especially important as the regulation’s costs scale proportionately with the additional cost of a compliant tire.”

Response 3

DOF is correct that tires do not all share a common life expectancy. The CEC is aware of tires that may even exceed a six-year life expectancy. As DOF notes, a longer life expectancy improves the cost-benefit relationship of tires and also expands the amount of time necessary for the regulations to reach its full benefit.

The assumption of a four-year tire life is intended to produce a conservative estimate of the potential benefits of the proposed regulation. CEC staff shared this assumption with tire manufacturers and industry

during the pre–rulemaking process, and none objected to an assumed four–year tire life.

To determine the incremental cost of more efficient tires, CEC staff consulted the available technical literature on the topic. Several reputable entities, including the National Highway Traffic Safety Administration (NHTSA) and the U.S. Environmental Protection Agency (U.S. EPA) have published estimates of the incremental cost of more fuel–efficient tires, with a range from negligible to \$15 per tire in 2024 dollars.

For cost–effectiveness calculations in this report, staff considered incremental costs from Final Rulemaking for 2017–2025 Light–Duty Vehicle Greenhouse Gas Emission Standards and Corporate Fuel Economy Standards, by NHTSA and U.S. EPA. Staff selected this estimate because it is the most recent source and was developed through a stakeholder process by NHTSA and U.S. EPA. This document estimates the incremental cost associated with 10% and 20% improvements in tire efficiency.

NHTSA and U.S. EPA estimate that a 10% improvement is associated with an incremental cost of ~\$2 and a 20% improvement is associated with an incremental cost of ~\$15. Please note that staff have converted figures into 2024 dollars, and that 2024 dollars are used throughout the SRIA and staff report for consistency.

CEC’s proposal does not correspond to exact 10% and 20% improvements, so CEC staff interpolated between these two figures. The NHTSA and U.S. EPA numbers show a non–linear trend where the first 10% improvement costs only ~ \$2, but the next marginal 10% improvement costs an additional ~\$13. As shown in Table 4 of the SRIA, the proposed Phase 2 standards represent between a 10.6% and 16.6% improvement in tire efficiency, or a blended average of about 13.6% (when weighted according to Table 1 of the SRIA). The \$6.50 incremental cost is derived as a modeled point between the EPA’s data using an interpolated, exponential curve as described in Appendix B. Similarly, Table 4 shows that the Phase 1 standards only represent a roughly 2% improvement, which is less than the 10% improvement modeled by NHTSA and U.S. EPA. Hence, the Phase 1 incremental cost is lower than the EPA’s \$2 figure, once again utilizing the interpolated curve in Appendix B.

Staff assume that Phase 1 of the regulations will have a 100 percent compliance rate because CEC’s laboratory testing of more than 150 of the most popular tires suggests that the large majority of tires in the market today already comply with the Phase 1 efficiency standard. Staff assume that Phase 2 of the regulation will have a 90 percent compliance rate because, while the Phase 2 efficiency standard will remove more tires from the market, CEC staff plan a vigorous enforcement program to ensure high compliance. This compliance assumption is also informed by staff experience

monitoring the compliance of other consumer appliances regulated by the CEC.

DOF Comment 4

“The SRIA should address potential disparate impacts of the regulation by geography, income, and industries or occupations amongst other things. For example, lower–income and rural households might see a disproportionate share of both costs and benefits as they are likely to spend a larger share of their incomes on transportation costs including replacement tires than higher–income groups and are also less likely to own electric vehicles which would see smaller benefits from additional energy efficiency.”

Response 4

The proposed regulations support consumer equity by reducing drivers’ fuel costs and reducing overall air pollution. These regulations will provide disproportionate benefits for lower–income households. According to the U.S. Bureau of Transportation Statistics, households with income in the lowest 20 percentile spend about 30 percent of their income on transportation — versus only 12 percent for those in the highest 20 percentile.¹

The benefits and costs of the regulation will scale linearly for consumers who drive more frequently. Driving more miles on an annual basis will mean greater savings, but those consumers will also need to replace their tires more often. Because the savings far outweigh the costs, the absolute amount of net benefit will be greatest for those who drive the most miles. This suggests that certain occupations, such as ride–share and delivery drivers, may experience particularly high levels of savings.

The benefit to consumers correlates with the average distance traveled per year. To the extent that certain geographies have populations that drive more miles in a given year, those geographies would experience particularly high levels of savings. Californians in rural, urban, and suburban areas of the state all see a significant number of vehicle miles traveled a year and would therefore experience significant benefits.

To the extent that lower–income drivers are more likely to own gasoline cars, the SRIA specifically considers their payback period in Table 6 and confirms that drivers of lighter duty gasoline vehicles (passenger cars and light–trucks) would have significant savings (\$85 in Phase 1 and \$179 in Phase 2) that far exceed the incremental costs of tires.

¹ US Department of Transportation. 2023. *The Household Cost of Transportation: Is It Affordable?*. Available at <https://www.bts.gov/data-spotlight/household-cost-transportation-it-affordable>.

REPORTING REQUIREMENTS

These regulations require new reporting requirements for tire manufacturers, which include detailed information about replacement tires sold in California, including size, rolling resistance, load rating, speed rating, and related tire information. This information is necessary for the health, safety, or welfare of the people of California. Without this information, the CEC would be unable to determine whether a given replacement tire meets its applicable performance standard. As stated above, the minimum energy performance standards will reduce vehicle related emissions, and the minimum wet grip performance standards will ensure that the minimum energy efficiency standard will not adversely affect tire safety.

EFFECT ON SMALL BUSINESS

The proposed regulations may affect small businesses. Government Code Section 11342.610 defines small businesses in the transportation and warehousing industry as: independently owned and operated, not dominant in its field of operation, and where the annual gross receipts do not exceed one million five hundred thousand dollars. Evergreen defined small businesses as those with under 50 employees, a definition which likely is consistent with Government Code Section 11342.610. Evergreen estimates the average initial and ongoing costs of this regulation for a small business are \$445 per year.

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.

No reasonable alternatives to the proposed regulation have been proposed that would lessen any adverse impact on small business or that would be less burdensome and equally effective in achieving the purposes of the regulation in a manner that achieves the purposes of the statute being implemented.

CEC staff considered two alternatives to the proposed regulations. Alternative 1 includes the original minimum performance standards for replacement tires from the Draft Framework published in February of 2023. Alternative 2 is an adjusted version of the proposed regulation based on recommendations from the United States Tire Manufacturers Association (USTMA) and the Tire and Rubber Association of Canada (TRAC).

Alternative 1 requires that replacement tires comply with more aggressive minimum performance standards that would phase-in starting 2026, whereas Alternative 2 is a relaxed regulation with substantial change in tire efficiency that would phase-in three years after adoption of the regulations. The standardized regulatory impact analysis addresses the potential economic impact of these two alternatives based on their fuel cost and emissions savings and impact on tire businesses in California.

Industry representatives generally argued that it would be difficult for the tire industry to comply with Alternative 1 due to the stringency of the performance standards and Alternative 2 does not comply with the requirements of Public Resources Code Section 25772. Statute requires that replacement tires sold in California be as energy efficient, on average, as original equipment tires. Based on the results of testing commissioned by the CEC, Alternative 2 does not meet the energy efficiency requirements and Alternative 2 is not compliant with the law.

As such, the CEC staff concludes that the proposed major regulation is less burdensome and equally effective in achieving the purpose of the proposed regulation in a manner that achieves the purpose of the statute being implemented.

CONTACT PERSONS

Questions should be addressed to:

Ross Daley, Rulemaking Coordinator

Executive Office

Ross.Daley@energy.ca.gov

+1 916 980 7949

OR:

Julie Burbridge, Air Pollution Specialist

Fuels and Transportation Division

Julie.Burbridge@energy.ca.gov

+1 916 259 5381

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 Monday through Friday, 8:00 a.m. to 5:00 p.m., at 715 P Street, Sacramento, CA 95814. 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), the Standardized Regulatory Impact Analysis, and any documents relied upon or incorporated by reference. Copies may be reviewed or obtained by contacting the contact persons listed above or by visiting the CEC website at Docket 26-TIRE-01, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-TIRE-01>. Documents may also be subject to copyright or publication restrictions and can only be viewed in person.

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

The proposed regulations could be changed because of public comments, staff recommendations, 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 26-TIRE-01, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-TIRE-01>.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

The CEC maintains a website to facilitate public access to documents prepared and consid-

ered as part of this rulemaking proceeding. Documents prepared by the CEC staff for this rulemaking have been posted on CEC website at Docket 26-TIRE-01, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-TIRE-01>.

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 to the subscription for this rulemaking, which can be accessed here: <https://www.energy.ca.gov/proceeding/replacement-tire-efficiency-program-proceeding>. 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 the list serv but still would like to receive documents and notices, please contact the contact person listed in this notice.

**TITLE 22. DEPARTMENT OF
SOCIAL SERVICES**

NOTICE OF CORRECTION

The California Department of Social Services (CDSS) hereby gives notice that on April 10, 2026, CDSS published a Notice of Proposed Rulemaking Action concerning Tuberculosis Assessment in Children's Residential Facilities, ORD #0825-04. (Notice Register 2026, Number 15-Z, April 10, 2026).

For this Notice of Proposed Rulemaking Action, the title is being changed to "Tuberculosis Assessment in Community Care Facilities" for clarity. There are no other changes.

If you have any questions, please contact the Office of Regulations Development (ORD) at ord@dss.ca.gov.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

CALIFORNIA ENDANGERED SPECIES
ACT CONSISTENCY DETERMINATION
NUMBER 2080-2026-004-06

Project: Stephens' Kangaroo Rat Habitat
Conservation Plan Short Term
Extension
Location: Riverside County
Applicant: Riverside County Habitat Conservation
Agency

BACKGROUND

The Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) (SCH #1989061909) is a large-scale, long-term Habitat Conservation Plan in western Riverside County. The SKR HCP and its accompanying Implementation Agreement (IA) were established in 1996 and cover 533,954 acres across Riverside County. The SKR HCP is administered by the Riverside County Habitat Conservation Authority (RCHCA), which consists of the cities of Corona, Hemet, Lake Elsinore, Moreno Valley, Perris, Riverside, Temecula, and Murrieta as member agencies.

The Stephens' Kangaroo Rat (*Dipodomys stephensi*) (SKR) is listed as a threatened species under the federal Endangered Species Act (16 U.S.C. § 1531 et seq.) (ESA). On May 3, 1996, the United States Fish and Wildlife Service (USFWS) issued an incidental take permit (ITP) (Number PRT-805414) to RCHCA for activities under the SKR HCP that would result in incidental take of SKR pursuant to section 10(a)(1)(b) of the ESA. The ITP requires full implementation of, and compliance with, all conservation measures listed in the SKR HCP for avoidance, minimization, and mitigation of impacts to SKR. The ITP expires on May 2, 2026.

SKR individuals are documented as present throughout Riverside County and there is both suitable and occupied SKR habitat within the SKR HCP area. Because of the presence of individuals, dispersal patterns, and the presence of suitable habitat throughout Riverside County, USFWS determined that SKR is reasonably certain to occur within the SKR HCP area and that SKR HCP activities are expected to result in the incidental take of SKR.

SKR is also listed as threatened under the California Endangered Species Act (Fish & Game Code, § 2050

et seq.) (CESA). On May 6, 1996, the California Department of Fish and Wildlife (CDFW) (then known as the California Department of Fish and Game) entered into a Management Authorization (Number 2081-1996-017-5) to authorize incidental take of SKR under CESA. (See Cal. Code Regs., title 14, § 670.5, subdivision (b)(6)(C).) The Management Authorization will expire on May 2, 2026, the same expiration date as that of the ITP.

The SKR HCP allows for certain lawful activities carried out by private land owners, public agencies, utilities and farmers that would result in incidental take of SKR. Activities authorized under the SKR HCP include residential, commercial, or industrial development; property improvements by landowners; ongoing agricultural operations; and work done by public facilities, public services, and utilities. At the time of creation of the SKR HCP, the estimated amount of SKR-occupied habitat in Riverside County was 34,450 acres, including approximately 30,000 acres in the SKR HCP area. The SKR HCP allows for impacts to 15,000 acres of SKR-occupied habitat, while requiring the conservation of 15,000 acres of SKR-occupied habitat through the creation, management and expansion of eight core reserves in Riverside County. CDFW and USFWS determined that the preservation, acquisition, and long-term management of habitat for SKR under the SKR HCP would offset any potential taking of SKR as authorized by the SKR HCP.

As of early 2026, development and other SKR HCP authorized activities have resulted in the loss and disturbance of approximately 5,599 acres of the authorized 15,000 acres of impacts to SKR-occupied habitat within the SKR HCP area. The SKR HCP has permanently conserved and RCHCA now manages more than 51,000 acres of habitat across eight Core Reserves, supporting approximately 18,000 acres of SKR-occupied habitat. Conservation actions implemented over the ITP term include land acquisition and protection, development of reserve management plans, habitat restoration and enhancement, invasive species control, access and fire management, and long-term biological monitoring and research coordinated among reserve managers.

On November 20, 2025, RCHCA submitted an application for the renewal of the ITP for the SKR HCP to USFWS. Under the Code of Federal Regulations, title 50, section 13.22 (Section 13.22), RCHCA may continue the activities authorized by the ITP for the SKR HCP past the expiration date of May 2, 2026, until USFWS acts on the application for renewal. On January 13, 2026, USFWS sent a letter to RCHCA authorizing the continuation of activities authorized under the ITP past the expiration date under Section 13.22, contingent on RCHCA's adherence to the regulations

of permit issuance set forth in the Code of Federal Regulations, title 50, section 13.21.

The continuation of the activities described above and in the SKR HCP are expected to result in incidental take¹ of SKR where those activities take place within the SKR HCP area. In particular, SKR could be incidentally taken as a result of crushing of individuals, vehicle strikes, covering of individuals with soil, collapse or damage of burrows, increased exposure, and increased risk of predation.

On February 25, 2026, the Director of CDFW received a notice from Brian Shomo Director of RCHCA, requesting a determination pursuant to Fish and Game Code section 2080.1 that the ITP and accompanying SKR HCP are consistent with CESA. (Cal. Reg. Notice Register 2026, Number 11-Z, p. 343.)

DETERMINATION

CDFW has determined that the ITP, along with its accompanying SKR HCP, is consistent with CESA because the mitigation measures contained in the ITP and accompanying SKR HCP meet the requirements set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing incidental take of CESA-listed species. Specifically, CDFW finds that: (1) take of SKR will be incidental to otherwise lawful activities; (2) the mitigation measures identified in the ITP and accompanying HCP, will minimize and fully mitigate the impacts of the authorized take; (3) adequate funding is ensured to implement the required avoidance minimization and mitigation measures and to monitor compliance with, and effectiveness of those measures; and (4) the SKR HCP will not jeopardize the continued existence of SKR. The mitigation measures in the ITP and accompanying HCP include, but are not limited to, the following:

Avoidance, Minimization, and Mitigation Measures

- 1) Establishment of eight permanent core reserves with at least 15,000 acres of occupied SKR habitat.
- 2) Establishment of non-wasting endowments for SKR habitat management, species monitoring, and biological research activities.
- 3) Requirement to conduct SKR surveys prior to authorizing or permitting any land disturbance within the SKR HCP which meet certain criteria

¹ Pursuant to Fish and Game Code section 86, “[t]ake’ means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” See also *Environmental Protection Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 (for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), “take’...means to catch, capture or kill”).

ria pertaining to occupied SKR habitat and core reserves.

Monitoring and Reporting Measures

- 1) Annual reports addressing reserve management and plan implementation submitted to CDFW and USFWS.
- 2) Coordinating the management of conserved SKR habitat, increasing the amount and quality of SKR habitat in the reserve system through additional land acquisitions and adaptive management activities including habitat enhancement and restoration, and monitoring the status of the SKR populations in the SKR HCP area.
- 3) Records of incidental take of SKR will be forwarded to RCHCA member agencies on a regular basis and will be reported annually.

Financial Security

Because RCHCA has already fulfilled the mitigation requirements under the SKR HCP, funding for mitigation is ensured and no further financial security is required.

Conclusion

Pursuant to Fish and Game Code section 2080.1, take authorization under CESA is not required for the incidental take of SKR, provided RCHCA implements the SKR HCP as described in the IA, including adherence to all measures contained therein, and complies with the mitigation measures and other conditions described in the ITP and accompanying SKR HCP and IA. If there are any substantive changes to the SKR HCP or IA, including changes to the mitigation measures, or if USFWS amends or replaces the ITP and accompanying SKR HCP or IA, RCHCA shall be required to obtain a new consistency determination or a CESA incidental take permit for the Project from CDFW. (See generally Fish & Game Code, §§ 2080.1, 2081, subdivisions (b) and (c)).

CDFW’s determination that USFWS ITP and accompanying HCP and IA are consistent with CESA is limited to SKR.

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

PUBLIC NOTICE: SOCO WEST INC./
FORMER HOLCHEM FACILITY

COMMENT ON HAZARDOUS WASTE
CLEANUP IN YOUR AREA

This settlement agreement would fund environmental cleanup required to remove contaminants from soil and groundwater onsite.

The Department of Toxic Substances Control (DTSC) wants to know what you think about a proposed settlement agreement for the Soco West Inc./ Former Holchem Facility, located at 1341 Maywood Avenue, Santa Ana, CA 92705. The Site is about 0.5 acres and operated as a hazardous waste storage, recycling, and treatment facility from 1969 to 1991. Although Holchem/Soco West has completed multiple investigations and has prepared a remedial action plan (RAP) to characterize and ultimately remediate volatile organic compounds (VOCs) impacts on–Site, it has since filed for bankruptcy. The proposed settlement would provide funds from the bankruptcy estate and a related party to partly pay the costs of DTSC’s continued investigation and remediation of contaminated environmental media at the Site.

Comment on the project: Send us your comments between **April 16 2026–May 15 2026.**

Online:

comments.dtsc.ca.gov/50

or scan the QR code:



Mail:

Farah Itani, Project Manager
DTSC Cypress Regional Office
5796 Corporate Avenue
Cypress, CA 90630

Email:

Farah Itani, Project Manager
Farah.Itani@dtsc.ca.gov

Ask for a public meeting to make a live comment:

Contact the Project Manager at Farah.Itani@dtsc.ca.gov to ask for a public meeting and explain why you want one. We will record your comments and respond at a later time.

DTSC will review and respond to all public comments received by the deadline. All information you submit will be accessible to the public.

Learn more about the project: Find the settlement agreement and other documents at comments.dtsc.ca.gov/50. Access physical copies at:

- **OC Library — Tustin Branch**, 345 East Main Street, Tustin, CA 92780
 - 714–544–7725
- **DTSC Cypress Regional Office**, 5796 Corporate Avenue, Cypress, CA 90630
 - 714–484–5300 (you need an appointment: Monday–Friday, 8:00 A.M.–5:00 P.M.)

Contacts:

Project Manager

Farah Itani
Project Manager
Farah.Itani@dtsc.ca.gov
(714) 484–5471

Public Outreach

Danielle Gilstrap
Public Participation Specialist
Danielle.Gilstrap@dtsc.ca.gov
(714) 484–5436

Media

Public Information Officer
MediaRelations@dtsc.ca.gov

**RULEMAKING
PETITION DECISIONS**

**DEPARTMENT OF
HEALTH CARE SERVICES**

PETITION DECISION RESPONSE

April 1, 2026

Dear Kayla Collins:

This letter is in response to your Petition received by the Department of Health Care Services (Department) on March 2, 2026, regarding proposed amendments to California Code of Regulations, Title 9, Division 4, Chapter 3 governing Driving–Under–the–Influence

(DUI) programs. Pursuant to Health and Safety Code section 11836.15, the Department has authority to promulgate regulations regarding the licensure and oversight of DUI programs.

Your Petition proposes that the Department adopt a new section in Title 9, Division 4, Chapter 3 that you assert will address “enforcement predicates for withholding completion for nonpayment”; “documentation standards supporting instructional integrity”; and “temporal scope and retroactive application of compliant financial assessments” as related to existing requirements in California Code of Regulations, Title 9, Section 9878. After reviewing your Petition in accordance with Government Code section 11340.7, the Department hereby denies the Petition in whole.

The Department recognizes that proposed regulatory amendments involve important considerations related to program oversight and statewide consistency. As such, the Department is currently developing amendments to regulations that will be promulgated in accordance with the Administrative Procedure Act. Any proposed regulatory amendments that address policy not currently included in existing regulations will be considered during the development of these regulations. The Department will place your name on the list of interested parties who will receive the Notice of Proposed Rulemaking. When the Department issues the Notice of Proposed Rulemaking for public comment, you will have an opportunity to provide stakeholder feedback. The Department will review all public comments and, if appropriate, revise the regulatory proposal, within the Department’s authority and discretion.

Regarding the specific proposed regulatory language in your Petition, the Department responds as follows:

Proposed language addressing “enforcement predicates prior to completion withholding for nonpayment.”

In your Petition, you propose regulatory language that would prohibit a DUI program from withholding a Notice of Completion certificate (i.e. Department of Motor Vehicles’ Form DL 101) for nonpayment of participant fees unless the participant record contains: (1) “[d]ocumented evidence of a financial assessment conducted in compliance with § 9878”; (2) a “written fee determination”; (3) documentation of “participant notification”; and (4) documentation of “reassessment or appeal opportunity where applicable.” You propose additional language that states if “required documentation is materially deficient, enforcement action related to nonpayment shall be suspended until corrected.”

The Department agrees that documentation standards are important. However, current regulations already require specific documentation addressing financial assessment and when a DUI program may

withhold a Notice of Completion certificate for nonpayment that sufficiently supports Department enforcement. As relevant to the concerns in your Petition:

- The participant and DUI program shall have an agreement in place to withhold a participant’s Notice of Completion certification for nonpayment, which must be reflected in the participant contract or an amendment to that contract. The contract or amendment shall state that the participant has been informed of the contract terms and conditions, and that they agree that the certificate may be withheld until they have paid the assessed program fee and any additional fees assessed. The participant and DUI program representative shall sign the contract or amendment. The DUI program shall retain a copy of the signed contract or amendment in the participant’s record. (Cal. Code Regs., title 9, § 9878(i).)
- A DUI program shall document the participant’s assessed program fee and payment schedule in the participant contract signed at enrollment. The DUI program shall amend the contract to reflect any subsequent increase or decrease in the assessed program fee or the payment schedule. (Cal. Code Regs., title 9, §§ 9878(e)–(f), 9879(h).)
- A DUI program shall maintain in a participant’s record a copy of all financial assessments and documentation of income provided by the participant. (Cal. Code Regs., title 9, § 9879(m).)

Proposed language addressing “documentation standards supporting instructional integrity.”

In your Petition, you propose that the Department add regulatory language that would require DUI programs to maintain documentation of (1) “[i]nstructor presence for the full regulatory session duration”; (2) “[s]ession start and end times”; (3) “[d]elays exceeding fifteen (15) minutes attributable to program operations”; and (4) “[p]rogram–caused rescheduling events.” Your proposed language also states that “program–caused instruction disruption shall not extend participant completion timelines without written justification and documented notice.”

The Department agrees that instruction standards are important. Accordingly, there are several such standards in current regulations that ensure DUI staff are appropriately instructing participants and instruction is documented. As relevant to the concerns in your Petition:

- Educational sessions may consist of lectures, seminars, films, audio tapes, written exercises, or any combination thereof. Nonetheless, instructors of educational sessions must be present during the entire educational session. (Cal. Code Regs., title 9, § 9852(c), (g).)

- Participants must sign a roster at each educational and group counseling session to verify attendance. A DUI program shall maintain these rosters for each session. Among other things, the roster shall include the: (1) date of the session; (2) starting and ending time; and (3) signature of the program staff who conducted the session. A DUI program must also document attendance at sessions in each participant record. (Cal. Code Regs., title 9, §§ 9852(i)–(j), 9854(i)–(j).)
- Participation and progress in individual counseling sessions shall be documented in the participant’s record. (Cal. Code Regs., title 9, § 9856(c)–(d).)
- Interviewers shall document the date, time, and length of each face-to-face interview in each participant’s record. (Cal. Code Regs., title 9, § 9858(e)(1).)
- Several defined terms in Chapter 3, including “educational session,” “face-to-face interview,” “facilitated,” “group counseling session,” and “individual counseling session” support the policy that staff must be present for the entire instruction period. Time parameters for group counseling sessions, including the prohibition of counting time allowed for breaks, also support this policy. (See Cal. Code Regs., title 9, §§ 9800(a)(8)–(9), (15); 9854(a)(2).)

The Department also agrees that DUI programs must follow all applicable regulatory requirements regarding instructor presence and shall not cause undue delays in the provision of services. Any person may request an investigation of a DUI program by contacting the Department. (Cal. Code Regs., title 9, § 9823.1(a).) The Department encourages individuals to report significant program-caused delays or rescheduling affecting DUI program completion timelines, and issues related to instructor presence. The Department acknowledges your recommendations on these issues, and further opportunities to clarify DUI program regulations on these points will be considered as part of the Department’s regulatory package that is currently in development.

Proposed amendments addressing “temporal scope and retroactive application of compliant financial assessment determinations.”

In your Petition, you propose that the Department add regulatory language that would require a DUI program to apply reduced fees to the time period prior to a financial assessment “[w]here documentation establishes that a participant met reduced-fee eligibility criteria during prior months of enrollment and a compliant financial assessment was not timely conducted.” You propose additional language that states that “[f]ailure to conduct timely assessment shall not result in

financial liability inconsistent with documented ability to pay.”

The Department agrees that DUI programs must conduct financial assessments in accordance with regulatory requirements. There are several requirements in current regulations that ensure DUI programs appropriately conduct these assessments and that participants are notified that they are entitled to such assessments. As relevant to the concerns in your Petition:

- Before a potential participant receives services from a DUI program, the DUI program shall conduct an intake interview. This interview includes completing a participant contract that lists, among other things, the program fees, additional fees, and payment schedule. The contract shall include a statement that the participant may request that the DUI program conduct a financial assessment to determine the participant’s ability to pay the program fee. (Cal. Code Regs., title 9, § 9848(d)(1)(D).)
- When a participant notifies a DUI program that they are unable to pay the fee shown on the standardized payment schedule, the DUI program shall perform a financial assessment. (Cal. Code Regs., title 9, § 9878(f).)
- A DUI program shall post a notice stating that a participant may request that the DUI program conduct a financial assessment to determine their ability to pay the program fee. This notice shall be posted at each location at which program services are provided, in a location visible to all participants and to the general public. (Cal. Code Regs., title 9, § 9879(b)(1).)
- A DUI program shall conduct a financial assessment interview within five days of the request of the participant, but no more frequently than every 30 days. (Cal. Code Regs., title 9, § 9879(h)(1).)
- A DUI program shall follow the requirements in California Code of Regulations, Title 9, Sections 9878 and 9879 to initiate and complete the financial assessment, including obtaining required documentation and utilizing the standardized payment schedule.

The Department acknowledges your concern that current regulations do not expressly address whether reduced-fee determinations should be applied retroactively or prospectively. However, as noted above, existing regulations do require DUI programs to expeditiously conduct a financial assessment and document a participant’s ability to pay within five days of the participant’s request and prohibits a DUI program from requiring payment greater than assessed the ability.

In sum, while the Department appreciates the concerns you have brought forward in your Petition, many of your concerns are either addressed through current

regulations or will require substantive changes that warrant broader evaluation, including consideration of DUI program administration and financial impacts, and require additional stakeholder input. Accordingly, the Department denies your Petition in whole. The Department will consider your concerns as appropriate as part of the current regulatory package that is in development. Denial of the Petition does not preclude the Department from considering the issues raised in its current development of the California Code of Regulations, Title 9, Chapter 3 regulatory package or programmatic oversight activities.

If you, or any other interested person, would like a copy of the Petition or wish to discuss the decision outlined above, please contact DHCS' DUI Licensing Section Chief, Glenn Spellman, at (916) 345-7524.

Pursuant to Government Code section 11340.7, subdivision (c), you or any other interested person may request reconsideration of this decision within 60 days of the date of this letter. A copy of this decision will be provided to the Office of Administrative Law for publication in the California Regulatory Notice Register.

Sincerely,

/s/

Janelle Ito-Orille

Division Chief

Licensing and Certification Division

**DEPARTMENT OF RESOURCES
RECYCLING AND RECOVERY**

RULEMAKING PETITION DECISION

April 10, 2026

Leonard Lang

1713 Mimosa Ln.

Eules, TX 76039

Via email: lang@recyclingandregulation.com

Dear Mr. Lang:

Thank you for your letter of March 11, 2026, petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. The Department of Resources Recycling and Recovery, Division of Recycling (Department) has considered your petition for rulemaking under Government Code sections 11340.6 and 11340.7. This petition is being tracked by the Department as **Petition for Rulemaking Number 2026-03-11**. The Department is denying the petition and taking other action.

The Beverage Container Recycling and Litter Reduction Act (Act) (Public Resources Code (PRC), Div. 12.1, commencing with sec. 14500) requires that

the Department adopt, by regulation, a procedure for the certification of recycling centers, including standards for certification. (PRC sec. 14538(b).) The Department's regulations, set forth in Chapter 5 within Division 2 of Title 14 of the California Code of Regulations (CCR), establish such a procedure and standards. (CCR, title 14, sec. 2030, sec. 2045.) The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to PRC sections 14530.5 and 14536.

The petition recommends amending CCR title 14, sections 2030 and 2045 to require several additional standards for recycling centers opening in already-served convenience zones. Specifically, the proposed regulations would:

- (1) Require proof of local permits to be submitted as part of the operational date card notification submitted by an applicant pursuant to subdivision (b) of section 2505, or in the alternative, the application specified by section 2045.
- (2) Require the Department to make a determination of whether or not the applicant indicates sufficient capital to survive 12 months as it competes with the established subsidized zone operator.
- (3) Require the Department to check with local jurisdictions to determine whether an applicant is eligible for permitting based upon local ordinances.

As to Item (2), the Act does not require that the Department determine the adequacy of an applicant's capitalization. (PRC sec. 14538(b).) While the Act would likely allow for regulations that consider an applicant's financial viability, the Department does not currently have the resources to implement or enforce the proposed regulatory change. For this reason, the Department is denying the petition with regard to Item (2).

As to Items (1) and (3), the Act likewise does not require that the Department consider an applicant's compliance with local permitting. (PRC sec. 14538(b).) The Department has never had a policy requiring applicants to submit local permits. At this time, the Department would need further public input on whether it would be beneficial to consider local permitting when reviewing recycling center applications. For this reason, the Department is denying the petition with regard to Items (1) and (3). However, the Department is taking "other action" within the meaning of Government Code section 11340.7(b). The Department will schedule a public meeting to discuss the desirability and appropriateness of considering local permitting under CCR title 14, section 2030.

In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agen-

cy contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations & Public Records Unit, 1001 I Street, MS- 24B, Sacramento, California 95814, regulations@calRecycle.ca.gov, (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations & Public Records Unit at regulations@calrecycle.ca.gov.

Thank you for bringing this issue to my attention and for suggesting a solution.

Sincerely,

/s/

Zoe Heller

Director

Department of Resources Recycling and Recovery
(CalRecycle)

**ACCEPTANCE OF
PETITION TO REVIEW
ALLEGED UNDERGROUND
REGULATIONS**

**DEPARTMENT OF
CORRECTIONS AND
REHABILITATION**

OFFICE OF ADMINISTRATIVE LAW

ACCEPTANCE OF PETITION TO
REVIEW ALLEGED UNDERGROUND
REGULATION (PURSUANT TO TITLE 1,
SECTION 270 OF THE CALIFORNIA
CODE OF REGULATIONS)

The Office of Administrative Law accepted for consideration a petition challenging as an alleged underground regulation the California Department of Corrections and Rehabilitation (CDCR) policy that CDCR libraries do not provide printouts of court docket information to incarcerated persons. This alleged underground regulation appears in various materials issued by CDCR, including: a decision issued by a CDCR Office of Grievances, dated November 4, 2025, involving claimant Kwesi Khary Muhammad at location CTF-Facility C; and a decision issued by a CDCR Office of Appeals, dated January 28, 2026, involving claimant Kwesi Khary Muhammad at location CTF-Facility C, citing to a memorandum titled "Inmate Docket Information," dated March 28, 2022.

Public comments on the petition will be accepted until May 26, 2026. Please send your comments to:

Timothy Findley
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
Or staff@oal.ca.gov

A copy of your comment must also be sent to the petitioner and the challenged agency:

Petitioner:

Kwesi Muhammad
P84376, FW-135L
P.O. Box 689
Soledad, CA 93960

Agency contact:

Renee Rodriguez
California Department of Corrections and
Rehabilitation
P.O. Box 942883
Sacramento, CA 94283-0001

Please note the following timeline:

Publication of Petition in Notice Register:
4/24/2026

Deadline for Public Comments: 5/26/2026

Deadline for Agency Response: 6/8/2026

Deadline for Petitioner Rebuttal: No later than 15
days after receipt of the agency's response

Deadline for OAL Decision: 8/24/2026

The petition and any attachments are not being printed for practical reasons and space consideration. If you would like to receive a copy of the petition, please contact staff@oal.ca.gov.

**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 Allocation Board
File # 2026-0303-01
Leroy F. Greene School Facilities Act of 1998;
Proposition 2; Matching Share

In this certificate of compliance, the State Allocation Board makes permanent its emergency action which implements Proposition 2 (2024) and Assembly Bill 247 (Stats. 2024, chapter 81). The regulations address funding for modernization and new construction on school facilities. Further, they add definitions, set forth the points system for determining local funding adjustment grants, establish requirements for the modernization and new construction funding, and discuss district matching share requirements.

Title 02
Adopt: 1859.70.5, 1859.78.7.1, 1859.78.9.1,
1859.78.9.2
Amend: 1859.2, 1859.32, 1859.51, 1859.77.1,
1859.79, 1859.79.2, 1859.82.1
Filed 04/15/2026
Effective 04/15/2026
Agency Contact: Lisa Jones (279) 946-8459

California School Finance Authority
File # 2026-0407-01
Charter School Revolving Loan Fund Program

This emergency action pursuant to Gov. Code § 11346.1 by the California School Finance Authority amends regulations regarding the Charter School Revolving Loan Fund Program (Program). These amendments clarify Program administration and establish an application fee. This action is deemed an emergency pursuant to Education Code § 41365(h).

Title 04
Amend: 10170.19, 10170.20, 10170.21
Filed 04/15/2026
Effective 04/15/2026
Agency Contact: Will Jarrell (916) 651-7711

California Alternative Energy and Advanced
Transportation Financing Authority
File # 2026-0406-02
Commercial Energy Efficiency Financing Program

This emergency rulemaking action by the California Alternative Energy and Advanced Transportation Financing Authority (“Authority” or “CAEATFA”) readopts amendments to GoGreen Business Energy Financing Program regulations. Specifically, the amendments concern Multifamily Property projects and include revising the definition of “Multifamily Property” to encompass properties with multiple buildings, extending the final funding deadline to 12 months for Multifamily Property projects, allowing Finance Provider Entities

to take a security interest in real property, excluding Multifamily Property projects from cost maximums for non-lighting measures qualifying via the Eligible Energy Measures List, and streamlining the calculation for loss reserve contributions. Moreover, this action a deemed emergency pursuant to Public Resources Code (PRC”) section 26009.

Title 04
Amend: 10092.1, 10092.2, 10092.5, 10092.7,
10092.8, 10092.9
Filed 04/15/2026
Effective 05/05/2026
Agency Contact:
Jonathan Verhoef (916) 809-4637

Division of Workers’ Compensation
File # 2026-0311-01
OMFS Hospital Outpatient Departments &
Ambulatory Surgical Centers

This action by the Division of Workers’ Compensation (“Division”), within the Department of Industrial Relations, updates the Workers’ Compensation Official Medical Fee Schedule (OMFS): Hospital Outpatient Departments and Ambulatory Surgical Centers Fee Schedule. These changes were submitted to the Office of Administrative Law (“OAL”) for filing and printing only, exempt from the APA under Labor Code section 5307.1(g)(2).

Title 08
Amend: 9789.39
Filed 04/15/2026
Effective 03/01/2026
Agency Contact: John Cortes (510) 286-0519

Board of Pharmacy
File # 2026-0303-04
Disciplinary Guidelines

This action submitted by the Board of Pharmacy (Board) pursuant to California Code of Regulations, title 1, section 100, makes changes without regulatory effect to the Board’s disciplinary guidelines, which are incorporated by reference, to replace the term “advanced practice pharmacist” with “advanced pharmacist practitioner” in accordance with Assembly Bill 1503 (Stats. 2025, chapter. 196, section 5).

Title 16
Amend: 1760
Filed 04/15/2026
Agency Contact:
Brianna Fujimoto (279) 238-3640

Department of Motor Vehicles
 File # 2026–0304–03
 Fee Adjustment (2027)

This Section 100 action submitted pursuant to California Code of Regulations, title 1, section 100, by the Department of Motor Vehicles (“DMV”) makes changes without regulatory effect to adjust various Vehicle Code (“VC”), Revenue and Taxation Code (“RTC”), and Code of Civil Procedure (“CCP”) authorized fees starting January 1, 2027, relating to motor vehicles in amounts in accordance with the California Consumer Price Index (“CPI”) methodologies set forth in VC sections 1678(b), 1685(c) and (e), and 9250.6(b), and RTC section 11052(b).

Title 13
 Amend: 225.45, 423.00
 Filed 04/13/2026
 Agency Contact: Randi Calkins (916) 282–7294

Department of Rehabilitation
 File # 2026–0303–03
 Business Enterprise Program Vending Selection

In this rulemaking action, the Department of Rehabilitation (DOR) updates its regulations regarding the Business Enterprises for the Blind program to clarify that business plans are not a required part of the application process for Department of Defense vending facilities.

Title 09
 Amend: 7214.2, 7214.3, 7214.4
 Filed 04/15/2026
 Agency Contact:
 Michele M. Welz (916) 558–5833

Environmental Protection Agency
 File # 2026–0226–01
 CalARP Regulation Amendments

This regular rulemaking by the Environmental Protection Agency amends implementing regulations for the portion of the California Accidental Release Prevention (CalARP) program that applies to petroleum refineries. Revisions include changes to defined terms; the process by which owners and operators provide for effective employee participation in the program; the requirements governing how hazard control analyses are prepared; and various nonsubstantive changes.

Title 19
 Amend: 5050.3, 5110.1, 5110.13, 5110.16, 5130.6, 5130.6 [TABLE 3]
 Filed 04/10/2026
 Effective 04/10/2026
 Agency Contact: Elizabeth Brega (916) 318–8156

Governor’s Office of Land Use and Climate
 Innovation
 File # 2026–0225–01
 Applicant Fees for Infrastructure Project
 Applications

In this rulemaking action, the Office of Land Use and Climate Innovation adopts regulations establishing a fee for applicants seeking certification for streamlined judicial review of Infrastructure Projects under the California Environmental Quality Act.

Title 14
 Adopt: 16200, 16201
 Filed 04/08/2026
 Effective 07/01/2026
 Agency Contact: Douglas Bojack (916) 322–2318

Governor’s Office of Land Use and Climate
 Innovation
 File # 2026–0225–02
 CEQA Streamlining Certification Application Fee

This rulemaking action, by the Office of Land Use and Climate Innovation, amends a regulation to increase the application fee associated with filing for streamlined judicial review under the California Environmental Quality Act (CEQA).

Title 14
 Amend: 16100
 Filed 04/08/2026
 Effective 07/01/2026
 Agency Contact: Douglas Bojack (916) 322–2318

Department of Corrections and Rehabilitation
 File # 2026–0225–03
 Transgender Respect, Agency, and Dignity Act
 (TRADA)

This rulemaking action by the Department of Corrections and Rehabilitation (“Department”) adopts and amends regulations that implement The Transgender Respect, Agency, and Dignity Act, Senate Bill 132 (Stats. 2020, chapter 182), including the adoption and amendment of terminology relating to transgender, non–binary, and intersex incarcerated persons (“TNI incarcerated person(s)”), establishing procedures concerning the search and housing preferences of TNI incarcerated person, and establishing the initial gender identity intake and classification process.

Title 15
 Adopt: 3085, 3085.1, 3085.2, 3085.3, 3287.1
 Amend: 3000, 3030, 3075, 3075.1, 3190, 3269, 3287, 3375, 3376, 3401.6
 Filed 04/09/2026
 Effective 04/09/2026
 Agency Contact: Sarah Pollock (916) 445–2308

**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.