



California Regulatory Notice Register

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

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**PROPOSED ACTION ON
REGULATIONS**

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**TITLE 8. OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

ELEVATOR SAFETY ORDERS

Amend: Group I. Administrative Regulations; Article 1, Section 3000; Article 2, Section 3001; Article 3, Section 3002; Article 4, Section 3003; Article 6, Section 3009; Group IV; Article 40; and Article 42, Section 3142.

Repeal: Article 40, Section 3140; and Article 41, Section 3141.1.

Adopt: Article 45; Article 46; Group V; Article 47; Article 47, Section 3147, Section 3147.100, Section 3147.101, Section 3147.102, Section 3147.103, Section 3147.104, Section 3147.200 and Section 3147.300.

**REVISIONS TO THE
ELEVATOR SAFETY ORDERS**

NOTICE IS HEREBY GIVEN that the Occupational Safety and Health Standards Board (Board) proposes to adopt, amend or repeal the foregoing provisions of title 8 of the California Code of Regulations in the manner described in the Informative Digest, below.

PUBLIC HEARING

A public hearing has been scheduled at which time any interested party may present statements, orally or in writing, about this proposed regulatory action. The hearing will continue until all oral comments are received, and will be held as follows:

Date: June 18, 2026

Location: Hampton Inn & Suites Napa
945 Hartle Court
Napa, CA 94559

OR

Join via ZOOM

<https://tkoworks.zoom.us/j/87501250331> (Webinar ID: 875 0125 0331)

Call-in Number: (669) 444-9171

Conference ID: 875 0125 0331

Time: 10:00 a.m.

Pre-hearing registration will be conducted prior to the hearing. Those registered will be heard in order of their registration. Anyone else wishing to speak at the hearing will be afforded an opportunity after those registered have presented their oral comments. The time allowed for each person to present oral comments may be limited if a substantial number of people wish to speak.

Individuals presenting oral comments are requested, but not required, to submit a written copy of their statements. The hearing will be adjourned immediately following the completion of the oral comments.

SUBMISSION OF WRITTEN COMMENTS

Any interested person, or their authorized representative, may submit written comments relevant to this proposed regulatory action. All written comments must be received by the Board no later than 5:00 p.m. on June 18, 2026, in order to be considered. Written comments may be submitted by mail or email, as follows:

By mail to: Department of Industrial Relations
Occupational Safety and Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833

Attention: ESO Group V — Ruth Ibarra, SSM I

By email to: oshsbrulemaking@dir.ca.gov

AUTHORITY AND REFERENCE

Labor Code (LC) section 142.3 establishes the Board as the only agency in the State authorized to adopt occupational safety and health standards. In addition, LC section 142.3 requires the adoption of occupational safety and health standards that are at least as effective as federal occupational safety and health standards. These proposed regulations will implement, interpret, and make specific LC section 142.3. LC section 7323 authorizes the Board to adopt regulations for the equipment (i.e., elevators, escalators, and other conveyances) covered by Chapter 2 of Part 3 of Division 5 of the LC.

**INFORMATIVE DIGEST OF PROPOSED
ACTION/POLICY STATEMENT OVERVIEW**

Unsafe and defective conveyances — elevators, escalators, moving walks and similar devices — present the possibility of serious accidents that could injure or

kill the public and workers. The best interests of the State of California are served when the public and employees are protected from these deadly hazards.

The conveyance standards included in this proposal are based on, and will maintain or increase, the level of safety of the current conveyance regulations in title 8¹ of the California Code of Regulations.

This rulemaking addresses the legislative mandate set forth in section 7323 of the LC, which specifically requires the Department of Industrial Relations, Division of Occupational Safety and Health (Division) to propose conveyance regulations to the Board for review and adoption. The provisions of the Division's proposal must be at least as effective as the American Society of Mechanical Engineers (ASME) A17.1 (Safety Code for Elevators and Escalators), ASME A17.3 (Safety Code for Existing Elevators and Escalators), ASME A18.1 (Safety Standard for Platform Lifts and Stairway Chairlifts) and the American Society of Civil Engineers (ASCE) 21 (Automated People Movers).

LC section 7323 also requires the Division to propose rulemaking to the Board when these codes are revised. The Board's last rulemaking based on these codes was done in 2008 and was based in part on ASME A17.1–2004 and ASME A18.1–2003. ASME has revised A17.1 and 18.1 several times since 2004. Conveyance designs have changed since 2008 to include machine room-less (MRL) elevator configurations, alternate suspension systems and modern control system designs.

This proposal incorporates by reference:

- ASME A17.1–2019 (Safety Code for Elevators and Escalators) in part, as amended.
- ASME A18.1–2020 (Safety Standard for Platform Lifts and Stairway Chairlifts) as amended.
- ASME B20.1–2021 (Safety Standard for Conveyors and Related Equipment) in part, as amended.

These technical documents contain the most recent consensus conveyance standards for each type of conveyance regulated by the Division. These referenced standards, when adopted as amended by this proposal, will establish minimum requirements for persons installing, operating, maintaining and inspecting conveyances installed after a specified effective date (to be determined by the Office of Administrative Law following adoption of this proposal). The referenced standards, when adopted as amended by this proposal, will provide for the safe operation and maintenance of conveyances, and for the protection of employees and the riding public.

¹ Unless otherwise noted, references to regulations are to the California Code of Regulations, title 8.

Consideration of A17.3 — 2020 and ASCE 21:

The Division reviewed ASME A17.3–2020 (Safety Code for Existing Elevators and Escalators), which is referred to in LC sections 7300.1 and 7323. The Division concluded the (ESO) are at least as effective as, or more protective than, the provisions of ASME A17.3–2020. Therefore, the Division believes incorporating ASME A17.3 by reference is unwarranted.

The Division is not proposing regulations relating to Automated People Movers and the related standard ASCE 21 (Automated People Mover Standards), as referenced in LC sections 7300 and 7323. The California Public Utilities Commission has safety and security regulatory authority over all rail transit agencies in California, including those operating as automated people movers, and works in cooperation with the Federal Transit Administration and the transit agencies to enhance public safety and security of these devices.

Naming of these regulations:

California was one of the first states to adopt comprehensive safety regulations for elevators. California's regulations governing conveyances (elevators, escalators, platform lifts, moving walkways and the like) have long been known by their original name — the “Elevator Safety Orders” — even though the regulations have covered conveyances other than elevators for decades. For continuity's sake, this proposal retains the name, “Elevator Safety Orders.”

Changes to administrative regulations for conveyances:

This proposal also includes amendments to the Group I Administrative Regulations. They apply to all conveyance installations covered by the ESO. This includes conveyances covered by Group II ESO (conveyance installations for which the installation contract was signed before October 25, 1998), Group III (conveyance installations for which the installation contract was signed on or after October 25, 1998, but before May 1, 2008), Group IV (conveyance installations for which the installation contract was signed on or after May 1, 2008) and will apply to conveyances installed under the proposed Group V adoption. These amendments are necessary to provide for the adoption of the proposed Group V regulation, update types of conveyances applicable to the regulation, clarify the permitting process, revise or develop certification requirements for inspectors, conveyance companies and conveyance mechanics in accordance with LC sections 7309.1, 7311.1, and 7311.2, and define certain terms for clarification.

The proposed regulations do not duplicate or conflict with any federal regulations. No federal regulations prescribe rules for the design, erection, construction, installation, material alteration, inspection, test-

ing, maintenance, repair, service and operation of conveyances used by the general public.

Anticipated Benefits:

The primary objective of the proposed ESO is to reduce the likelihood of work–related injuries for elevator workers and decrease risks to the general public.

This proposal promotes safety in the work place by ensuring that the critical components of conveyance installations are readily and safely accessible to elevator workers and inspectors. Readily and safely accessible equipment is more likely to be adequately maintained which benefits building owners and managers, and the riding public.

Additional benefits of this proposal:

- Diminishes compliance issues in the planning stage of a conveyance to prevent costly late–stage changes and schedule delays.
- Requires the effective periodic testing of older hydraulic elevator jacks in lieu of their costly mandatory and immediate replacement.
- Provides for the provision of first responder emergency two–way radio coverage in elevator hoistways and cars.
- Requires elevator hoistways be provided with automatic and manually initiated workspace lighting throughout its height, to provide a safe work environment to elevator personnel.

Other revisions:

This proposed rulemaking action also includes non-substantive revisions such as editorial, grammatical and reformatting changes. This informative digest does not discuss all of these nonsubstantive revisions, but they are clearly indicated in the regulatory text in underline and strikeout format.

Subchapter 6. Elevator Safety Orders

The proposed Group V ESO update and replace the existing Group IV regulations for new and altered conveyance installations and includes provisions at least as effective as the most recent versions of the conveyance standards specified by LC section 7323.

Changes include new provisions for MRL elevator installations which will reduce permanent variance applications, provide for periodic testing for Group II conveyances which will improve safety for the riding public, provide for a reduction in the frequency of Firefighters’ Emergency Operation (FEO) testing by a conveyance mechanic which will offset some of the cost for periodic testing of Group II conveyances and an allowance for additional non–mechanical maintenance be performed by authorized personnel.

The regulatory proposal is as follows:

Amend Group I. Administrative Regulations.

To note California’s title 8 regulations governing conveyances (elevators, escalators, platform lifts,

moving walkways, etc.) have long been known by their original name, the “Elevator Safety Orders.”

To add reference to Group IV and the proposed Group V regulation making the Group I Administrative Regulations applicable to all conveyances.

Amend subsection 3000(a) Application.

To remove the exemption for conveyances located in multiunit residential buildings. The LC requires these conveyances be inspected by the Division when they are initially installed and after any alteration.

Editorial changes.

Amend subsection 3000(b) Use and Precedence of Orders.

To clarify the applicability and code editions relevant to all new and existing conveyance installations.

To include a table indicating applicable code requirements by type of conveyance and installation or alteration contract date.

Editorial changes.

Amend subsection 3000(c) Conveyances Included.

To refer to conveyances by their contemporary classifications.

To include additional included conveyance classifications contained in the codes to be incorporated by reference.

Editorial changes.

Amend subsection 3000(d) Devices Excluded.

To include additional excluded conveyance classifications contained in the codes to be incorporated by reference. The LC sets forth the types of devices regulated by the Elevator Safety Orders.

Editorial changes.

Amend subsection 3000(e) Conveyances Prohibited.

To include additional prohibited conveyance classifications. These additional prohibited devices are exclusively hand–powered conveyances that are without a modern market and are exclusionary to persons with certain disabilities.

Repeal subsection 3000(f) Group III Installations.

The effective date and associated regulations for Group III conveyance installations are incorporated in subsection 3000(b)–*Table 1*.

Adopt new subsection 3000(f) Determining the Applicable Group of Elevator Safety Orders for a Conveyance Installation or Alteration.

This new subsection contains relevant inspection and permitting information for conveyances, to determine the applicability of these regulations for all new and altered conveyance installations.

Repeal subsection 3000(g) Group II Installations.

The effective date and associated regulations for Group II conveyance installations are incorporated in subsection 3000(b) — *Table 1*.

Re-letter subsection 3000(h) to subsection 3000(g) and amend re-lettered subsection 3000(g).

To alter the description to read “*Maintenance, Repair, Replacement, Testing and Alterations of all existing subsection 3000(c) Conveyances.*” To update code references to the more recent editions incorporated by reference. To include requirements for the maintenance, repair, replacement and testing of all conveyances, in accordance with the requirements of the LC, and codes to be incorporated by reference. To update code references to the more recent editions. To include and update requirements for the alteration of all conveyances, in accordance with the requirements of the Labor Code and codes to be incorporated by reference. To include requirements for specific maintenance, repair, testing and alteration activities that are not addressed by the codes incorporated by reference.

Amend subsection 3001(a) Submittal of Plans and Notification of Intent to Install.

To give the Division the basis to require the submittal of information on new conveyance products, configurations and specific conveyance related construction and configuration elements. To clarify notification requirements when certain component replacement work is completed.

Amend subsection 3001(b) Inspections Required.

To align requirements of periodic inspections and testing with the obligations of the LC.

Amend subsection 3001(c) Permit to Operate Required.

Editorial changes.

Amend subsection 3001(d) Inspection Fees.

Editorial changes.

Repeal subsection 3001(e) Application Processing Time for Renewal of Permit.

This is legacy language. No application process for permit renewal has been developed or implemented.

Amend to re-number section 3002. Variances to 3002.0.

Editorial changes.

Amend subsection 3002.0.(a).

Editorial changes.

Amend subsection 3002.0.(b).

Editorial changes.

Amend Article 4. Qualifications for Certification.

Editorial changes.

Amend to re-number section 3003. Certified Competent Conveyance Inspectors (CCCI) to 3003.0.

Editorial changes.

Amend subsection 3003.0(a) Employment.

Editorial changes.

Amend subsection 3003.0(b) Experience.

Editorial changes.

Amend subsection 3003.0(c) Training.

Editorial changes.

Amend subsection 3003.0(d) Performance of Duties.

To update the character trait and ability requirements for inspectors.

Amend subsection 3003.0(e) Certification.

To set the active term of the certificate of competency for inspectors. To include the certificate of competency renewal requirements. To align the suspension and revocation hearings with applicable regulations.

Amend subsection 3003.0(f) Frequency of Inspection.

Editorial changes.

Amend Section 3003.0(g) Examination.

Editorial changes.

To fix the waiting period requirement to eliminate the current subjective waiting time determination by the Division.

Add subsection 3003.0(h) Fee.

To add relevant fee requirements of the LC.

Adopt new section 3003.1 Certified Qualified Conveyance Company (CQCC).

To add new section 3003.1 governing conveyance companies in accordance with the LC.

Adopt new subsection 3003.1(a) Qualifications.

To add qualification requirements for CQCCs in alignment with the LC.

Adopt new subsection 3003.1(b) Application Requirements for Certification.

To add application requirements for CQCCs in alignment with the LC.

Adopt new subsection 3003.1(c) Certification.

To add work exclusivity requirements in alignment with the LC.

To add certification term and certification renewal requirements.

To add the basis and requirements for the revocation and suspension of a CQCC certification and hearing requirements.

Adopt new subsection 3003.1(d) Fee.

To add relevant fee requirements of the LC.

Adopt new section 3003.2. Certified Competent Conveyance Mechanic (CCCM).

To add new section 3003.2 governing conveyance mechanics in accordance with the LC.

Adopt new subsection 3003.2(a) Qualifications.

To add qualification requirements for CCCMs in alignment with the LC.

Adopt new subsection 3003.2(b) Application Requirements for Certification.

To add application requirements for CCCMs in alignment with the LC.

Adopt new subsection 3003.2(c) Certification.

To add work exclusivity requirements in alignment with the LC. Adds certification term and certification renewal requirements. To add the basis and requirements for the revocation and suspension of a CCCM certification.

Adopt new subsection 3003.2(d) Fee.

To add relevant fee requirements of the LC.

Amend subsection 3009(b) List of Definitions.

To include two new defined terms: “Maintenance, Non–mechanical” and “Supervision”, to clarify the type of maintenance work that is not required to be done by a CCCM, pursuant to the exemption in LC section 7300.4.

Amend Group IV. Conveyance Installations for Which the Installation Contract Was Signed on or After May 1, 2008, but before (insert OAL effective date here).

To include the effective end date for the Group IV regulations.

Amend Article 40.

Requirements under Article 40 are incorporated into the Group I Administrative Regulations. Article 40 is reserved.

Repeal section 3140 Application.

Requirements repealed are incorporated into the Group I Administrative Regulations.

Repeal section 3141.1 Maintenance, Repair, and Replacement.

Requirements repealed are incorporated into the Group I Administrative Regulations.

Amend section 3142 General Requirements.

Requirements deleted are incorporated into the Group I Administrative Regulations.

Adopt new Article 45 Reserved.

Editorial changes.

Adopt new Article 46 Reserved.

Editorial changes.

Adopt new Group V Conveyance Installations for Which the Installation Contract was Signed on or After (insert OAL effective date here).

New conveyance regulation proposal per LC section 7323.

Adopt new Article 47. Conveyances Installed under Group V.

New conveyance regulation proposal per LC section 7323.

Adopt new section 3147. Scope.

To set the scope of Article 47.

Adopt new section 3147.100. Conveyances Covered by ASME A17.1–2019 as amended by the Group V Elevator Safety Orders.

New section containing regulations for conveyances subject to ASME A17.1–2019.

Adopt new subsection 3147.100(a).

To incorporate by reference ASME A17.1–2019 Safety Code for Elevators and Escalators, in part, as amended.

Adopt new subsection 3147.100(b).

To exclude incorporation by reference ASME A17.7/CSA B44.7 Performance–Based Safety Code for Elevators and Escalators. The ASME A17.7/CSA B44.7 establishes a process to address designs and products unanticipated by published code. Through authority granted by California LC, the Board and the Division have enacted variance processes that have been effective in allowing the introduction and evaluation of new and innovative conveyance designs and products.

Adopt new section 3147.101. General Requirements.

New section containing general requirements for conveyances subject to ASME A17.1–2019.

Adopt new subsection 3147.101(a).

To require the key(s) necessary to gain access to machine/control rooms and machinery spaces be provided in a designated elevator pit.

Adopt new subsection 3147.101(b).

To recognize the applicable electrical code enforced in the State of California as the California Electrical Code (CEC). To affirm access and working space requirements shall be provided and maintained about electrical equipment.

Adopt new subsection 3147.101(c).

To recognize the applicable building code enforced in the State of California is the California Building Code.

Adopt new subsection 3147.101(d).

To require certain conveyance equipment be approved by the Division prior to its use. The specified devices are subject to engineering or type testing, and/or have critical design, factor of safety, material and performance criteria. An approval process that evaluates these devices to the requirements of the ESO ensures they are designed to perform their critical safety roles.

Adopt new subsection 3147.101(e).

To indicate the information required for the Division to effectively evaluate and approve suspension means.

Adopt new subsection 3147.101(f).

To require certain conveyance control equipment and devices be evaluated by the Division for code compliance prior to installation or use. Evaluating complex elevator control systems and connected devices at each inspection individually is inefficient and duplicative. Evaluating this equipment prior to its installation or use benefits the conveyance owner, the conveyance contractor and the Division.

To indicate the information required for the Division to effectively evaluate the specified devices and equipment.

Adopt new subsection 3147.101(g).

To prohibit passage through a machine or control room to gain access to equipment, systems and building areas unrelated to the conveyance(s). Machine/control rooms contain machinery and equipment that present hazards such as electrical shocks and rotating equipment. These rooms are secured to prevent malicious tampering and injury.

Adopt new subsection 3147.101(h).

To prohibit access to machine and control rooms through areas where a high degree of privacy, exclusivity and/or security is expected.

Adopt new subsection 3147.101(i).

To permit jails and penal institutions to eliminate elevator operations related to Firefighter's Emergency Operation.

Adopt new subsection 3147.101(j).

To prohibit the provision of scissor-type collapsible gates. The spaces between the bars and linkages present serious pinching and shearing hazards to hands and fingers, causing injuries to workers and the public.

Adopt new subsection 3147.101(k).

To prohibit arranging pull straps so they form a loop. Looped pull straps can cause injury to workers if their hand or arm becomes entrapped in the loop.

Adopt new subsection 3147.101(l).

To prohibit the use of aramid fiber suspension means. Aramid fiber ropes, while they have high tensile strength lack durability and are susceptible to abrasion and heat damage.

Adopt new subsection 3147.101(m).

To prohibit the provision of hoistway door unlocking devices. These devices can unlock the hoistway door from the landing side without the presence of the elevator car exposing a fall hazard. The hazards posed by these devices outweigh any utility they might provide.

Adopt new subsection 3147.101(n).

To prohibit the provision of access panels in hoistways and car enclosures for the purposes of cleaning transparent enclosure materials (glass). The cleaning of transparent elevator enclosures through openings in the car and/or hoistway can expose cleaning personnel to unfamiliar and undisclosed hazards.

Adopt new subsection 3147.101(o).

To prohibit the use of permanent ink markers for recording information on data tags and data plates. Permanent ink markers have proven to be an ineffective way of recording information that must remain legible for the life of the component and/or conveyance.

Adopt new subsection 3147.101(p).

To eliminate hazardous hoistway enclosure surface projections that could destabilize or injure elevator personnel, such as reinforcing rods, snap ties and screws that extend beyond the surface of the hoistway enclosure.

Adopt new subsection 3147.101(q).

To limit the top surface of horizontal projections, recesses and setbacks to two inches before mitigation measures must be taken. Exposed horizontal surfaces in elevator hoistways create a surface to set tools, equipment and supplies, or to allow workers to stand creating a fall hazard.

Adopt new subsection 3147.101(r).

To require a trained elevator mechanic provide authorized personnel safe access to the elevator water removal equipment located in the pit.

Adopt new subsection 3147.101(s).

To require guards between adjacent pits to prevent accidental contact with moving equipment. To require the guard to provide similar protection to persons positioned on pit ladders. To provide an exception to the guarding requirement if the moving equipment is guarded by distance.

Adopt new subsection 3147.101(t).

To prohibit the reduction of pit ladder rung, cleat or step width. To require the pit ladder be positioned as close as possible to the pit access door. To permit the hand clearance on each side of the ladder to be eliminated if the pit ladder rungs can effectively be used as handgrips. To prohibit the use of retractable pit ladders.

Adopt new subsection 3147.101(u).

To limit the size of the perforations permitted in counterweight guards. The size of the perforations in the guard in conjunction with the proximity of the moving counterweight could cause serious injury should elevator personnel grasp the guard using the perforations.

Adopt new subsection 3147.101(v).

To require the pit light switch be located so it can be easily activated prior to accessing the pit.

Adopt new subsection 3147.101(w).

To require a platform in the pit to safely access elevated serviceable equipment.

Adopt new subsection 3147.101(x).

To require the area outside of car top railings to have a minimum clearance above the car top at maximum upward movement of the elevator car. To allow an exception to the minimum vertical clearance.

Adopt new subsection 3147.101(y).

To provide safe occupiable spaces on the car top for elevator personnel when the elevator has reached its maximum upward movement. To require these oc-

cupiable spaces be provided within car top envelope and car top railings (if provided). To require these occupiable spaces be identified. To allow for intrusions of minimal dimension into these occupiable spaces. To prohibit overlapping the two required occupiable spaces.

Adopt new subsection 3147.101(z).

To prohibit equipment from obstructing the work surface used to perform maintenance and inspection tasks from the car top. Equipment mounted to the car top can prevent elevator personnel from safely positioning themselves to perform maintenance and inspection tasks.

Adopt new subsection 3147.101(aa).

To prohibit the maximum clearance requirement between the elevator car and the hoistway enclosure or fascia from being increased or eliminated through the provision of a car door interlock. Persons trapped in an elevator car may be motivated to apply all available force and means to open the car door.

Adopt new subsection 3147.101(bb).

To provide clear access to serviceable equipment from all directions necessary to safely perform maintenance tasks.

Adopt new subsection 3147.101(cc).

To establish clear working areas and equipment work reach conditions for conducting inspections, maintenance, minor repairs, minor replacements, or testing that is required to be conducted from the elevator car top. To provide an unobstructed standing surface (work area) on the elevator car top for elevator personnel to safely access driving machines, motors, brakes and governors. To require serviceable equipment be situated so elevator personnel can safely and effectively perform work while positioned on the elevator top. To prohibit locating driving machines, motors, brakes, and governors so they require elevator personnel to affect inspections, maintenance, minor repairs, minor replacements, or testing from an adjacent hoistway.

Adopt new subsection 3147.101(dd).

To require stairs be provided to access overhead machinery spaces that contain driving machines. This type of equipment is routinely accessed for maintenance and troubleshooting purposes with tools and diagnostic equipment that would be difficult to safely carry up a ladder.

Adopt new subsection 3147.101(ee).

To require hoistway access switches on all elevators regardless of their rated speed. Hoistway access switches provide the safest means for elevator personnel to gain access to the elevator car top. Elevator rated speed is not a relevant safety metric for hoistway access switch exclusion.

Adopt new subsection 3147.101(ff).

To require the car top emergency exit to reside within the perimeter of the car top railings. To mitigate impediments to clear and safe passage through the emergency exit that may be caused by the location of the car top railings, while maintaining fall protections provided by the railing.

Adopt new subsection 3147.101(gg).

To prohibit car top emergency exits on elevators in partially enclosed hoistways, unless it is firmly secured, in the closed position, by bolts that cannot be removed from inside the car. Partially enclosed hoistways pose unique fall hazards to passengers who may attempt to pass through the emergency exit to gain access to the car top to self-evacuate.

Adopt new subsection 3147.101(hh).

To require a monitoring switch on spring–return oil buffers to ensure the buffer returns to its fully extended position. Spring–return oil buffers are permitted to be partially compressed during normal elevator operation. If the buffer does not return to its fully extended position the buffer will not perform as intended.

Adopt new subsection 3147.101(ii).

To require the means to prevent unexpected car movement when driving machines or governors are installed in the hoistway. To require the means to prevent unexpected car movement be designed to engage at any car position required to safely perform maintenance and inspections from the car top.

Adopt new subsection 3147.101(jj).

To require elevator motor controllers and motion controllers be installed in a dedicated machine room or control room. To require machine and control rooms be located near the elevator(s) they control. To require electrical clearances be maintained irrespective of machine/control room door position. To require an identifying sign on machine room and control room doors. To require signs indicating the location of elevator machine/control room on the elevator entrance jam.

Adopt new subsection 3147.101(kk).

To permit shunt trip equipment that is incorporated into the elevator’s power disconnecting means to reside in machine rooms and control rooms.

Adopt new subsection 3147.101(ll).

To prohibit air conditioning equipment for machinery spaces and control spaces from being installed in the elevator hoistway. Maintenance of air conditioning equipment installed in a hoistway creates hazards to HVAC personnel who are unfamiliar with the hazards that exist in elevator hoistways.

Adopt new subsection 3147.101(mm).

To prohibit the provision of hoistway emergency doors. As these doors are permitted in public areas and spaces, someone could open an unlocked emer-

gency door causing a running elevator to stop abruptly, possibly entrapping passengers, while exposing themselves to a fall hazard.

Adopt new subsection 3147.101(nn).

To limit the inset of the car top railing. To provide an exception when the area beyond the car top railing is physically guarded to prevent occupation of the area beyond the railing. Limiting the inset of the car top railing:

1. Discourages occupying the limited area outside the railing that would expose elevator personnel to the fall, crushing and shearing hazards present outside the railing.
2. Maximizes the car top working surface area within the car top railing so elevator personnel can position themselves to safely perform their work.
3. Minimizes the reach distance necessary to maintain serviceable equipment in the hoistway.

Adopt new subsection 3147.101(oo).

To provide warning signs to inform elevator personnel to not stand on or climb over car top railings or position themselves in areas beyond car top railings. Standing on or climbing over car top railings negates the fall hazard protections that the car top railings are intended to provide.

Adopt new subsection 3147.101(pp).

To address shearing and crushing hazards created between the car top railing and equipment the elevator passes as it moves upward in the hoistway. This requirement is necessary to protect elevator workers and inspectors from these hazards by providing a minimum clearance between the railing and converging objects in the hoistway.

Adopt new subsection 3147.101(qq).

To require device model designations be provided on selected equipment data plates. Device model identifications assist Division inspectors identify the devices used on a conveyance.

Adopt new subsection 3147.101(rr).

To permit the use of distinct car speed sensing devices as an acceptable alternative to a governor–mounted speed–reducing switch. The Division has asserted through the Board permanent variance process that a product meeting these requirements provides equivalent safety to governor–mounted speed–reducing switches.

Adopt new subsection 3147.101(ss).

To specify the published edition of ASME A17.6 applicable to this proposal.

Adopt new subsection 3147.101(tt).

To clarify the characteristics and capabilities required of residual–strength monitoring devices.

Adopt new subsection 3147.101(uu).

To restrict the location of inspection operation controls. Providing inspection operation controls in the pit allows a mechanic to lower the car down on themselves obstructing their means of egress from the pit, increasing the hazards associated with this confined space.

Adopt new subsection 3147.101(vv).

To provide protections to elevator personnel in the areas of the hoistway involving their convergence with the counterweight and overhead objects when moving up the hoistway on car top inspection operation. These hazards approach silently without warning from above.

Adopt new subsection 3147.101(ww).

To require the provision of a dedicated “emergency audible signaling device” (car alarm button). An audible signaling device, actuated by an “alarm” push button in the car, provides the riding public with a familiar means of summoning assistance when needed. This device gives persons with certain disabilities or language barriers a means to communicate for assistance.

Adopt new subsection 3147.101(xx).

To prohibit access panels in the car enclosure, which when open, allow access to equipment outside the car enclosure. Access panels in the car enclosure to perform work on elevator machinery and control equipment inside the hoistway exposes elevator personnel to hazards (e.g. unintended car movement, reduced electrical clearances, shearing, etc.) Access panels within the car enclosure create an unnecessary opportunity for abuse and misuse by persons with malicious intent or attempting to self–evacuate due to entrapment.

Adopt new subsection 3147.101(yy).

To prohibit ladders and stairs in hoistways that are used to access equipment installed in hoistways, with certain exceptions. The use of ladders and stairs to access equipment in the hoistway could expose workers to fall hazards and diminishes the protections of railings provided on car tops.

Adopt new subsection 3147.101(zz).

To provide safe access for maintenance and inspection when equipment is installed at the top of the elevator hoistway (shaft). When equipment that requires maintenance or inspection is installed beyond a worker’s reach, they may have to resort to less safe access methods to accomplish their tasks (e.g. stand on car top railing or the use of a portable ladder on the car top).

Adopt new subsection 3147.101(aaa).

To provide prescriptive requirements for the locating of lighting switches at the entry of workspaces. Having to enter and search a dark workspace contain-

ing active machinery and energized circuits for the work space lighting switch is hazardous to workers.

Adopt new subsection 3147.101(bbb).

To require hoistway fire alarm initiating devices be tested and maintained from outside the hoistway. Requiring fire alarm service personnel to enter the hoistway to maintain their equipment exposes them to dangerous and unfamiliar hazards.

Adopt new subsection 3147.101(ccc).

To provide guarding requirements for rotating and moving elements of conveyance equipment.

Adopt new subsection 3147.101(ddd).

To clarify how adjustable guide rail brackets are to be fixed in their final position.

Adopt new subsection 3147.101(eee).

To require safe alignments of car platform and landing sills. Sill misalignments present a serious tripping hazard to passengers as they transition between the elevator car and landing surfaces.

Adopt new subsection 3147.101(fff).

To prohibit driving and hydraulic machines in pit areas. Conveyance pit areas are hazardous due to the presence of the car above. Working on the equipment that supports the car while positioned under the car creates an unnecessary hazard.

Adopt new subsection 3147.101(ggg).

To prohibit the application of temporarily applied adhesive films to escalator and moving walk handrails. These adhesive films degrade with use and delaminate from the handrail surface over time. When this occurs the film can become entangled in handrail safety devices or cause the handrail to stall and destabilize the passengers.

Adopt new subsection 3147.101(hhh).

To permit the safe installation of Emergency Responder Radio Coverage (ERRC) antenna(s) in elevator hoistways. Current fire codes require emergency responder radios be provided with full strength signal coverage throughout the building, including the elevator car.

Adopt new subsection 3147.101(iii).

To require lighting throughout the hoistway in addition to the lighting provided in the pit and on the car top. Provides lighting for elevator and emergency personnel to survey the hoistway conditions.

Adopt new subsection 3147.101(jjj).

To require an electrical sensing device to detect a person on a pit access ladder. Injuries and fatalities have occurred while elevator personnel were on pit ladders.

Adopt new section 3147.102. Elevators Used for Construction.

New section containing regulation for elevators used for construction. These requirements provide for

the safe use of elevators to provide worker access and material transport during a building’s construction.

Adopt new subsection 3147.102(a).

To require trained personnel to operate the controls of the elevator. To require effective two-way communications. To require emergency plans and procedures. To require signage indicating the elevator is to be used for construction purposes only and may only be operated by an authorized person. To require signage at each landing with instructions on how to summon the elevator. To require the securing of the elevator after working hours.

Adopt new subsection 3147.102(b).

To require hoistway doors be provided with interlocks. A hoistway door that is not in the closed and locked position when the elevator is not present at the landing exposes workers to falling and crushing hazards.

Adopt new subsection 3147.102(c).

To permit elevator operation with the emergency exit open for purpose of carrying materials that do not fit inside the car enclosure.

Adopt new section 3147.103. Elevator Seismic Requirements.

New section containing seismic requirements for new elevator installations. To apply seismic requirements to all electric elevators with counterweights, and direct-acting or roped-hydraulic elevator installations.

Adopt new subsection 3147.103(a).

To affirm seismic requirements apply to all new electric elevators with counterweights, and direct-acting or roped-hydraulic elevator installations.

Adopt new subsection 3147.103(b).

To require guide rail size and guide rail bracket spacing information on layout drawings. To make information readily available that is necessary to determine elevator compliance with guide rail and supporting bracket seismic requirements.

Adopt new subsection 3147.103(c).

To require suspension member displacement detection means be provided on all electric elevators with counterweights. Operating an elevator with suspension members displaced from their normal operating position can lead to suspension member failure, equipment damage, erratic operation and passenger injury.

Adopt new subsection 3147.103(d).

To require elevator travelling cables be restrained near the midpoint of elevator travel. The Division has observed travelling cable failure and extensive damage to elevator equipment due to excessive swinging/sway of these cables during seismic events.

Adopt new subsection 3147.103(e).

To restrict the termination of earthquake mode to elevator personnel. Due to the wide range of serious conditions that could be present subsequent to a seismic event, trained elevator personnel should survey the elevator prior to it being returned to service.

Adopt new section 3147.104. Escalator and Moving Walk Seismic Requirements.

New section containing seismic requirements for new escalator and moving walk installations.

Adopt new subsection 3147.104(a).

To affirm seismic requirements apply to all new escalator and moving walk installations.

Adopt new subsection 3147.104(b).

To require information related to escalator or moving walk seismic design be submitted to the Division. This information is used by field inspectors to examine escalator and moving walk attachment to the building for required seismic movement and restraint, as determined by a California licensed engineer.

Adopt new subsection 3147.104(c).

To require balustrades withstand a minimum seismic force of 50 pounds per lineal foot along the exposed handrail. During a seismic event (ground motion) balustrades would see compounded lateral forces imposed by passengers trying to stabilizing themselves.

Adopt new subsection 3147.104(d).

To require escalator and moving walk intermediate supports to provide seismically necessary lateral movement. Freedom of movement at intermediate supports prevents damage to the truss structure when the ends of the escalator or moving walk move during a seismic event.

Adopt new section 3147.200. Conveyances Covered by ASME A18.1–2020 as amended by the Group V Elevator Safety Orders.

New section containing regulation for conveyances subject to ASME A18.1–2020.

Adopt new subsection 3147.200(a).

To incorporate by reference ASME A18.1–2020 Safety Standard for Platform Lifts and Stairway Chairlifts, as amended.

Adopt new subsection 3147.200.(b).

To recognize the applicable electrical code enforced in the State of California as the CEC.

Adopt new subsection 3147.200(c).

To permit locking of lifts. To require lifts to be unlocked during business hours. Allows lifts to be locked to prevent access to secured areas outside of business hours.

Adopt new subsection 3147.200(d).

To specify the minimum and maximum clearance between the platform enclosure and the machine hous-

ing. The dimensions specified permit the ability to safely grasp the top of the platform enclosure without impingement, yet limit the opening available for other extremities to become entrapped between a stationary and moving surface.

To require a battery backup power source if the bottom runway door is equipped with an electric strike lock. A battery backup power source will reduce passenger entrapment by permitting the electric strike lock to function as intended when normal electric power is not available.

Adopt new subsection 3147.200(e).

To require certain conveyance equipment be approved by the Division. The specified devices are subject to engineering or type testing, and/or have critical design, factor of safety, material and performance criteria. An approval process that evaluates these devices to the requirements of the ESO ensures they are designed to perform their critical safety roles.

Adopt new section 3147.300. Vertical and Inclined Reciprocating Conveyances Covered by ASME B20.1–2021 as amended by the Group V Elevator Safety Orders.

New section containing regulation for conveyances subject to ASME B20.1–2021.

Adopt new subsection 3147.300(a).

To incorporate by reference ASME B20.1–2021 Safety Standard for Conveyors and Related Equipment, in part, as amended.

Adopt new subsection 3147.300(b).

To exclude conveyors equipped with automated transfer devices or systems. These automated conveyor types are not subject to the ESO (see subsection 3000(d)(1)).

Adopt new subsection 3147.300(c).

To recognize the applicable electrical code enforced in the State of California as the CEC.

Adopt new subsection 3147.300(d).

To require permanent electrical lighting, capable of producing 5 foot–candles of light, in the hoistway, at each landing, and in the area of the controller and machine. Conveyors and conveyor equipment can be installed in areas of a building that are not well lit by natural or artificial illumination.

Adopt new subsection 3147.300(e).

To require sufficient guarding to protect from hazards related to shifting, projecting, or falling materials. To require arrival indicator for solid panel doors. Arrival indicators discourage attempts to open the landing door when the platform is not at the landing.

Adopt new subsection 3147.300(f).

To provide protection from moving equipment in machinery spaces. This work space may contain moving equipment creating a hazard to workers.

Adopt new subsection 3147.300(g).

To prohibit guarding exceptions. These conveyors can be operated by people untrained in the conveyor’s operation and are unfamiliar with the hazards involved with its use. Warning means such as signs or warning lights, in lieu of physical guards, would not adequately address the hazard the moving equipment would pose.

Adopt new subsection 3147.300(h).

To limit the applicability requirement of ASME B20.1–2021, section 5.11.2(b) exclusively to conveyors not required to be loaded or unloaded by personnel. Equipment that is automatically or remotely activated poses risks to persons loading the conveyor platform.

Adopt new subsection 3147.300(i).

To require additional conveyor design characteristics be provided on a separate dataplate adjacent to the manufacturer’s nameplate.

Adopt new subsection 3147.300(j).

To require the capacity of the conveyor be prominently posted in the conveyor platform carrier. This information is essential when loading the platform to reduce the chance of overloading the conveyor.

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS

After conducting a review for any other related regulations, DIR has found that these are the only occupational safety regulations concerning elevator and other conveyances. Therefore, the proposed regulations are not inconsistent or incompatible with existing state regulations.

DOCUMENTS INCORPORATED
BY REFERENCE

- American Society of Mechanical Engineers (ASME) A17.1–2019/Canadian Standards Association (CSA) B44:19 (except sections 1.2.1., 2.7.5.3, 2.7.5.4, 2.7.5.5, 2.8.6, 2.14.1.6.2, 4.3, 5.8, 5.9, 5.11, 5.12, 8.6.5.8), Safety Code for Elevators and Escalators.
- American Society of Mechanical Engineers (ASME) A18.1–2020, Safety Standard for Platform Lifts and Stairway Chairlifts.
- American Society of Mechanical Engineers (ASME) B20.1–2021 (Revision of ASME B20.1–2018) (except sections 6.1 through 6.5, 6.7 through 6.20, and 6.22 through 6.24), Safety Standard for Conveyors and Related Equipment.

These documents are too cumbersome or impractical to publish in title 8. Therefore, it is proposed to incorporate the documents by reference. Cop-

ies of these documents are open to public inspection BY APPOINTMENT Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California. Appointments can be scheduled via email at oshbrulemaking@dir.ca.gov or by calling (916) 274–5721.

COST ESTIMATES OF PROPOSED ACTION

Mandate on Local Agencies or School Districts:

None.

Costs or Savings to State Agencies:

It is estimated that state agencies will incur additional costs of \$8,815 and savings of \$20,371 in the first, and two subsequent, fiscal years as a consequence of the proposed action.

Significant Effect on Housing Costs:

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Statewide Adverse Economic Impact Directly Affecting Businesses and Individuals Including the Ability of California Businesses to Compete:

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses/individuals, including the ability of California businesses to compete with businesses in other states. This proposal affords building owners the opportunity to continue to purchase products that are currently offered in California absent extensive modification or expensive redesign.

Cost Impact on a Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action. There are 74,773 buildings in California that have conveyances covered by the proposal. Of these, 58,414 are private sector. Private sector is assumed to incur around 78% of the costs of compliance based on their share of covered conveyances, or \$8.6 million in initial and \$23.6 million in ongoing costs of shear guarding of new installations and firefighters’ emergency operations (FFEO) testing. Cost estimates are based on material costs, labor costs, and the estimated number of affected conveyances. Each typical business will incur \$147 in initial costs of compliance and \$404 in ongoing costs once the three–year phase in testing requirements are in effect.

Costs or Savings in Federal Funding to the State:

The proposal will not result in costs or savings in federal funding to the state.

Costs to any Local Government or School District which must be Reimbursed in Accordance with Government Code Sections 17500 through 17630:

None.

Other Nondiscretionary Costs or Savings Imposed on Local Agencies:

This proposal does not impose nondiscretionary costs or savings on local agencies.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments do not significantly affect small businesses. Small businesses are not expected to incur different costs than typical businesses. It can be expected that for buildings that lease space, the compliance costs will be passed along to lessors.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The adoption of this proposal will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses or create or expand businesses in the State of California.

It is anticipated that CQCCs may cause some of the duties (labor hours) performed by their CCCMs to be transferred from the performance of monthly testing of FEO (this proposal reduces the frequency of FEO testing by a CCCM from monthly to quarterly) to performing periodic testing of Group II conveyances (this proposal creates new testing requirements for existing Group II conveyances). This transfer of duties (labor hours) makes this proposal labor neutral.

This proposal will have no effect on California's building construction industry. This proposal will not increase or decrease the number of conveyances installed or replaced in new or renovated buildings.

This proposal includes the periodic testing requirements contained in the ASME A17.1 standard. For the first time in the history of the state, conveyances installed prior to 1998 will have to undergo annual periodic testing. This periodic testing is by far the largest cost element of the proposal, costing private building owners an estimated \$15 million annually. Most of this cost will be a result of payments made to large and small CQCCs who will sell their testing services.

The ESO protect both workers and the riding public. The ESO proposal, modeled after the elevator industries voluntary standard allows for the use of all of the latest energy efficient equipment, including the creation of power through regenerative motor control.

BENEFITS OF THE PROPOSED ACTION

The primary objective of the proposed ESO is to reduce the likelihood of work-related injuries for elevator workers and decrease risks to the general public. These incidents impose economic costs on both the worker and the industry. Private benefits for the proposal total \$19.9 million. This includes \$10.3 million in estimated initial cost avoidance and \$9.6 million in benefits associated with injury avoidance.

REASONABLE ALTERNATIVES CONSIDERED

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

The Board invites interested persons to present statements or arguments with respect to alternatives to this proposed regulation at the scheduled public hearing or during the written comment period.

CONTACT PERSONS

Inquiries regarding this proposed regulatory action may be directed to:

Ruth Ibarra, SSM I
Email: ribarra@dir.ca.gov
Telephone: 916-274-5795

Marlo Miura, Regulatory Analyst
Email: mmiura@dir.ca.gov
Telephone: 916-274-5721

AVAILABILITY OF STATEMENT OF REASONS, TEXTS OF THE PROPOSED REGULATIONS AND RULEMAKING FILE

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process BY APPOINTMENT Monday through Friday, from 8:00 a.m. to 4:30 p.m., at the Standards Board's office at 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833. Appointments can be scheduled via email at oshbrulemaking@dir.ca.gov or by calling

(916) 274–5795. As of the date this Notice of Proposed Action is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations, the Initial Statement of Reasons, supporting documents, or other information upon which the rulemaking is based. Copies may be obtained by contacting Ruth Ibarra, SSMI at the address or telephone number listed above.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this Notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public at least 15 days before the Board adopts the regulations as revised. Please request copies of any modified regulations by contacting Ruth Ibarra, SSMI at the address or telephone number listed above. The Board will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ruth Ibarra, SSMI at the address or telephone number listed above or via the internet.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

The Board will have rulemaking documents available for inspection throughout the rulemaking process on its website. Copies of the text of the regulations in an underline/strikeout format, the Notice of Proposed Action and the Initial Statement of Reasons can be accessed through the Board’s website at <http://www.dir.ca.gov/oshsb>.

TITLE 11. DEPARTMENT OF JUSTICE

**AMMUNITION VENDOR
LICENSE APPLICATIONS**

The Department of Justice (Department) proposes to amend section 4260 of Title 11, Division 5, Chapter 10 of the California Code of Regulations concerning ammunition vendor license applications.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed regulatory action. However, the Department 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 written comment period.

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 **June 16, 2026 at 5:00 p.m.** Only written comments received by that time will be considered. Please submit written comments to:

S. Villareal
Department of Justice
P.O. Box 160487
Sacramento, CA 95816
(916) 210–2364
bofregulations@doj.ca.gov

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY AND REFERENCE

Authority: Sections 30385 and 30395, Penal Code.
Reference: Sections 26700, 30342, 30385, and 30395, Penal Code.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Summary of Existing Laws and Regulations:

An ammunition purchase or transfer completed in the state of California must be conducted through a licensed ammunition vendor unless otherwise exempted. (Pen. Code, § 30342.) Licenses are issued by the Department. (Pen. Code, § 30385.) Previously, applicants for ammunition vendor licenses were required to provide a copy of any regulatory or business license required by local government, a valid seller’s permit issued by the State Board of Equalization, a federal firearms license if the person is federally licensed, and a certificate of eligibility issued by the Department. (Pen. Code, § 30395, subdivision (a).)

Assembly Bill (AB) 28 (stats. 2023, chapter 231) amended Penal Code section 30395, subdivision (a), to require applicants for ammunition vendor licenses to provide a copy of each of the following documents to the Department in order to obtain a license: any reg-

ulatory or business license required by local government; a valid seller’s permit issued by the California Department of Tax and Fee Administration (CDTFA) pursuant to Revenue and Taxation Code section 6067; a valid certificate of registration issued pursuant to Revenue and Taxation Code section 36036; a valid federal firearms license if the person is so licensed; and a certificate of eligibility issued by the Department.

Effect of the Proposed Rulemaking:

The proposed regulation updates the procedures for persons applying to become licensed ammunition vendors in California and for persons applying for renewal of their ammunition vendor license. The Application for Ammunition Vendor License (Non–Firearms Dealer), form BOF 1021, and the Ammunition Vendor License Renewal Fee Transmittal, form BOF/CAV–0012, have been updated to conform to the revisions of Penal Code section 30395, subdivision (a) made by AB 28.

Anticipated Benefits of the Proposed Regulations:

The proposed regulation updates the procedure for persons applying to become licensed ammunition vendors in California and for persons applying for renewal of their ammunition vendor license. This regulation protects public safety by implementing statutory requirements concerning documentation the Department requires before issuing or renewing an ammunition vendor license to an eligible applicant.

The proposed regulatory action would provide for compliance with recent statutory changes, and consistency among Department forms. Penal Code section 30395 requires applicants for an ammunition vendor license to provide a copy of a valid CDTFA seller’s permit and valid certificate of registration, and the proposed regulatory action would incorporate these requirements into the form BOF 1021 and form BOF/CAV–0012. Also, the amendment of the form BOF 1021 and form BOF/CAV–0012 to require applicants to provide vendor physical location type information would provide for consistency between the form BOF 1021, form BOF/CAV–0012 and form BOF 4080, Application for Centralized List of Firearms Dealers, which already requires said information. The information would aid Field Representatives in planning their inspections in terms of scheduling, availability, resource allocation, and access considerations, providing for better situational awareness and making inspections more structured and efficient.

Comparable Federal Regulations:

There are no existing federal regulations or statutes comparable to these proposed regulations.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that these proposed regulations are not inconsistent or incompatible

with existing State regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern initial and renewal ammunition vendor license application requirements.

Forms Incorporated by Reference:

1. Application for Ammunition Vendor License (Non–Firearms Dealer), form BOF 1021 (Rev. 03/2026) — ADOPT.
2. Application for Ammunition Vendor License (Non–Firearms Dealer), form BOF 1021 (Rev. 12/2019) — REPEAL.
3. Ammunition Vendor License Renewal Fee Transmittal, form BOF/CAV–0012 (Rev. 03/2026) — ADOPT.
4. Ammunition Vendor License Renewal Fee Transmittal, form BOF/CAV–0012 (Orig. 01/2018) — REPEAL.

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department’s Initial Determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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

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

Cost impacts on representative person or business:

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

Significant effect on housing costs: None.

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

Results of the Economic Impact Assessment (EIA):

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

The Department also concludes that:

- (1) The proposal would benefit the health and welfare of California residents by updating the applications for persons applying to become licensed ammunition vendors in California or for persons applying for renewal of their ammunition vendor license. Form BOF 1021, the Application for Ammunition Vendor License (Non–Firearms Dealer), and form BOF/CAV–0012, the Department of Justice Ammunition Vendor License Renewal Fee Transmittal, have been updated to comply with statutory changes mandated by AB 28.
- (2) The proposal will benefit worker safety by helping ensure the safety of Department Field Representatives. The physical location type information will aid said personnel in planning their inspections in terms of scheduling, availability, resource allocation, and access considerations, providing for better situational awareness and making inspections more structured and efficient.
- (3) The proposal would not benefit the state’s environment because it does not change any applicable environmental standards.

Business report requirement: None.

Small business determination: The Department has determined that this proposed action affects small businesses. Requiring ammunition vendor applicants to apply and renew their license via the prescribed forms is the easiest way to make sure that the vendor provides all required information. Ammunition vendors are already familiar with completing these forms.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13), requires that the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department has determined that the proposed regulation is the most effective way for ammunition vendor license applicants and current ammunition vendor license holders to provide required information to the Department. Individuals are already familiar with submitting the form BOF 1021 and the form BOF/CAV–0012 to the Department when applying to become a licensed ammunition vendor in California or renewing their ammunition vendor license. Updating the forms to comply with statutory changes mandated by AB 28 is the least burdensome method to ensure ammunition vendor license applicants and those

renewing their license provide all required information to the Department.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

S. Villareal
 Department of Justice
 P.O. Box 160487
 Sacramento, CA 95816
 (916) 210–2364
bofregulations@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

L. Baladjay–Fretland
 Department of Justice
 P.O. Box 160487
 Sacramento, CA 95816
 (916) 336–0726
bofregulations@doj.ca.gov

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the forms incorporated by reference, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the forms incorporated by reference, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department’s website at <https://oag.ca.gov/firearms/regs>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the Department analyzes all timely and relevant comments received during the 45–day public comment period, the Department will either adopt

these regulations substantially as described in this notice or make modifications based on the comments. If the Department makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons will be available on the Department's website at <https://oag.ca.gov/firearms/regs>. Please refer to the contact information included above to obtain a written copy of the Final Statement of Reasons.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the express terms, the forms incorporated by reference, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department's website at <https://oag.ca.gov/firearms/regs>.

TITLE 11. DEPARTMENT OF JUSTICE

CERTIFICATION OF NON-EXEMPTED INDIVIDUALS WHO TAKE FINGERPRINT IMPRESSIONS

The Department of Justice (DOJ) proposes to repeal or amend sections 994, 994.1, 994.2, 994.4, 994.8, 994.9, 994.10, 994.11, 994.12, 994.13, 994.14, and 994.15 of title 11, division 1, chapter 13.6 of the California Code of Regulations concerning the Department of Justice Regulations for the Certification of Individuals Who Take Fingerprint Impressions for non-law-enforcement purposes.

PUBLIC HEARING

DOJ has not scheduled a public hearing on this proposed regulatory action. However, DOJ 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 written comment period.

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 **June 16, 2026, at 5:00 p.m.** Only written comments received by that time will be considered. Please submit written comments to:

Department of Justice
California Justice Information Services Division
Attention: Tessa Edwin
P.O. Box 903387
Sacramento, CA 94203–3870
(916) 210–3142
fpcert@doj.ca.gov

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY AND REFERENCE

Authority: Section 11102.1, Penal Code.
Reference: Section 11102.1, Penal Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

A certified fingerprint roller takes fingerprint impressions for people who need background checks for licensing and other non-law enforcement purposes. As mandated by Penal Code section 11102.1, DOJ is required to establish, implement, and maintain a certification program to process fingerprint-based criminal background clearances on non-exempt individuals who apply to become fingerprint rollers.

Assembly Bill (AB) 3235 (Chapter 254, Stats. 2024) amended Penal Code section 11102.1 to give DOJ more discretion in determining whether a fingerprint roller applicant's criminal conviction should disqualify them from certification. Prior to the passage of AB 3235, DOJ could not certify any applicant with any felony conviction, or any applicant with a conviction of any other offense involving moral turpitude, fraud, or dishonesty.

This proposed rulemaking implements AB 3235 by adopting regulations to aid in determining whether an offense is substantially related to the qualifications, functions, or duties of a fingerprint roller. The new law requires DOJ to consider an applicant's rehabilitation, the passage of time since the offense, and other evidence bearing on whether the applicant possesses the required honesty, credibility, truthfulness, and integrity to fulfill the responsibilities of the position

in accordance with subdivisions (f) and (g) of Penal Code section 11102.1.

Effect of the Proposed Rulemaking:

The proposed regulations specify the application process for DOJ’s Fingerprint Roller Certification Program (FRCP), including the criteria for determining whether an offense is substantially related to the qualifications, functions, or duties of a fingerprint roller, specify appeal procedures related to denied or revoked certifications by replacing alternative administrative hearing procedures with the hearing process in chapter 5 of the Administrative Procedure Act (APA), and setting forth fingerprint roller responsibilities.

Anticipated Benefits of the Proposed Regulations:

This rulemaking action will benefit individuals applying to become certified fingerprint rollers by satisfying due process and public policy requirements in a manner that is impartial and transparent. The rulemaking will also remove barriers to certification for persons with past criminal convictions who are otherwise qualified and have presented substantial evidence of rehabilitation, align DOJ’s certification standards with other licensing schemes in California, adopt the administrative hearing procedures in chapter 5 of the APA, and codify requirements for the protection, use, and handling of confidential information.

Comparable Federal Regulations:

There are no existing federal regulations or statutes comparable to these proposed regulations.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

DOJ has determined that these proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, DOJ has concluded that these are the only regulations that concern certification of qualified applicants who apply to become fingerprint rollers.

Forms Incorporated by Reference:

1. Repeal: BCIA 8372 (rev. 07/2010) — Application for Certification for Non–Exempted Individuals to Take Fingerprint Impressions.

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

DOJ’s Initial Determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

Significant effect on housing costs: None.

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

Results of the Economic Impact Assessment (EIA):

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

DOJ also concludes that:

- (1) The proposal may have a discernable impact on the health and welfare of California residents because individuals may be approved as a fingerprint roller despite their criminal record, allowing those with criminal records additional employment and professional opportunities which will impact not only the individuals but perhaps increase public safety in their communities by reducing recidivism. Additionally, the regulations require that the fingerprint rollers do not tamper with or change the information of the individuals who submit their prints. These requirements will ensure that the fingerprint rollers submit accurate data for background checks. Submitting accurate data will ensure that the background checks are properly conducted on the individuals who may serve vulnerable populations or hold positions of trust. Finally, California residents submit their fingerprints and confidential personal information for many reasons, such as employment, licensing, certification, or volunteer opportunities. These regulations will help protect the privacy of their information.
- (2) The proposal will not have a discernable impact on worker safety.
- (3) The proposal will not have a discernable impact on the state’s environment.

Business report requirement: None.

Small business determination: DOJ has determined that this proposed action does not affect small businesses because these regulations only specify the application process for DOJ’s FRCP, including the crite-

ria DOJ will use to determine if an offense is substantially related to the qualifications, functions, or duties of a fingerprint roller. Additionally, codifying security requirements do not require small businesses to incur any new costs. Certified fingerprint rollers already have safeguards in place to protect confidential information.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13), requires that DOJ must determine that no reasonable alternative considered by DOJ or that has otherwise been identified and brought to the attention of DOJ would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. DOJ invites interested persons to submit alternatives with respect to the proposed regulations during the written comment period. DOJ has determined that the proposed regulations are the most effective way to specify the application process for DOJ's FRCP, including appeal procedures related to denied or revoked certifications.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Department of Justice
California Justice Information Services Division
Attention: Tessa Edwin
P.O. Box 903387
Sacramento, CA 94203-3870
(916) 210-3142
fpcert@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Department of Justice
California Justice Information Services Division
Attention: Jennifer Price
P.O. Box 903387
Sacramento, CA 94203-3870
(916) 210-3142
fpcert@doj.ca.gov

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

DOJ will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the "express terms" of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on DOJ's website at <https://www.oag.ca.gov/regulations>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After DOJ analyzes all timely and relevant comments received during the 45-day public comment period, DOJ will either adopt these regulations substantially as described in this notice or make modifications based on the comments. If DOJ makes modifications which are sufficiently related to the originally-proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before DOJ adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. DOJ will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons will be available on DOJ's website at <https://www.oag.ca.gov/regulations>. Please refer to the contact information included above to obtain a written copy of the Final Statement of Reasons.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on DOJ's website at <https://www.oag.ca.gov/regulations>.

TITLE 11. DEPARTMENT OF JUSTICE

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

ONLINE FILING FOR REGISTRY OF
CHARITIES AND FUNDRAISERS

The Department of Justice (Department) proposes to amend sections 300, 301, 302, 303, 305, 306, 311, 313, 411, 415, 416, 420, and 940 of title 11, division 1, chapters 4, 4.6, and 10 of the California Code of Regulations concerning online filing with the Attorney General’s Registry of Charities and Fundraisers (Registry).

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed regulatory action. However, the Department 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 written comment period.

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 **June 16, 2026, at 5:00 p.m.** Only written comments received by that time will be considered. Please submit written comments to:

Department of Justice
Office of the Attorney General
Charitable Trusts Section
Attention.: D. Eldan, Deputy Attorney General
300 South Spring Street, Suite 1702
Los Angeles CA 90013
Telephone: (213) 269–6041
Facsimile: (916) 731–2145
charities.regulations@doj.ca.gov

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY AND REFERENCE

Authority: Section 94874.1, Education Code; Sections 12585, 12586, 12587, and 12599.10, Government Code; and Section 320.5, Penal Code.

Reference: Section 5227, Corporations Code; Section 94874.1, Education Code; Sections 12581, 12582, 12582.1, 12583, 12584, 12585, 12586, 12587, 12594, 12598, 12599, 12599.1, 12599.2, 12599.3, 12599.5, 12599.8, 12599.9, and 12599.10, Government Code; and Section 320.5, Penal Code.

Summary of Existing Laws and Regulations:

The Supervision of Trustees and Fundraisers for Charitable Purposes Act (Act) provides the Attorney General with enforcement and supervisory powers over all charitable corporations, unincorporated associations, trustees, and other legal entities holding property for charitable purposes, commercial fundraisers for charitable purposes, fundraising counsel for charitable purposes, commercial coventurers, and charitable fundraising platforms. (Gov. Code, § 12580 et seq.) The Act establishes the Registry, which is administered by the Department. (Gov. Code, § 12587.1.) The Attorney General is authorized to make rules and regulations regarding the Act. (Gov. Code, §§ 12586, subdivision (b), 12587.)

Organizations and persons subject to the Act are required to register, file periodic reports with, and pay specified fees to the Registry. (Gov. Code, §§ 12585, subdivision (a), 12586, 12599, 12599.1, 12599.2.) Charitable corporations, unincorporated associations, and trustees subject to the Act (collectively, Charities) must register within 30 days of first receiving property, and must renew their registration and file reports annually thereafter. (Gov. Code, §§ 12585, subdivision (a), 12586; Cal. Code Regs., title 11, §§ 300–307.) Commercial fundraisers for charitable purposes, fundraising counsel for charitable purposes, and commercial coventurers (collectively, Professional Fundraisers) must register, renew their registration and file reports annually thereafter, and file notices of intent to commence solicitation activities on behalf of their charitable organization clients. (Gov. Code, §§ 12599, 12599.1, 12599.2; Cal. Code Regs., title 11, § 313.)

Section 320.5 of the Penal Code provides that eligible nonprofit organizations may conduct raffles for beneficial or charitable purposes. Eligible nonprofit organizations conducting raffles (Raffle Fundraisers) must register with the Registry, pay a fee, and file annual reports on its raffle activities. (Pen. Code, § 320.5; Cal. Code Regs., title 11, § 415 et seq.)

Section 94874.1 of the Education Code provides that the Bureau for Private Postsecondary Education cannot verify the exemption of, or contract to handle complaints for, nonprofit institutions (Nonprofit Schools) that operated as for-profit institutions, unless the Attorney General has first verified specified information regarding the nonprofit institutions. In order to request such verification from the Attorney General, a nonprofit institution must file an “Application for Verification” with the Registry. (Ed. Code, § 94874.1, subdivision (a); Cal. Code Regs., title 11, § 940.)

Effect of the Proposed Rulemaking:

Charities, Professional Fundraisers, Raffle Fundraisers, and Nonprofit Schools (collectively, Charities and Fundraisers or registrants) will be required to submit filings and payments to the Registry online, rather than using paper documents and paper checks, except as otherwise required or permitted. Additional revisions in the rulemaking add clarity to existing regulatory requirements.

Anticipated Benefits of the Proposed Regulations:

Mandating online filing through rulemaking will allow the Registry to eliminate manual, time-consuming document-management tasks necessitated by paper filing (e.g., opening envelopes, removing staples, scanning documents, manually typing data into the Registry’s database). This will allow the Registry to process filings more quickly and accurately.

Further, the Registry’s new online filing service will prevent registrants from making errors during the filing process. The online filing service will ask registrants initial questions. Based on the answers, it will guide them to the appropriate form(s) and fields within such form(s). It will not allow a registrant to submit a form unless all required information and documents are provided, the form is signed under penalty of perjury, and the correct fee is paid. As a result, the Registry will receive a much smaller number of incomplete, inaccurate, or otherwise deficient filings, and will therefore be able to process more quickly the filings it receives.

Because fewer renewal filings will contain delinquency-causing errors, the number of delinquent registrations should be substantially reduced.

Also, the Registry currently responds to paper filings with paper correspondence sent by mail, which is slow and subject to loss in transit. By contrast, the Registry will generally respond via email to online filings, so communication will be instantaneous and more reliable. This too will contribute to faster and more efficient service by the Registry.

Mandatory online filing will confer benefits on registrants, without additional cost or burden. Registrants will no longer incur costs for paper, printer ink, and postage/delivery fees, and the related environmental costs of production and delivery will be avoided. With online payment instead of paper checks, there will be a substantially diminished incidence of insufficient fund (NSF) charges. Registrants can avoid processing fees for online payments by paying via Automated Clearing House (ACH) bank transfer. Online filing will require internet access, but such access is essentially universal today, and can be obtained free of charge at a public library or other public spaces.

The public will benefit from the Registry’s better and faster performance, and from the environmental

impact from moving away from paper filing. The public also will benefit from the instant capture of data through online filing, which will result in greater public transparency (because more data will be accessible through the Registry’s publicly available Registry Search Tool) and better-informed investigatory and enforcement efforts by the Department.

Comparable Federal Regulations:

There are no existing federal regulations or statutes comparable to these proposed regulations.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that these proposed regulations are not inconsistent or incompatible with existing State regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern the means by which documents are filed, and payments submitted, with the Registry, other than Section 315. Section 315 addresses, in relevant part, filing of documents and submission of payments to the Registry by charitable fundraising platforms and platform charities. Section 315 is not inconsistent or incompatible with these proposed regulations.

Forms Incorporated by Reference:

Initial Registration Form (Form CT–1, Rev. 05/2026), sec. 300, subdivision (b).

Annual Registration Renewal Fee Report (Form RRF–1, Rev. 05/2026), sec. 301, subdivision (b).

Annual Treasurer’s Report (Form CT–TR–1, Rev. 05/2026), sec. 301, subdivision (c).

Commercial Fundraiser for Charitable Purposes Annual Registration Form (Form CT–1CF, Rev. 05/2026), sec. 313, subdivision (a)(1).

Registry of Charities and Fundraisers Surety Bond Form (Form CT–4CF, Rev. 05/2026), sec. 313, subdivision (a)(3)(A). (Note that Form CT–4CF is incorporated by reference into section 313 but is not part of this proposed rulemaking.)

Deposit by Assignment in Lieu of Commercial Fundraiser for Charitable Purposes Surety Bond Form (Form CT–8CF, Rev. 05/2026), sec. 313, subdivision (a)(3)(B)(i).

Receipt for Notice of Assignment in Lieu of Commercial Fundraiser for Charitable Purposes Surety Bond Form (Form CT–9CF, Rev. 05/2026), sec. 313, subdivision (a)(3)(B)(iii).

Commercial Fundraiser for Charitable Purposes Annual Financial Report (Form CT–2CF, Rev. 05/2026), sec. 313, subdivision (a)(4).

Commercial Fundraiser for Charitable Purposes/Thrift Store Operations Annual Financial Report (Form CT–2TCF, Rev. 05/2026), sec. 313, subdivision (a)(4).

Commercial Fundraiser for Charitable Purposes/Vehicle Donation Program Annual Financial Report (Form CT-2VCF, Rev. 05/2026), sec. 313, subdivision (a)(4).

Fundraising Counsel for Charitable Purposes Annual Registration Form (Form CT-3CF, Rev. 05/2026), sec. 313, subdivision (b)(1).

Commercial Coventurer Annual Registration Form (Form CT-5CF, Rev. 05/2026), sec. 313, subdivision (c)(1).

Commercial Coventurer Annual Financial Report Form (Form CT-6CF, Rev. 05/2026), sec. 313, subdivision (c)(3).

Notice of Intent to Solicit for Charitable Purposes — Commercial Fundraiser for Charitable Purposes Form (Form CT-10CF, Rev. 05/2026), sec. 313, subdivision (d).

Notice of Intent to Provide Services Related to Charitable Solicitation — Fundraising Counsel for Charitable Purposes Form (Form CT-11CF, Rev. 05/2026), sec. 313, subdivision (d).

Application for Registration/Nonprofit Raffle Program (Form CT-NRP-1, Rev. 05/2026), sec. 411, subdivision (g).

Nonprofit Raffle Report (Form CT-NRP-2, Rev. 05/2026), sec. 411, subdivision (h).

Application for Verification (Form CT-SCHOOL-1, Rev. 05/2026), sec. 940, subdivision (a).

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department’s Initial Determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: Anticipated to be cost-neutral to Registry, with savings from online filing (e.g., greatly reduced document management and data entry) offset by increased IT cost for online filing maintenance.

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

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

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

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

Significant effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses, including ability to compete: The Department has made an initial determina-

tion that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Results of the Economic Impact Assessment (EIA):

The Department concludes that it is:

- (1) Unlikely that the proposal will create or eliminate jobs within the state;
- (2) Unlikely that the proposal will create new businesses or eliminate existing businesses within the state; and,
- (3) Unlikely that the proposal will result in the expansion of businesses currently doing business within the state.

The Department also concludes that:

- (1) The proposal will benefit the health and welfare of California residents by:
 - Increasing the efficiency and quality of services provided by the Registry, resulting in more effective regulation of Charities and Fundraisers, and protection of charitable assets in California for the benefit of California charitable beneficiaries; and,
 - Eliminating the environmental harm of large quantities of paper filed with the Registry, and of fossil fuel consumption to deliver paper documents to the Registry.
- (2) The proposal has no effect on worker safety, as it simply mandates filing online with the Registry rather than filing of paper documents.
- (3) The proposal will benefit the state’s environment by reducing substantially the number of paper documents filed with the Registry, which will result in less consumption of paper to produce such documents and in lower consumption of fossil fuels to deliver paper documents to the Registry.

Business report requirement: None.

Small business determination:

The Department has determined that the proposed action affects small businesses.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13), requires that the Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Department invites interested persons to submit

alternatives with respect to the proposed regulations during the written comment period.

The Department has determined that the proposed regulations are the most effective way to move from paper-based filing to online filing. There is no less burdensome or more cost-effective alternative to online filing. Online filing will impose no burden or cost on filers. They will avoid the cost and burden of the existing paper filing system (e.g., costs of paper, printer ink, postage/delivery fees). It will not require purchase of software or any other device or product. Filing fees can be paid online, without charge to the filer, via ACH bank transfer. Online filing requires access to the internet, but this is essentially universal today (and can generally be obtained for free, if necessary, at public libraries).

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Department of Justice
Office of the Attorney General
Charitable Trusts Section
Attention.: D. Eldan, Deputy Attorney General
300 South Spring Street, Suite 1702
Los Angeles CA 90013
Telephone: (213) 269-6041
Facsimile: (916) 731-2145
charities.regulations@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Department of Justice
Attention.: Marlon Martinez
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
(213) 269-6437
regulations@doj.ca.gov

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express

terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department’s website at <https://oag.ca.gov/regulations>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the Department analyzes all timely and relevant comments received during the 45-day public comment period, the Department will either adopt these regulations substantially as described in this notice or make modifications based on the comments. If the Department makes modifications which are sufficiently related to the originally-proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons will be available on the Department’s website at <https://oag.ca.gov/regulations>. Please refer to the contact information included above to obtain a written copy of the Final Statement of Reasons.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department’s website at <https://oag.ca.gov/regulations>.

TITLE 14. OFFICE OF SPILL PREVENTION AND RESPONSE

OIL TRANSFER OPERATIONS AND INSPECTION PROGRAM

Notice is hereby given that the Department of Fish and Wildlife’s Office of Spill Prevention and Response

(OSPR) proposes to amend section 845.2 of title 14 of the California Code of Regulations (CCR). This rulemaking action pertains to the vessel transfer operations inspection program.

OSPR invites interested persons to present comments, statements, or arguments with respect to the regulations during the written comment period.

PUBLIC HEARING

OSPR has not scheduled a public hearing on this proposed action. However, pursuant to Government Code section 11346.8, OSPR will hold a public hearing if a written request is received at the address below from any interested person or his or her authorized representative no later than fifteen (15) calendar days before the end of the 45–day comment period identified below.

SUBMISSION OF WRITTEN COMMENTS

Written comments relevant to the proposed regulatory action must be received by mail or email **no later than 5:00 p.m. (Pacific Time) on Tuesday, June 16, 2026** to the following:

Department of Fish and Wildlife
Office of Spill Prevention and Response
P.O. Box 944209
Sacramento, CA 94244–2090
Email: OSPRRegulations@wildlife.ca.gov

Please be sure to indicate the proposed rulemaking action to which your comment refers.

OSPR requests that comments be prepared on a separate document, rather than as written or digital markups attached to copies of the rulemaking documents.

AUTHORITY AND REFERENCE

Government Code sections 8670.7, 8670.17, and 8670.18 grant the Administrator of OSPR the authority to adopt regulations and guidelines for the proposed regulations. The proposed regulations implement, interpret and make specific Government Code sections 8670.17, and 8670.18.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations

The *Lempert–Keene–Seastrand Oil Spill Prevention and Response Act* (“the Act”) of 1990 requires the Administrator of OSPR (a Governor appointee and Chief Deputy Director of the Department of Fish and Wildlife) to establish regulations and guidelines that provide for the best achievable protection of coastal

and marine resources, public health and safety, and ensure that all areas of the coast are protected by prevention, response, containment and cleanup equipment, personnel, and operations.

The Act requires the Administrator to adopt, and periodically revise, rules, regulations and guidelines regarding the equipment, personnel, and operation of facilities and vessels that transport and transfer oil. [Gov. Code section 8670.17] The Act also grants authority to the Administrator to establish a vessel inspection program. [Gov. Code section 8670.18] Since 1994, OSPR has had in place regulations and a vessel inspection program to implement the mandates of the Act. [14 CCR sections 840 through 845.2].

Differences From Existing, Comparable Federal Laws or Regulations

OSPR’s regulations which implement the oil transfer and vessel operation provisions of the Act are not substantially different from nor do they conflict with federal regulations. [33 Code of Federal Regulations parts 154, 155, and 156] Rather, they serve to augment federal regulations to ensure that oil transport and transfer operations occurring in California marine waters are consistently and effectively monitored and inspected.

Policy Statement Overview and Anticipated Benefits of the Proposed Action

This proposed rulemaking will update OSPR’s regulations related to inspections of vessels engaged in oil transport and transfer operations aligning them with current practices and with the Act.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations

The Act grants similar inspection and monitoring authority to the California State Lands Commission for vessel–to–shore oil transfer operations at marine terminals. [Ref. Public Resources Code sections 8751, 8755, and 8757] OSPR’s inspection and monitoring regulations (14 CCR section 845.2) restate or refine those of the California State Lands Commission (2 CCR section 2320).

OSPR has determined that these proposed regulations are not inconsistent or incompatible with existing state regulations or statutes. After conducting a review for any state regulation or statute that would relate to or affect this area, OSPR has concluded that these are the only regulations that concern the equipment, personnel, and operation of facilities and vessels that transport and transfer oil in California.

DETERMINATIONS REGARDING THE PROPOSED ACTION

OSPR has made the following initial determinations:

- (a) *Mandate upon local agencies and school districts:* None.
- (b) *Costs or savings to any state agency:* None.
- (c) *Costs or savings to any local agency:* None.
- (d) *Costs or savings to any local agency or school districts which must be reimbursed in accordance with part 7, division 4 (commencing with section 17500) of the Government Code:* None.
- (e) *Other non–discretionary costs or savings imposed upon local agencies:* None.
- (f) *Costs or savings in federal funding to the state:* None.
- (g) *Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:* None.
- (h) *Cost a representative private person or business would necessarily incur in reasonable compliance:* OSPR is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (i) *Significant effect on housing costs:* None.

**RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT**

Pursuant to Government Code sections 11346.2, 11346.3, and 11346.5, with regard to these proposed regulations, OSPR has made the following initial determinations:

- *Whether this is a “major regulation”, having an economic impact on businesses and individuals exceeding \$50,000,000 in any 12–month period between the date the regulation is estimated to be filed with the Secretary of the State through 12 months after the regulation is fully implemented.*

These are not considered “major regulations” because the economic impact assessment concludes that the impacts, summing both costs and benefits, will be negligible.

- *Effects of the regulation on the creation or elimination of jobs within the State of California.* None.
- *Effects of the regulation on the creation of new businesses or the elimination of existing businesses within the State of California.* None.
- *Effects of the regulation on the expansion of businesses currently doing business within the State of California.* None.
- *Benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.* None. OSPR continues to inspect and monitor vessels engaged in oil trans-

fer operations. The proposed amendments do not create new benefits but indirectly further the objectives of the Act by supporting the continued protection of public health, worker safety, and the environment.

- *Business reporting requirement.* None.
- *Effect on small business.* This regulatory action will not affect small business. None of the businesses affected are small businesses as described and defined by sections 11346.3(b)(4)A) or 11342.610 of the Government Code.

CONSIDERATION OF ALTERNATIVES

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

OSPR invites interested persons to present reasonable alternatives to the proposed regulations during the written comment period.

**AVAILABILITY OF DOCUMENTS/OSPR
CONTACT PERSON**

OSPR will have the entire rulemaking file available for inspection and copying at its office at the address below. As of the date this notice is published in the California Regulatory Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the Initial Statement of Reasons, the Economic and Fiscal Impact Statement (STD 399), or other information upon which the rulemaking is based. Please direct inquiries concerning the regulatory process or requests for copies of any rulemaking documents to the following:

Department of Fish and Wildlife
Office of Spill Prevention and Response
Attention: Christine Kluge
P.O. Box 944209
Sacramento, CA 94244–2090
Phone: (916) 827–6553
Email: Christine.Kluge@wildlife.ca.gov

The backup contact person is Ryan Todd at the same address, or by phone at (916) 698–0036, or by email at Ryan.Todd@wildlife.ca.gov.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

This notice and related rulemaking documents identified above can also be accessed on OSPR's website at <https://wildlife.ca.gov/OSPR/Legal/Rulemakings/Oil-Transfer-Requirements>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

At the close of the 45-day comment period, and considering all timely and relevant comments received, OSPR may adopt the proposed regulations substantially as described in this notice. If OSPR makes modifications that are sufficiently related to the originally proposed text, the modified text (with the changes clearly indicated) will be made available to the public for at least 15 calendar days before OSPR adopts the regulations as revised. Any such modifications will also be posted on OSPR's website. Please direct requests for copies of any modified regulations to the attention of the contact person(s) indicated above. OSPR will accept written comments on the modified regulations for 15 calendar days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available on OSPR's website noted above and may be requested from the contact person(s) named in this notice.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

OVERFAMILIARITY GUIDELINES

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code (GC) section 12838.5 and Penal Code (PC) section 5055, and the rulemaking authority granted by PC section 5058, proposes to repeal section 3400 and adopt section 3401 of the California Code of Regulations (CCR), Title 15, Division 3, Chapter 1, concerning overfamiliarity.

PUBLIC HEARING

A virtual public hearing will be held on **June 16, 2026, from 1:30 p.m. to 2:00 p.m.** To join the vir-

tual hearing, follow this link: [click here](#) or you may call (916) 701-9994 and enter phone conference ID 728827103# to join by phone (audio only). The purpose of the hearing is to receive written and oral comments about the proposed regulations. Any person may submit public comments orally or in writing during the hearing.

PUBLIC COMMENT PERIOD

The public comment period will close on **June 16, 2026, at 5:00 p.m.** Any person may submit public comments in writing (by mail or by email) regarding the proposed changes. To be considered, comments must be submitted to California Correctional Health Care Services (CCHCS), Health Care Regulations and Policy Section, P.O. Box 588500, Elk Grove, CA, 95758, or by email to HCregulationsandpolicy@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

R. Hart
Associate Director
Risk Management Branch
California Correctional Health Care Services
P.O. Box 588500
Elk Grove, CA 95758
(916) 691-2922

A. Burrell
Supervisor II
Health Care Regulations and Policy Section
California Correctional Health Care Services
(916) 691-2921

AUTHORITY AND REFERENCE

GC section 12838.5 provides that commencing July 1, 2005, CDCR succeeds to, and is vested with, all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of abolished predecessor entities, such as: Department of Corrections, Department of the Youth Authority, and Board of Corrections.

PC section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the

CDCR. As of that date, the office of the Director of Corrections is abolished.

PC section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

References cited pursuant to this regulatory action are as follows: 6006, 6006.5, and 6007, PC.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The CDCR and CCHCS propose to repeal section 3400 and amend section 3401 of the CCR, Title 15, Division 3, Chapter 1, governing overfamiliarity. Current Title 15 regulations set forth boundaries for employees in their interactions with incarcerated persons, including topics of conversation, actions taken in the line of duty, and allowances in certain circumstances.

This regulatory action removes ambiguity to ensure overfamiliarity procedures align with current CDCR practices and allows for clear, practical, and enforceable distinctions between personal and professional interactions.

This action provides the following:

- Removes ambiguity in the current regulations related to overfamiliarity guidelines.
- Provides clearer expectations for employee interactions with the incarcerated and supervised populations.

BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

The Department anticipates the proposed regulations will benefit the CDCR staff by ensuring the Department follows standardized overfamiliarity processes and guidelines.

FORMS INCORPORATED BY REFERENCE

Not applicable.

EVALUATION OF CONSISTENCY/COMPATIBILITY WITH EXISTING REGULATIONS

Pursuant to GC section 11346.5(a)(3)(D), the Department must evaluate whether the proposed regulations are inconsistent or incompatible with existing State regulations. Pursuant to this evaluation, the De-

partment has determined these proposed regulations are not inconsistent or incompatible with any existing regulations within CCR, Title 15, Division 3.

LOCAL MANDATES

The proposed regulatory action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to GC section 17500-17630.

FISCAL IMPACT STATEMENT

- Cost or savings to any State agency: *None*.
- Cost to any local agency or school district that is required to be reimbursed: *None*.
- Other nondiscretionary cost or savings imposed on local agencies: *None*.
- Cost or savings in federal funding to the state: *None*.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs because this regulatory action relates solely to the internal process regarding overfamiliarity within CDCR which only affect CDCR staff.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has determined that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states because this regulatory action relates solely to the internal process regarding overfamiliarity within CDCR which only affect CDCR staff.

RESULTS OF ECONOMIC IMPACT ASSESSMENT

The Department has determined that the proposed regulations will have no impact on the creation of new or the elimination of existing jobs or businesses within California or affect the expansion of businesses currently doing business in California because this regulatory action relates solely to the internal process regarding overfamiliarity within CDCR which only affect CDCR staff.

In accordance with Government Code (GC) section 11346.3(b), the Department has made the following assessments regarding the proposed regulation:

1. *Creation or Elimination of Jobs within the State of California.*

The Department does not expect that the proposed regulations will have an impact on the creation of new or the elimination of existing jobs within the State of California. These regulatory changes pertain solely to internal process regarding overfamiliarity within CDCR.

2. *Creation of New or Elimination of Existing Businesses within the State of California.*

The Department does not expect that the proposed regulations will have an impact on the creation of new or the elimination of existing businesses within the State of California. These regulatory changes pertain solely to internal process regarding overfamiliarity within CDCR.

3. *Expansion of Businesses Currently Doing Business within the State of California.*

The Department does not expect that the proposed regulations will have an impact on the expansion of businesses currently doing business within the State of California. These regulatory changes pertain solely to internal processes regarding TB testing and requirements within CDCR.

BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

The Department anticipates the proposed regulations will benefit the CDCR staff by ensuring the Department follows standardized overfamiliarity processes and guidelines. The proposed regulations will have no effect on the State’s environment as the State’s environment is not impacted by these administrative and operational changes.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This regulation change pertains solely to the internal process regarding overfamiliarity within CDCR which only affect CDCR staff.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations will have no significant adverse economic impact on small businesses because this regulation change pertains solely to the internal process regarding overfamiliarity within CDCR which only affects CDCR staff.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The Department has made an initial determination that the action will not have a significant adverse economic impact on business. Additionally, there has been no testimony, reasonable alternative, or other evidence provided that would alter the CDCR’s initial determination to proceed with this action.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the proposed text and the Initial Statement of Reasons (ISOR) of the proposed regulatory action. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the contact person listed in this Notice. The proposed text, ISOR, and Notice of Proposed Action will also be made available on CCHCS’s website <https://cchcs.ca.gov> and CDCR institution law libraries.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the contact person listed in this Notice.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 calendar days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person listed in this Notice. The Department will accept written comments on the modified regulations for 15 calendar days after the date on which they are made available.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR ARROYO SECO
FISH PASSAGE PROJECT (TRACKING
NUMBER: 1653-2026-184-001-R4)
MONTEREY COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on April 15, 2026, that the Resource Conservation District of Monterey County proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves modifying an existing concrete sill, installing a roughened channel composed of engineered streambed material to facilitate fish passage. The proposed project will be carried out on the Arroyo Seco River, located near the city of Greenfield, Monterey County, California.

On 1/29/2026, the Central Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Arroyo Seco Fish Passage Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID Number 32726WQ03) for coverage under the General 401 Order on April 2, 2026.

The Resource Conservation District of Monterey County is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the Resource Conservation District of Monterey County will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request

is not complete, the Resource Conservation District of Monterey County will have the opportunity to submit under Fish and Game Code section 1652.

**DEPARTMENT OF
FISH AND WILDLIFE**

CALIFORNIA ENDANGERED SPECIES ACT
CONSISTENCY DETERMINATION
NUMBER 2080R-2026-005-02(R)

Project: Big Chico Creek Iron Canyon Fish Passage Project

Location: Butte County

Applicant: California Trout, Inc.

Background

California Trout, Inc. (Applicant) proposes to modify and restore a stretch of Big Chico Creek that is currently a barrier to fish passage. The barrier is currently impassible by salmonids due to large boulders and high vertical drops, which are the result of seismic activity in the early 1900's. Big Chico Creek Iron Canyon Fish Passage Project (Restoration Project) includes the removal and modification of the existing instream configuration of boulders and minor recontouring of the existing stream channel to return flows to passible conditions and prevent future impediments. Additionally, 17 historic, dilapidated concrete and rebar fish ladder weirs will be removed from the stream channel.

The modifications will be designed to reduce channel velocity and vertical drops while enhancing existing pools and creating new holding pools. The resulting channel dimensions and conditions will allow for successful fish passage at a range of flow regimes. The Restoration Project is located at Big Chico Creek, in the County of Butte; between Latitude 39.78365, Longitude -121.74013 and Latitude: 38.78629, Longitude -121.73855 (WGS 84 datum, decimal degrees); Assessor's Parcel Number 016-240-002.

The Restoration Project activities described above are expected to take¹ Spring-run Chinook salmon of the Sacramento River drainage (*Oncorhynchus tshawytscha*) (Covered Species) where those activities take place within Big Chico Creek. Take including direct mortality or injury of the Covered Species could occur as a result of the dewatering of the channel, during fish relocation, or due to heavy machinery used to remove submerged hazards during Restoration Project activities. Spring-run Chinook salmon of the

¹ Pursuant to Fish and Game Code section 86, "Take" means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

Sacramento River drainage are designated as threatened pursuant to both the federal endangered species act² (ESA) (16 U.S.C. § 1531 et seq.) and California Endangered Species Act (CESA). (Fish & Game Code, § 2050 et seq.; Cal. Code Regs., title 14, § 670.5, subdivisions (b)(2)(C).)

Covered Species individuals are documented as using areas downstream of the Restoration Project site, and there is suitable habitat for the Covered Species adjacent to the Restoration Project site. Because of the proximity of the nearest documented Covered Species, dispersal patterns of the Covered Species, and the presence of suitable habitat for the Covered Species within the Restoration Project site, the National Marine Fisheries Service (NMFS) determined that the Covered Species could occur within the Restoration Project site and that Restoration Project activities could result in take of the Covered Species. NMFS anticipates that take of two juvenile Covered Species and indirect mortality of one Covered Species will occur as a result of implementing the proposed Restoration Project and expects higher numbers of Covered Species to occur within the Restoration Project site after the Restoration Project is complete.

The Restoration Project meets the requirements of National Oceanic and Atmospheric Administration Restoration Center’s (NOAA RC) Program to Facilitate Implementation of Restoration Projects in the Central Valley of California (Program). Because the Program was expected to affect species protected by the federal ESA and their designated critical habitats, the Central Coastal California Office of the NOAA RC, the U.S. Army Corps of Engineers, Sacramento District Regulatory Division (Corps), and the Pacific Southwest Region of the U.S. Fish and Wildlife Service (USFWS) consulted with NMFS pursuant to section 7 of the ESA. On August 31, 2018, NMFS issued a Programmatic Biological Opinion, entitled Endangered Species Act Section 7(a)(2) Biological Opinion, and Magnuson–Stevens Fishery Conservation and Management Act Essential Fish Habitat Response and Fish and Wildlife Coordination Act Recommendations for the Program (NMFS file Number WCR–2017–8532) (PBO) to the NOAA RC, the Corps, and the USFWS for eligible restoration projects. The PBO describes eligible restoration projects and requires all project applicants operating under the PBO to comply with terms of the PBO and its incidental take statement (ITS).

The Applicant submitted a project-specific application and modified conservation measures dated June 6, 2025, to the NOAA RC for the Restoration Proj-

² The federal ESA listing unit for the Covered Species as it could occur in the Restoration Project site is the Central Valley spring-run Chinook Evolutionarily Significant Unit.

ect, a copy of which is attached hereto and incorporated herein as Exhibit 1. During consultation, the Applicant and NOAA RC negotiated minor modifications to a subset of avoidance and minimization measures in the PBO that were most applicable to the Restoration Project. The NOAA RC issued a first project-specific approval to the Applicant for the Restoration Project on September 3, 2025; a second project-specific approval to the Applicant for the Restoration Project on March 12, 2026, which modified the terms of the first NOAA RC project-specific approval; and a third project-specific approval to the Applicant for the Restoration Project on March 25, 2026, which modified the terms of the second NOAA RC project-specific approval (Combined Project-Specific Approval). The Combined Project-Specific Approval is attached hereto and incorporated herein as Exhibit 2. The NOAA RC’s Combined Project-Specific Approval for the Restoration Project requires the Applicant to comply with the terms of the ITS, along with the accompanying PBO, project-specific application, modified conservation measures, and Combined Project-Specific Approval terms, when carrying out the Restoration Project.

On March 16, 2026, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 2080.1 that the ITS, along with the accompanying PBO, project-specific application, modified conservation measures, and the Combined Project-Specific Approval for the Restoration Project, is consistent with CESA for purposes of the Restoration Project and the Covered Species. (Cal. Reg. Notice Register 2026, Number 14–Z, page 510.)

Determination

CDFW has determined that the ITS, along with the accompanying PBO, project-specific application, and Combined Project-Specific Approval, is consistent with CESA as to the Restoration Project and the Covered Species because the measures contained in the ITS, along with the accompanying PBO, project-specific application, and Combined Project-Specific Approval, meet the conditions set forth in Fish and Game Code section 2081, subdivisions (a) and (c), for authorizing take of CESA-listed species. Specifically, CDFW finds that: (1) take of the Covered Species will be for management purposes; (2) the measures required are roughly proportional in extent to any impact on the Covered Species that is caused by the Restoration Project; (3) the measures required maintain the Applicant’s project purpose to the greatest extent possible; and (4) the Restoration Project will not jeopardize the continued existence of the Covered Species.

Avoidance, Minimization, and Mitigation Measures.

The avoidance, minimization, and mitigation measures in the ITS, PBO, and project-specific modified measures included in the Combined Project-Specific Approval include, but are not limited to, the following:

- 1) The general construction season shall be from May 15 to October 31. Restoration, construction, fish relocation, and dewatering within any wetted or flowing stream channel shall only occur within this period. Revegetation outside of the active channel may continue beyond October 31, if necessary.
- 2) If removal of vegetation is required within project access or staging areas, the disturbed areas shall be replanted with native species, and the area will be maintained and monitored for a period of two years after replanting is complete to ensure the revegetation effort is successful. If replanting the riparian removal area is unsafe or unfeasible, an area of similar ecological characteristics within 1,000 feet of the impact site may be selected for planting and enhancement. The standard for success is 70 percent survival of plantings or 70 percent ground cover for broadcast planting of seed, after a period of two years. If revegetation efforts will be passive (i.e., natural regeneration), success will be defined as total cover of woody and herbaceous material equal to or greater than pre-project conditions. If at the end of 2 years, the vegetation has not successfully been reestablished, the applicant will be responsible for replacement planting, additional watering, weeding, invasive exotic eradication, or any other practice, to achieve these requirements. If success is not achieved within the first two years, the project applicant will need to prepare a follow-up report in an additional year's time.
- 3) Prior to dewatering a construction site, qualified individuals will capture and relocate Covered Species to avoid direct mortality and minimize adverse effects. This is especially important if Covered Species are present within the Restoration Project site.
- 4) Areas for fuel storage, refueling, and servicing of construction equipment must be located upland.
- 5) Prior to use, all equipment will be cleaned to remove external oil, grease, dirt, or mud. Wash sites must be located in upland locations so wash water does not flow into a stream channel or adjacent wetlands.
- 6) All construction equipment must be in good working condition, showing no signs of fuel or oil leaks. Prior to construction, all mechanical equipment shall be thoroughly inspected and evaluated for the potential of fluid leakage. All mechanical

equipment shall be inspected on a daily basis to ensure there are no motor oil, transmission fluid, hydraulic fluid, or coolant leaks. All leaks shall be repaired in the equipment staging area or other suitable location prior to resumption of construction activity.

- 7) When construction is complete, the diversion structure shall be removed as soon as possible in a manner that will allow flow to resume with the least disturbance to the substrate. Cofferdams will be removed so surface elevations of water impounded above the cofferdam will not be reduced at a rate greater than one inch per hour. This will minimize the probability of Covered Species stranding as the area upstream becomes dewatered.

Monitoring and Reporting Measures. The monitoring and reporting measures in the ITS and PBO include, but are not limited to, the following:

- 1) Following Restoration Project activities, the Applicant will submit a post-construction, implementation report to the NOAA RC. Submittal requirements will include Restoration Project as-built plans describing post implementation conditions and photo documentation of project implementation taken before, during, and after construction.
- 2) For Covered Species relocation activities, the report will include all fisheries data collected by a qualified biologist including the number of Covered Species killed or injured during the proposed action, the number and estimated year-classes of Covered Species captured and removed, and any effects of the Restoration Project on the Covered Species not previously considered. The Applicant will work with the NOAA RC to update the NOAA database used for tracking Covered Species killed or injured during a proposed action.
- 3) Post-project monitoring following the Restoration Project ideally will be conducted for at least two years, and up to five years, subject to NOAA RC project review (depending on funding and/or project complexity), to increase the probability of capturing a range of environmental conditions.

Although not a condition of the ITS, or the accompanying PBO, CDFW requests a copy of any monitoring reports. The reports should include dates construction occurred and the success of revegetation and restoration.

Pursuant to Fish and Game Code section 2080.1, take authorization under CESA is not required for the Restoration Project for take of the Covered Species, provided the Applicant implements the Restoration Project as described in the ITS, along with the accompanying PBO, project-specific applica-

tion, and Combined Project–Specific Approval, including adherence to all measures contained therein, and complies with the measures and other conditions described in the ITS, along with the accompanying PBO, project–specific application, and Combined Project–Specific Approval. If there are any substantive changes to the measures, or if NMFS amends or replaces the ITS, accompanying PBO, or Combined Project–Specific Approval, the Applicant shall be required to obtain a new consistency determination or a CESA take permit for the Restoration Project from CDFW. (See generally Fish & Game Code, §§ 2080.1, 2081, subdivisions (a) and (c)).

CDFW’s determination that the ITS, along with the accompanying PBO, project–specific application, and Combined Project–Specific Approval, is consistent with CESA is limited to the Covered Species and the Restoration Project.

Exhibit 2 — Combined Project–Specific Approval from NMFS.

**DEPARTMENT OF
FISH AND WILDLIFE**

HABITAT RESTORATION AND
ENHANCEMENT ACT CONSISTENCY
DETERMINATION NUMBER
1653–2026–182–001–R1

Project: Upper Sacramento River Anadromous Fish Habitat Restoration Program: Phase 2 Rockwads Project

Location: Shasta County

Applicant: Roger Cornwell, Sacramento Valley Ecological Restoration Foundation

Notifier: Jeff Souza, Tehama Environmental

Background

Project Location: The Upper Sacramento River Anadromous Fish Habitat Restoration Program: Phase 2 Rockwads Project (Project) is located within the Sacramento River, in Redding, California, 96001, just north of Highway 44 and just upstream of the Posse Grounds Boat Ramp at Latitude: 40°35’28.79”N and Longitude: –122°23’09.10”W.

Project Description: The Sacramento Valley Ecological Restoration Foundation (Applicant) proposes to enhance or restore habitat within the Sacramento River to provide a net conservation benefit for Chinook Salmon (*Oncorhynchus tshawytscha*). The Project includes installation of 25 instream deep–water rearing habitat wood / boulder structures for juvenile salmonids on the riverbed. The structures would consist of woody material (root wads and tree canopies of

orchard trees and native trees as available) firmly anchored (bolted) to angular boulders weighing approximately six tons each to ballast the structures. The fine woody material is intended to provide cover for juvenile salmonids to shelter from velocity and larger predators. The boulders are sized to anchor the structures and should not move during flows up to the 1 percent annual exceedance flow of 79,000 cubic feet per second (cfs).

Structures will be installed using a floating barge/tugboat with a small crane. A large crane will be used at the staging area to construct the barge and launch the tugboat. An excavator and loader will be used at the staging area to load the structures onto the barge. Haul trucks will be used to mobilize the barge sections and the rearing structures.

Some minor dredging of sand/gravel/cobble will occur in the boat ramp bay to lower recent deposition so that sufficient water depth is obtained to accommodate the draft requirements of the barge and tugboat. An area approximately 500 square feet would be modified by removing the material to an approved location.

Vegetation removal will include trimming a few trees at the boat ramp and parking lot, and some trimming of a few shrubs and blackberries in the boat ramp harbor to allow the crane cable to build and load the barge and for the barge to fit into the boat ramp.

Project Size: The total area of ground disturbance associated with the Project is approximately 1.83 acres and 100 linear feet. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050 subdivision (e), resulting from the Project include those associated with the following: (1) boulder/wood structures (2) gravel/sand/cobble.

Project Timeframes: Start date: April 2026

Completion date: March 2031

Work window: April 1st– May 31st

Water Quality Certification Background: Because the Project’s primary purpose is habitat restoration intended to improve the quality of waters in California, the Central Valley Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) and NOA Amendment for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 5A45CR00689 and 5A45CR00689A1, Electronic Content Management Identification (ECM PIN) Number 905612 for the Project. The NOA and Amendment de-

scribes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts to riparian species and aquatic species.

Receiving Water: Common Creek, tributary to the Russian River.

Filled or Excavated Area: Permanent area impacted: 0.02

Temporary area impacted: 1.83 acres maximum

Length permanently impacted: 320 linear feet

Length temporarily impacted: 320 linear feet

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

On March 20, 2026, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653 subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on March 20, 2026, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2026–0320–01) on April 3, 2026. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653 subdivision (f).

Determination

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

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

Avoidance and Minimization Measures

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

quirements are found in an attachment to the NOI, titled *Request to Approve Habitat Restoration or Enhancement Project* in the section titled *Supplemental Avoidance and / or Minimization Measures to Protect Fish, Wildlife, and Plant Resources* (beginning on page 10).

Monitoring and Reporting

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant’s Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI, titled *Request to Approve Habitat Restoration or Enhancement Project* in the section titled *Appendix D: Monitoring Plan* (beginning on page 84).

Notice of Completion

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

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

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

Project Authorization

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

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

FISH AND GAME COMMISSION

NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN pursuant to the provisions of Fish and Game Code Section 2073.3, that the California Fish and Game Commission (Commission) received on March 25, 2026 a petition from the Center for Biological Diversity to list Mount Pinos sooty grouse (*Dendragapus fuliginosus howardi*) as threatened or endangered species under the California Endangered Species Act (CESA).

Mount Pinos sooty grouse (MPSG) are part of the part of the Galliformes family, which includes chickens and pheasants, and are among the largest grouse species in North America. Males are gray to blue-gray in color with distinctive red to yellow-orange combs over their eyes, and black tail feathers featuring a light gray band across the tips. They also have yellow unfeathered skin on the sides of the neck. Female MPSG are mottled brown and cream and have a long, dark tail.

MPSG is a highly endemic subspecies that historically ranged from Kings Canyon in the southern Sierra Nevada southward (in Fresno, Tulare, and Inyo counties), and into the “sky island” Tehachapi Mountains, Piute Mountains, and the Frazier Mountain and Mount Pinos regions of Kern and Ventura counties. In winter, MPSG eat the needles of conifers along with buds and twigs. Their spring and summer diet includes more insects, conifer needles, leaves and flowers of herbs, and the leaves, flowers, and berries of shrubs. MPSG generally inhabit coniferous forests in mostly mountainous areas. Most breeding areas are open forests or regenerating burned areas.

On April 6, 2026, pursuant to Section 2073 of California Fish and Game Code, the Commission referred the petition to the California Department of Fish and Wildlife (Department). Pursuant to Section 2073.5, the Department will evaluate the petition and submit to the Commission a written evaluation report with a recommendation. The Commission received the petition on March 25, 2026, and noted receipt of the petition on its April 15–16, 2026 meeting agenda. The Department’s written evaluation of the petition and related recommendation is anticipated to be received in August 2026 and noted on the Commission’s October 14–15, 2026 meeting agenda.

For information about the petition or to submit information to the Department relating to the petitioned species, interested parties may contact Neil Clipperon, CESA and Scientific Collecting Permit Supervisor, California Department of Fish and Wildlife, by mail at P.O. Box 944209, Sacramento, California 94244–2090, telephone at (916) 373–6620, or email at wildlifemgt@wildlife.ca.gov.

OFFICE OF ADMINISTRATIVE LAW

PUBLIC INFORMATION SESSIONS

SCHEDULED IN 2026

The Office of Administrative Law (OAL) has scheduled two public information sessions this year. The sessions are scheduled for Tuesday, May 12th, from 11:00 a.m. to 1:00 p.m., and Tuesday, October 13th, from 11:00 a.m. to 1:00 p.m.

These two-hour public information sessions provide the basic principles of regulations and the Administrative Procedure Act (APA). Taught by OAL attorneys, students will learn about OAL and its role, how to participate in the rulemaking process, when an agency needs to adopt regulations, how regulations are adopted, and the underground regulation petition process. These special information sessions are specifically focused on assisting the public in understanding the APA and only members of the public are invited.

Registration information is available on OAL’s website at the following link: <https://oal.ca.gov/training/>.

DECISION NOT TO PROCEED

FISH AND GAME COMMISSION

NOTICE OF DECISION NOT TO PROCEED

Pursuant to Government Code Section 11347, notice is hereby given that the California Fish and Game Commission decided not to proceed with the amendment of Section 363, Title 14, California Code of Regulations, regarding pronghorn antelope hunting, Notice File Number Z2026–0113–09, which was published January 23, 2026 in California Notice Register 2026, Number 4–Z, pages 71–73.

Any interested person with questions concerning this rulemaking should contact Sherrie Fonbuena by calling (916) 653–4899, or by email at fgc@fgc.ca.gov.

The Commission will also publish this Notice of Decision Not to Proceed on its website.

**RULEMAKING
PETITION DECISIONS**

**DEPARTMENT OF
CORRECTIONS AND
REHABILITATION**

RULEMAKING PETITION DECISION

Petitioner

Anthony Osorio Linares, #AV7805.

Department Contact Person

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

Availability of Petition

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

Authority

Penal Code Sections: 5054 and 5058.

Provisions of California Code of Regulations Affected:

Title 15, Crime Prevention and Corrections.

Division 3, Adult Institutions, Programs and Parole.

Summary of Petition and Department Decision:

Section 3043.3

Petitioner's Request: Allow institution firefighters to receive two weeks of Milestone Completion Credit (MCC) for every three months of firehouse assignment.

Reason for Request: Institution firefighters are the only individuals left out of receiving MCC for firefighting, and they risk their lives and help save the lives and property of others.

Department's Response: The Department accepts the Petitioner's request to allow incarcerated institution firefighters to receive 2 weeks of MCC for every 3 months of institutional firefighting service. In addition, incarcerated persons assigned to the fire house performing the duties of support positions (non-fire suppression) will receive 1-week MCC for every 3 months of service. This is consistent with the most recent MCC approvals for CDCR fire camps performing the same or similar duties. The Department will move forward with promulgating a rulemaking action to adopt regulations to add this provision to the California Code of Regulations, section 3043.3. The Department will facilitate a public hearing once the rulemaking action is ready for public participation. A date, time and address will be included in the De-

partment's Notice of Change to Regulations (NCR). If you are interested in receiving NCRs to be notified of all regulation changes, please send your request to: Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001 to be added to mailing list.

**DEPARTMENT OF RESOURCES
RECYCLING AND RECOVERY**

RULEMAKING PETITION DECISION

April 16, 2026

Leonard Lang

1713 Mimosa Ln.

Eules, TX 76039

Via email: lang@recyclingandregulation.com

Dear Mr. Lang:

Thank you for your letter of March 19, 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 or CalRecycle) 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 2026-03-19**. 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, division 2, chapter 5 to promulgate: (1) regulations to further, implement, interpret or make specific CalRecycle's authority to utilize prepayment controls, and (2) regulations related to CalRecycle's use of volume spikes.

As to Item (2), CalRecycle notes that it issued a petition decision on an almost identical request on January 27, 2023. The reasons and decision remain the same as that previously issued decision but are being restated here for ease of reference. "The Department denies the second part of your petition for the reason explained

below. In order to prioritize reviews and investigations of certified entities under the California Beverage Container Recycling and Litter Reduction Act under section 14500, et seq. of the Public Resources Code and to prevent program payments, funded by consumers in California, for ineligible material, the Department uses a variety of information sources including volume spikes. Subdivision (e) of section 11340.9 of the Government Code explicitly excludes a regulation that establishes criteria or guidelines used by an agency in performing an audit, investigation, examination, or inspection if the disclosure of the criteria or guidelines would enable a law violator to avoid detection. If the Department promulgated standards for when volume spikes would be investigated or reviewed, then potential law violators would use those regulations to evade detection by the Department.” CalRecycle denies your petition as to Item (2).

As to Item (1), CalRecycle denies your petition but takes “other action” within the meaning of Government Code section 11340.7(b). As you reference the California State Auditor Report in 2014, the particular excerpt is from Page 28 of the California State Auditor Report 2014–110 (Audit Report), and it states the following:

“However, despite CalRecycle’s ability in state law to develop and implement such a prepayment control process, we noted one significant concern with its approach. Although state law authorizes CalRecycle to reduce or deny payments based on violations found during its review, our legal counsel has advised us that some of CalRecycle’s policies and procedures regarding prepayment holds would **likely be determined** to be unenforceable underground regulations because they were not properly adopted as regulations in accordance with the Administrative Procedures Act, which requires CalRecycle and other state departments to allow public comments on proposed regulations.” (emphasis added).

And this was formalized into a recommendation on page 40 of the Audit Report, which stated the following:

“To allow for public input and to prevent any legal challenges claiming that its policies and procedures regarding prepayment holds constitute unenforceable underground regulations, CalRecycle **should** adopt these policies and procedures as regulations in accordance with the Administrative Procedure Act.” (emphasis added).

CalRecycle notes that the emphasized language in both excerpts are not certain or mandatory. Given that the California State Auditor is not the final arbiter of what constitutes compliant behavior under the Act, in this regard, CalRecycle rejects your phrasing as inac-

curate that “...the Auditor had found it to be **underground regulation in the 2014 Audit Report.**” (emphasis in original). Your petition to institute rulemaking on prepayment controls as erroneously thought to be required by the California State Auditor is denied.

However, CalRecycle recognizes that there may be public and regulated entity interest in a rulemaking establishing prepayment controls and associated timelines. To further gauge interest in this topic, CalRecycle is committed to schedule a public meeting to explore this topic in more detail. Therefore, CalRecycle is taking “other action” as within the meaning of Government Code section 11340.7(b).

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 agency 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.

Sincerely,

/s/

Zoe Heller

Director

Department of Resources Recycling and Recovery
(CalRecycle)

**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.

Department of Public Health
File # 2026–0309–01
Industrial Hemp Intoxicating Cannabinoids

In this timely certificate of compliance action, the Department of Public Health makes permanent, with amendments, its emergency regulation that implements Health and Safety Code section 111921.7, subdivision (b), to include in the definition of “THC” additional cannabinoids determined by the department to cause intoxication.

Title 17
Adopt: 23010
Filed 04/21/2026
Effective 04/21/2026
Agency Contact:
Drew Brereton drew.brereton@cdph.ca.gov

State Allocation Board
File # 2026–0303–01
Leroy F. Greene School Facilities Act of 1998;
Proposition 2; Matching Shares

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

Baldwin Hills Conservancy
File # 2026–0408–06
BH UWC Proposition 4 Grant Program Guidelines

This emergency action by the Baldwin Hills and Urban Watersheds Conservancy (BH UWC) establishes procedures and criteria used to select projects for grant funding under the Safe Drinking Water, Wild-fire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. Pursuant to Public Resources Code section 90135(e), this is a deemed emergency and the subject regulations remain in effect until repealed or amended by Baldwin Hills and Urban Watersheds Conservancy.

Title 14
Adopt: 27001, 27002, 27003, 27004, 27005, 27006,
27007, 27008, 27009
Filed 04/20/2026
Effective 04/20/2026
Agency Contact: David McNeill (310) 403–7946

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

Office of Health Care Affordability
File # 2026–0408–02
Total Health Care Expenditures Data Collection

This emergency action by the Office of Health Care Affordability (OHCA) within the Department of Health Care Assess and Information amends total health care expenditure (THCE) data collection regulations to update two documents incorporated by reference, “THCE Data Submission Guide” (Version 3.0) and “Attribution Addendum” (dated April 2026), and adopt three related addendums regarding behavioral health, Medi-Cal payments, and primary care. Pursuant to Health and Safety Code section 127501.2, this action is deemed to be an emergency and effective for five years.

Title 22
Amend: 97445, 97449
Filed 04/20/2026
Effective 04/20/2026
Agency Contact: Jillian Hosseini (916) 326–3660

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 Multifami-

ly 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 and
 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 for Professional Engineers, Land Surveyors
 and Geologists
 File # 2026–0310–03
 Gender Neutral Terms and Technical Clean-up

In this section 100 action pursuant to California Code of Regulations, title 1, section 100, the Board for Professional Engineers, Land Surveyors, and Geologists updates Section 425 of Title 16 by incorporating gender neutral terms and minor technical updates.

Title 16
 Amend: 425
 Filed 04/21/2026
 Agency Contact: Angela Yu (916) 999–3610

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 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

State Teachers Retirement System
 File # 2026–0306–02
 Creditable Compensation Simplification

This California State Teachers’ Retirement System (CalSTRS) rulemaking action amends and adopts creditable compensation regulations to align with Education Code changes per AB 1997 (2003) regarding reporting of creditable compensation, including among other things, definitions and changes with respect to pay agreements, pay schedules, base pay, salary, special pay, supplemental pay, applicable employment classifications, and file formats for reporting relevant contribution information.

Title 05
 Adopt: 27250, 27251, 27300, 27400, 27401, 27600,
 27601, 27602
 Amend: 27201, 27300, 27301, 27400, 27401,
 27600, 27601, 27602, 27800, 27801
 Repeal: 27200
 Filed 04/20/2026
 Effective 07/01/2026
 Agency Contact: Sal Sanchez (916) 414–1984

State Water Resources Control Board
File # 2026-0310-01
Onsite Treatment and Reuse of Nonpotable Water

In this rulemaking action the State Water Resources Control Board (SWRCB) adopts regulations establishing risk-based water quality standards for onsite treatment and reuse of nonpotable water for indoor and outdoor nonpotable end uses in multifamily residential, commercial, and mixed-use buildings. The SWRCB adopts these regulations pursuant to Senate Bill 966 (Chapter 890, Stats. 2018) and Senate Bill 745 (Chapter 884, Stats. 2023).

Title 22
Adopt: 60600, 60602, 60604, 60606, 60608, 60610, 60620, 60622, 60624, 60630, 60632, 60634, 60640, 60642, 60670, 60672, 60674, 60676, 60678, 60680, 60682, 60684, 60686, 60688, 60690, 60692, 60694, 60696, 60700, 60702, 60704, 60706, 60708, 60710
Filed 04/22/2026
Effective 04/22/2026
Agency Contact: Sherly Rosilela (916) 341-5578

Department of Social Services
File # 2026-0310-02
CalWORKs Home Visiting Program (HVP)

In this resubmitted rulemaking action, the Department of Social Services adds sections to its Manual of Policies and Procedures (MPP) to establish the Home Visiting Program. The regulations set forth definitions, county responsibilities, program eligibility and service requirements, and rules related to pro-

gram participation. The regulations also address data collection.

Title MPP
Adopt: 51-001, 51-010, 51-101, 51-110, 51-120, 51-130, 51-140
Amend: 40-107
Filed 04/21/2026
Effective 07/01/2026
Agency Contact:
Kenneth Jennings (916) 216-5845

**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.