



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: West Valley–Mission
Community College Center

A written comment period has been established commencing on October 2, 2026, and closing on November 16, 2026. Written comments should be directed to the Fair Political Practices Commission, Attention: Maia Kocinsky–Kirkham, 1102 Q Street, Suite 3050, Sacramento, California 95811.

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

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

The Executive Director of the Commission, upon their own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code. Any written comments must be received no later than November 16, 2026. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest code should be made to Maia Kocinsky–Kirkham, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email mkocinsky-kirkham@fppc.ca.gov.

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

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

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

**§5006.1. MOBILE CRANE AND TOWER
CRANE — OPERATOR QUALIFICATIONS
AND CERTIFICATION (APPLICABLE
TO CRANES IN GENERAL INDUSTRY
ONLY) AND §5006.2. OPERATOR
TRAINING, CERTIFICATION, AND
EVALUATION FOR CRANES AND
DERRICKS IN CONSTRUCTION**

NOTICE IS HEREBY GIVEN that the California Department of Industrial Relations — Occupational Safety and Health Standards Board (Board) proposes amendments to regulations governing the certification and recertification of crane operators, in sections 5006.1 and 5006.2 of the General Industry Safety Orders (GISO) contained in title 8 of the California Code of Regulations. If approved, the proposed changes would amend the sections to make clear and specific the requirements for recertification’s “hands-on” examination exemption. The proposed amendments also would make clear and specific the crane types that apply to the sections.

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: November 19, 2026

Location: **Hilton Garden Inn Monterey**
1000 Aguajito Road
Monterey, CA 93940

OR

Videoconference:
<https://tkoworks.zoom.us/j/87501250331>

(Conference ID: 875 0125 0331)

Call-in Number: (669) 444-9171
(Conference ID: 875 0125 0331)

**Live video stream and audio stream
(English and Spanish):**
<https://videobookcase.com/california/oshsb>

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 November 19, 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: Recertification of Crane Operators —
Marlo Miura

By email to: oshsbulemaking@dir.ca.gov

**PERMANENT ADOPTION
OF REGULATIONS**

Following the public comment period, the Board may adopt the proposals, as described below, or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of minor technical or grammatical changes, the text of any modified proposal will be available for at least 15-days prior to its adoption from the contact person(s) designated in this notice and will be mailed to those persons who have submitted written or oral testimony related to this proposal or who have requested notification of any changes to the proposal. The Board

will accept written comments on the modified regulations during the 15–day period.

AUTHORITY AND REFERENCE

The authority and reference for this action occur through both implied and express authority as described below:

Authority: Labor Code, section 142.3.

Reference: Labor Code, section 142.3.

INFORMATIVE DIGEST SUMMARY OF EXISTING LAW AND REGULATIONS

Existing state regulations establish requirements for operators of cranes and derricks in construction and operators of cranes in general industry. These requirements are found in title 8, California Code of Regulations, sections 5006.1 and 5006.2 of the GISO.

SUMMARY OF THE EFFECT OF PROPOSED REGULATORY ACTION

The Board proposes to amend regulations in subchapter 7 to ensure worker safety by clarifying language in section 5006.1 and section 5006.2. Section 5006.1 regulates the qualifications, certification and recertification of mobile and tower crane operators in general industry. Section 5006.2 regulates the training, certification and recertification, licensing and evaluation of derrick and crane operators in construction. The purpose of these proposed regulations is to:

- Make the accreditation of certifying entities easier to understand;
- Provide consistent and clearly defined crane types by applying to these sections the crane types listed in section 4884; and,
- Clarify and make more specific the “hands–on” examination exemption that is part of the operator’s recertification process.

Those sections within title 8, California Code of Regulations, affected by this rulemaking (see “Sections Affected,” below) and the specific purpose for each adoption in these proposed regulations are set forth in the Initial Statement of Reasons for this regulatory action.

SECTIONS AFFECTED

The following are the specific sections of Chapter 4 affected by this proposed action:

Amend: 5006.1, 5006.2.

DOCUMENTS INCORPORATED BY REFERENCE

None.

POLICY STATEMENT OVERVIEW

This rulemaking action proposes amendments to current requirements for the recertification of crane operators. The specific regulations are title 8 subsections 5006.1(d) and 5006.2(d)(3), which apply to the general industry and construction industry, respectively. Both regulations require that for recertification, a certificant either: (1) retake a “hands–on” practical examination or (2) have at least 1,000 hours of documented experience operating “the specific type of crane” for which certification is sought.

The proposed amendments to subsections 5006.1(c) and 5006.2(d)(2) clarify that certification is based on the accrediting agency’s determination that industry–recognized criteria for personnel have been met which is needed in order to facilitate compliance with the current International Organization for Standardization (ISO) standards.

The proposed amendments to subsections 5006.1(c) and 5006.2(c)(1) provide consistent and clearly defined crane types by applying to these sections the crane types listed in section 4884.

The proposed amendments to subsection 5006.1(d) and 5006.2(d)(3) clarify the requirements for recertification using the hands–on exemption, specifically the accredited certifying entities’ role.

ANTICIPATED BENEFITS OF THE PROPOSED ACTION

The Board has determined that these proposed regulations benefit worker safety by making clear and specific the requirements regarding the “hands–on” examination exemption. It also benefits worker safety by making clear and specific the crane types that apply to the sections. Employers and Cal/OSHA personnel will have clearer requirements allowing for simpler and more uniform compliance and enforcement of existing regulations.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

The proposed edits clarify existing state regulations and are consistent with the existing state regulations. The Board evaluated the proposed regulations pursuant to Government Code section 11346.5(a)(3)(D) and has determined that the regulations are not inconsistent or incompatible with existing state regula-

tions. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility of that system's component regulations is provided by such things as: (1) the requirement of the federal government and the Labor Code that the state regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Board).

SMALL BUSINESS IMPACT STATEMENT

Small businesses will not be affected by these regulations. (See "Cost Impact on Representative Private Person or Business" paragraph, below.)

DISCLOSURES REGARDING THE PROPOSED ACTION

- Mandate on local agencies and school districts: NONE.
- Costs or savings to any state agencies: NONE.
- Costs or savings to local agencies or school districts, which must be reimbursed in accordance with Part 7 (commencing with Section 17500) of Division 4 of the Government Code: NONE.
- Other nondiscretionary costs or savings imposed on local agencies: NONE.
- Costs or savings in federal funding to the state: NONE.
- Costs to housing: NONE.

BUSINESS IMPACT

The Board has made an initial determination that the proposed regulations will not have a statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states, and will not affect the creation or elimination of jobs or businesses in the State of California. This is because the proposed regulatory action was developed with the assistance of an advisory committee made up of local government agencies and industry and labor representatives discussing the least burdensome means for accomplishing the necessary objectives. There is no significant cost associated with complying with the proposed amendments. The majority of the proposed changes clarify specific requirements of the existing regulations and would not alter the behavior of those who must comply with the regulations.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The Board has determined that the proposed regulatory action will not have a significant adverse effect on a representative private person or business.

IMPACT ON PRIVATE INDIVIDUALS AND SMALL BUSINESSES

The Board has determined that the proposed regulatory action will not have a significant adverse effect on private individuals or small businesses. This is because the proposed regulatory action was developed with the assistance of an advisory committee tasked to discuss the least burdensome means for accomplishing the necessary objectives. There is no significant cost associated with complying with the proposed amendments. The majority of the proposed changes clarify specific requirements of the existing regulations and would not significantly alter the behavior of private individuals or small businesses who must comply with the regulations.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The Board does not anticipate any changes in the creation or elimination of jobs within California, creation of new businesses or elimination of existing businesses within California, or expansion of businesses currently doing business within California due to the clarification of existing requirements. The Board does not anticipate any changes in the number of jobs or occupations due to the clarification of these regulations. Proposed clarifications assure that the accredited certifying entities are able to comply with their existing requirements for their own accreditation. Unquantifiable benefits to the health and welfare of California residents, workers and the state include increased safety for anyone exposed to cranes and work around cranes. No significant environmental impact is anticipated from the proposed action. Therefore, the proposed regulation action will not benefit the environment.

This is because making clear and specific the requirements regarding the "hands-on" examination exemption ensures that operator certifications are issued based on accurate and complete information. This is needed to make clear and certain that certifying entities have the ability to limit recertification based on safety incidents as required by their accredited program.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 than the proposal described in this Notice. The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled public hearing or during the written comment period.

AVAILABILITY OF DOCUMENTS AND CONTACT PERSON

The Board has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. Copies of the exact language of the proposed regulations, the Initial Statement of Reasons, the rulemaking file, the Final Statement of Reasons (when available) and other information, if any, may be obtained upon request at the following location or from the contact people listed below:

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

In addition, the Notice of Proposed Action, the exact language of the proposed regulations and the Initial Statement of Reasons may be found on the Board's website at the following address: <https://www.dir.ca.gov/oshsb/>.

Questions regarding the regulatory process or clarification on the substance of this regulatory proposal may be directed to:

Marlo Miura, Regulatory Analyst
Telephone: (916) 274–5721
Email: oshsbulemaking@dir.ca.gov

Kevin Goddard, Principal Safety Engineer
Telephone: (916) 759–6481
Email: kgoddard@dir.ca.gov

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

DRIVER SAFETY HEARINGS

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Sections 115.01, 115.04, 115.08, 115.10, and 115.13, and repeal Sections 115.06, 115.14 and 115.15, in Article 2.4, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to Driver Safety Hearings.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **November 16, 2026**, the final day of the written comment period, for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt the proposed action under the authority granted by Vehicle Code sections 1651 and 1801.2, and Government Code sections 11400.20, to implement, interpret, or make specific Vehicle Code sections 13558, 16070, and 16075, and Government Code sections 11440.20, 11440.30, 11440.60, 11450.05, 11450.30, 11455.30, and 11524.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The department is authorized by Vehicle Code section 13558 to conduct administrative hearings for drivers who receive a notice of an order of suspension or revocation. The department recently amended its administrative hearing regulations due to, among other things, changes to Government Code sections

11440.20 and 11440.30, related to the service of electronic documents and conducting hearings by telephone or other electronic means, respectively.

During the time the amended regulations have been effective, the department has found provisions that should be revised to ensure optimal clarity for impacted drivers, their potential representatives, and hearing officers.

The department is proposing to make the following changes to its administrative hearing regulations:

§ 115.01. Definitions.

Amending the definition of “Hearing Officer” to a person or board of people appointed to hear the case and render decisions.

Amending the definition of “Representative” to mean the attorney or other person the driver has requested represent them.

§ 115.04. Hearing Requests and Late Hearing Requests.

Requires a hearing request to be made in writing on a form specified by the department and clarifies that a hearing request made by a representative can only be made by telephone.

Clarifies that failure to request a hearing within 10 days of the receipt of notice of suspension or revocation will be considered a waiver of the right to hearing and the department will take action without a hearing.

§ 115.06. Electronic Service.

Section 115.06 is proposed for repeal to avoid clarity issues related to recently passed legislation.

§ 115.08. Discovery.

Removes a provision that establishes deadlines for the transfer of information related to witnesses and discovery and, instead, relies on the deadlines established in Government Code section 11507.6 and in the Vehicle Code.

Clarifying changes related to late discovery requests and to the service of discovery by electronic means.

§ 115.10. Hearings.

Clarifying amendment to ensure that each party, in addition, to all witnesses have appropriate and necessary information to participate in the hearing.

§ 115.13. Motion for a Continuance of Hearing.

Allows a hearing officer to continue a hearing on their own motion as necessary to make an accurate determination, to obtain complete information regarding the case, or in the interest of justice.

§ 115.14. Hearing Officer Disqualification.

Repeals Section 115.14 in its entirety as it is duplicative of statute.

§ 115.15. Request for the Disqualification of a Hearing Officer.

Repeals Section 115.15 in its entirety as it is duplicative of statute.

BENEFITS OF THE PROPOSED REGULATION

The department anticipates the changes made to the regulations will add clarity to existing regulations that were recently amended. The revisions will ensure the rules are easier to follow for drivers, their representatives and hearing officers. Adding clarity to existing regulations will also benefit the driver by removing barriers that cause hearings to be unnecessarily delayed.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department conducted a review of other state regulations and found there are no other regulations related to driver safety hearings conducted by the department, therefore, the department has determined this action is neither inconsistent nor incompatible with other state regulations.

COMPARABLE FEDERAL STATUTES OR STATE REGULATIONS

There are no comparable federal statutes or state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The following document is incorporated by reference:

- Request for Driver Safety Hearing, form DS 2300 (NEW 3/2026).

The department is not publishing this document in the California Code of Regulations because it would be burdensome and cumbersome to do so, however, the document is available, upon request, by the department representative identified in this Notice.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- Cost or Savings to Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Effects on Housing Costs: None.
- Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.: None.

- **Cost Impact on Representative Private Persons or Businesses:** The department does not anticipate this action will impact representative private persons or businesses as there are no costs to the driver to have a driver safety hearing.
- **Small Business Impact:** This action may impact small businesses.
- **Local Agency/School District Mandate:** The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- **Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:** The department does not anticipate this action will have a significant statewide adverse economic impact directly affecting businesses, including the ability of California to compete with businesses in other states. This action streamlines the process in which driver hearings are conducting allowing the hearings to progress more efficiently. The changes will not likely have an adverse economic impact.

RESULTS OF THE ECONOMIC IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

This proposed action is unlikely to impact 1) the creation or elimination of jobs within the State of California, 2) the creation or elimination of existing businesses within the State of California, 3) the expansion of businesses currently doing business within the State of California, or 4) worker safety or the state's environment.

This action may benefit the welfare of California residents by ensuring driver safety hearings progress efficiently.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

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 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 provisions of law.

CONTACT PERSON

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

Randi Calkins, Regulations Specialist
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 282-7294
Facsimile: (916) 657-6243
Email: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Peggy Gibson, Attorney IV
Department of Motor Vehicles
Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strike-out to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons, and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/about->

[the-california-department-of-motor-vehicles/
california-dmv-rulemaking-actions/](https://www.cdcr.ca.gov/the-california-department-of-motor-vehicles/california-dmv-rulemaking-actions/).

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

CONDEMNED FUNCTIONAL SUPPORT TOOL

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or department), proposes to amend Sections 3000, 3369.6, 3369.12, and 3370 and the adoption of Section 3369.14 of Title 15, Division 3, Chapter 1, regarding Condemned Functional Support Tool (CFST).

PUBLIC COMMENT PERIOD

The public comment period begins **October 2, 2026** and closes on **November 19, 2026**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rpmb@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the contact person listed below.

CONTACT PERSONS

Primary Contact

A. Colavita
Telephone: (279) 223-2314
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

Back-Up

Y. Sun
Telephone: (916) 203-9779
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

Program Contact

R. Jauregui
Telephone: (279) 223-3595
Division of Adult Institutions
P.O. Box 942883
Sacramento, CA 94283-0001

PUBLIC HEARING

Date and Time: **November 19, 2026 — 10:00 a.m.
to 11:00 a.m.**

Place: State of California, Building C, first floor,
Room 101
8260 Longleaf Drive
Elk Grove CA 95758

AUTHORITY AND REFERENCE

Government Code 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.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to 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 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons. **PC Section 5058.3** authorizes the Director to certify in a written statement filed with Office of Administrative Law that operational needs

of the department require adoption, amendment, or repeal of regulation on an emergency basis.

Additional Authority and Reference Citations cited in the amended CCR sections include:

Sections 2081.5 and 6126.5, Penal Code; Sections 56.10, 1798.24 and 1798.40, Civil Code; Code of Federal Regulations, Title 45, Sections 164.512 and 164.524; and *Clark v California* (2002) USDC ND (Number C 96 1486 CRB).

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Currently, condemned incarcerated persons are able to waive screening for developmental disabilities and inclusion in the Developmental Disability Program (DDP), per California Code of Regulations (CCR) subsection 3369.6(a)(1), as condemned incarcerated persons may feel that DDP screening could adversely impact their pending or future appeal of their capital sentence. This waiver does not dismiss the department’s responsibility to identify condemned incarcerated persons who have waived DDP screening and may benefit from additional assistance due to their functional needs.

The purpose of the proposed regulations is to ensure compliance with the Americans with Disabilities Act (ADA) by establishing the CFST screening to identify and address the needs of the condemned incarcerated population without impacting a pending or future appeal to their capital sentence when they waive DDP screening. CFST screening will not have an impact on a condemned incarcerated person’s appeal, as it is only intended to identify assistance that a condemned incarcerated person may need in the correctional setting in order to access programs, services, and activities, and, unlike DDP screening, it is not a diagnosis of a disability or an evaluation of cognitive functioning or IQ.

This action will:

- Provide for new definitions in section 3000 related to functional supports and screening.
- Require CFST screening for condemned incarcerated persons who have waived DDP screening pursuant to CCR subsection 3369.6(a)(1).
- Include functional supports as necessary reasonable accommodations to enable condemned incarcerated persons’ program participation.
- Establish new Article 9.2, Functional Support Screening, and new section 3369.14, Condemned Functional Support Tool, which provide the procedures for CFST screening and set forth provisions, such as: condemned incarcerated persons determined to have functional support needs shall be scheduled for a classification commit-

tee within 14 working days after the completed screening, and staff who regularly interact with a condemned incarcerated person with functional support needs shall provide assistance and accommodations in accordance with their identified functional supports.

- Establish that incarcerated persons shall not have access to another condemned incarcerated person’s CFST status.

**DOCUMENTS INCORPORATED
BY REFERENCE**

None.

**SPECIFIC BENEFITS ANTICIPATED BY
THE PROPOSED REGULATIONS**

These regulations will provide a statewide, standardized screening process for condemned incarcerated persons who waive DDP screening but qualify for assistance with functional support needs. These proposed regulations comply with ADA laws and will help ensure the fair and consistent administration of these regulations as they relate to condemned incarcerated persons with functional support needs. All of the proposed changes are designed to support the department’s mission of providing a safe and secure environment, and to provide equity, inclusivity, and non-discrimination for condemned incarcerated persons who qualify for functional supports.

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

Pursuant to Government Code 11346.5(a)(3)(D), the department has determined the proposed regulations are not inconsistent or incompatible with existing 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 Condemned Functional Support Tool.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 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.

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.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations place no obligations or requirements on any business.

EFFECT ON SMALL BUSINESSES

The department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small businesses because they place no obligations or requirements on any business.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department has determined that the proposed regulation will not have any impact on the following:

- Creation or elimination of jobs within California.
- Creation of new businesses or elimination of existing businesses within California.
- Expansion of businesses currently doing business with the state.
- Worker safety or the state's environment.

The department has determined that the proposed regulations will benefit the health and welfare of California residents; specifically, CDCR condemned incarcerated persons who qualify for assistance with functional support needs, because the proposed reg-

ulations promote equity, inclusivity, and nondiscrimination of these individuals.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The department has prepared and will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. 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 department's contact person. The proposed text, ISOR, and Notice of Proposed Regulations will also be made available on the department's website: www.cdcr.ca.gov.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the department's contact person.

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 days before the department adopts, amends or repeals the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The department will accept written comments on the modified regulations for

at least 15 days after the date on which they are made available.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

**CESA CONSISTENCY DETERMINATION
REQUEST FOR BONITA SCHOOL BRIDGE
REPLACEMENT PROJECT
2080–2026–010–05 SANTA BARBARA**

The California Department of Fish and Wildlife (CDFW) received a notice on September 16, 2026 that County of Santa Barbara Public Works Department in collaboration with the California Department of Transportation proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves removing and replacing a bridge over the Santa Maria River. Proposed activities will include, but are not limited to, the demolition and removal of the existing bridge, removing embankment fill and vegetation as needed, and installing a new bridge. The proposed project will occur at the current Bonita School Road and bridge that crosses the Santa Maria River approximately 3.4 miles west of the City of Santa Maria (North 34.986219° West 120.513637°).

The U.S. Fish and Wildlife Service (Service) issued a reinitiated federal biological opinion (BO)(Service Ref. Number 08EVEN00–2021–F–0517) in a memorandum to the U.S Bureau of Reclamation on September 15, 2026, which considered the effects of the proposed project on state and federally endangered Least Bell’s Vireo (*Vireo bellii pusillus*).

Pursuant to California Fish and Game Code section 2080.1, Santa Barbara Public Works is requesting a determination that the Incidental Take Statement (ITS) and its associated BO are consistent with CESA for purposes of the proposed project. If CDFW determines the ITS and associated BO are consistent with CESA for the proposed project, Santa Barbara Public Works will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

**DEPARTMENT OF
FISH AND WILDLIFE**

**CESA CONSISTENCY DETERMINATION
REQUEST FOR GREEN DIAMOND
RESOURCE COMPANY — HABITAT
CONSERVATION PLAN FOR MARBLED
MURRELET 2080–2026–011–01
DEL NORTE AND HUMBOLDT COUNTIES**

The California Department of Fish and Wildlife (CDFW) received a notice on September 15, 2026, that the Green Diamond Resource Company proposes to rely on a federal permit to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves forest management activities on commercial timberlands. Proposed activities will include, but are not limited to, growing, harvesting, and transporting timber; timber stand regeneration and improvements; road and landing construction and maintenance; fuel break construction and maintenance; and monitoring and research. The proposed project will occur on 380,457 acres of land spread throughout the Coast range in Del Norte and Humboldt Counties, California.

The Green Diamond Resource Company prepared a Habitat Conservation Plan (HCP) which considered the effects of the proposed project on state endangered and federally threatened marbled murrelet (*Brachyramphus marmoratus*). The U.S. Fish and Wildlife Service (Service) issued a federal incidental take permit (ITP)(Permit Number ESPER34302571) to the Green Diamond Resource Company on September 12, 2026. On September 10, 2026, the Service issued a biological opinion (Service file Number AFWO–2024–0146093) on the issuance of the ITP.

Pursuant to California Fish and Game Code section 2080.1, the Green Diamond Resource Company is requesting a determination that the ITP and its associated HCP are consistent with CESA for purposes of the proposed project. If CDFW determines the ITP and its associated HCP are consistent with CESA for the proposed project, the Green Diamond Resource Company will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC MEETING AND BUSINESS MEETING OF

Pursuant to Government Code section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board (“Board”) of the State of California has set the time and place for a Public Meeting and Business Meeting:

QR Code for Access:



On **October 15, 2026**, at 10:00 a.m.
San Diego County Administration Center
Room 310
1600 Pacific Highway
San Diego, California 92101

as well as via the following:

- Videoconference at <https://tkoworks.zoom.us/j/87501250331>.
- Teleconference at (669) 444-9171 (Webinar ID 875 0125 0331).
- Live video stream and audio stream (English and Spanish) at: <https://videobookcase.com/california/oshsb/>.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE: Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1 (866) 326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1 (800) 735-2929 (TTY) or 1 (800) 855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

OFFICE OF ADMINISTRATIVE LAW

PUBLIC INFORMATION SESSION SCHEDULED: OCTOBER 2026

The Office of Administrative Law (OAL) has scheduled a public information session for Tuesday, October 13th, from 11:00 a.m. to 1:00 p.m.

This two-hour public information session covers the basic principles of the Administrative Procedure Act (APA). Taught by OAL attorneys, students will learn about OAL, how to participate in the rulemaking process, when an agency needs to adopt regulations, how regulations are adopted, and the underground regulation petition process. This special information session is 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/>.

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 Food and Agriculture

File # 2026-0901-02

Cotton Jassid (Two-Spotted Leafhopper) Exterior
Quarantine

In this certificate of compliance pursuant to Government Code section 11346.1(e), the California De-

partment of Food and Agriculture makes permanent OAL File Number 2026–0302–01E, which establishes an exterior quarantine for the cotton jassid (*Amrasca biguttula*), also known as the two-spotted cotton leafhopper.

Title 03
Adopt: 3290
Filed 09/21/2026
Effective 09/21/2026
Agency Contact: Rachel Avila (916) 698–2947

California School Finance Authority

File # 2026–0909–05

Charter School Revolving Loan Fund

In this emergency readoption action pursuant to Government Code section 11346.1(h), the California School Finance Authority is amending regulations regarding the Charter School Loan Fund Program. The primary purpose of this emergency readoption action is to implement, interpret, and make specific statutory changes resulting from the enactment of Senate Bill 631 (Chapter 776, Stats. 2025). Lastly, this is a deemed emergency pursuant to Education Code section 41365(b).

Title 04
Amend: 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23
Filed 09/16/2026
Effective 09/30/2026
Agency Contact: Will Jarrell (916) 651–7711

California State University

File # 2026–0806–01

Baccalaureate Degree Formats — Nonsubstantive Change

The Board of Trustees of the California State University submits this file and print action pursuant to Education Code section 89030.1 to correct a typographical error in California Code of Regulations (CCR), title 5, section 40403. This action is exempt from the Administrative Procedure Act under Education Code section 89030 and is submitted to the Office of Administrative Law for courtesy filing with the Secretary of State and for printing in the CCR under Education Code section 89030.1.

Title 05
Amend: 40403
Filed 09/17/2026
Effective 09/17/2026
Agency Contact: Jason Taylor (562) 951–4500

Fair Political Practices Commission

File # 2026–0824–01

Combined Campaign Reports

This file and print action pursuant to Government Code section 11343.8, by the Fair Political Practices Commission, adopts general parameters and procedures to permit candidates and committees to file combined campaign reports. This action is to be reviewed for compliance with the Administrative Procedure Act standards based on *Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer*, Sacramento Superior Court, Case Number 512795.

Title 02
Adopt: 18420.5
Filed 09/22/2026
Effective 10/22/2026
Agency Contact:
Amanda Apostol (916) 322–5660

Fair Political Practices Commission

File # 2026–0824–02

Artificial Intelligence Disclaimers on Advertisements

This file and print action pursuant to Government Code section 11343.8, by the Fair Political Practices Commission, adopts and amends regulations to establish circumstances where the use of artificial intelligence in campaign advertisement requires disclosure. This action is to be reviewed for compliance with the Administrative Procedure Act standards based on *Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer*, Sacramento Superior Court, Case Number 512795. This regulatory change is based on statutory changes made through Assembly Bill 2355 (Chapter 240, Statutes of 2024).

Title 02
Adopt: 18450.12
Amend: 18401
Filed 09/22/2026
Effective 10/22/2026
Agency Contact:
Amanda Apostol (916) 322–5660

Fair Political Practices Commission

File # 2026–0824–04

Enforcement Penalties

This file and print action pursuant to Government Code section 11343.8, by the Fair Political Practices Commission, adopts and amends procedural requirements and eligibility criteria of the Streamline resolution program, the framework for resolving low-level violations of the Political Reform Act. This action is to be reviewed for compliance with the Administrative Procedure Act standards based on *Fair Political Prac-*

tices Commission v. Office of Administrative Law, Linda Stockdale Brewer, Sacramento Superior Court, Case Number 512795.

Title 02

Amend: 18360.1, 18360.2, 18360.3

Filed 09/23/2026

Effective 10/23/2026

Agency Contact:

Amanda Apostol (916) 322–5660

California Department of Tax and Fee Administration

File # 2026–0810–05

Cannabis Excise Tax and Cannabis Retailer Excise Tax Permit

In this section 100 action, the California Department of Tax and Fee Administration amends the subsequent adjustment year for cannabis excise taxes and add the July 1, 2025 to October 1, 2025 cannabis excise tax rate in response to Statutes 2025, chapter 127, section 1 (AB 564).

Title 18

Amend: 3801

Filed 09/22/2026

Agency Contact: Kim DeArte (916) 309–5227

Department of Food and Agriculture

File # 2026–0820–01

Spotted Lanternfly Exterior Quarantine

This Section 100 action filed by the Department of Food and Agriculture pursuant to California Code of Regulations, title 1, section 100, corrects the formatting of subsection numbering and lettering within a regulation pertaining to the Spotted Lanternfly exterior quarantine.

Title 03

Amend: 3287

Filed 09/17/2026

Agency Contact: Sara Khalid (916) 698–2947

Franchise Tax Board

File # 2026–0804–04

Changes Due to SB 132 (Stats. 2025, Chapter 17 — Allocation of Income)

In this section 100 action, the Franchise Tax Board defines “qualified business activity” pursuant to changes to Revenue and Taxation Code section 25128 as amended by Statutes 2025, chapter 17, section 22 (SB 132).

Title 18

Amend: 25128

Filed 09/16/2026

Agency Contact: L. Red Gobuty (916) 845–7855

California Department of Tax and Fee Administration

File # 2026–0817–03

Application of the Fee Collection Procedures Law

In this regular rulemaking action, the California Department of Tax and Fee Administration clarifies that the California Electronic Cigarette Excise Tax, covered battery–embedded waste recycling fee, environmental mitigation surcharge, firearm, ammunition, and firearm precursor part excise tax, and lithium extraction excise tax are collected by the Department pursuant to the Fee Collection Procedures Law (FCPL) (RTC section 55001 et seq.).

Title 18

Amend: 3500

Filed 09/22/2026

Effective 01/01/2027

Agency Contact: Kim DeArte (916) 309–5227

Department of Food and Agriculture

File # 2026–0807–01

Pink Bollworm Interior Quarantine

This rulemaking action by the Department of Food and Agriculture would repeal the regulation for the interior quarantine of Pink Bollworm, which has been determined eradicated from the state.

Title 03

Repeal: 3409

Filed 09/17/2026

Effective 01/01/2027

Agency Contact: Sara Khalid (916) 698–2947

Department of Food and Agriculture

File # 2026–0818–01

Fruit and Vegetable Standardization — Standard Containers (Citrus)

In this rulemaking action the California Department of Food and Agriculture amends regulations to add grapefruit as an authorized commodity for container number 60 and adds container number 60 to the existing grapefruit count and average diameter tables.

Title 03

Amend: 1380.19, 1430.26, 1430.27

Filed 09/16/2026

Effective 09/16/2026

Agency Contact: Sarah Cardoni (916) 597–6894

Office of Environmental Health Hazard Assessment

File # 2026–0810–01

1–Bromopropane and Diethanolamine (Dermal) NSRL

This rulemaking action by the Office of Environmental Health Hazard Assessment (“Office” or

“OEHHA”) adopts a “No Significant Risk Level” (“NSRL(s)”) for 1–bromopropane of 54 micrograms per day, and a NSRL for dermal exposure to diethanolamine of 5.8 micrograms per day.

Title 27

Amend: 25705

Filed 09/22/2026

Effective 01/01/2027

Agency Contact:

Esther Barajas–Ochoa (916) 322–2068

Public Utilities Commission

File # 2026–0804–01

Rules of Practice and Procedure

This action amends regulations regarding the rules of practice and procedure for the California Public Utilities Commission (Commission). Among other things, the action updates filing fees to be consistent with applicable Commission orders, provides conditions for a substitute for a Proponent’s Environmental Assessment, if applicable, permits comments on ordering paragraphs, and allows the use of a statement of confidentiality when authorized by the Commission.

Title 20

Amend: 1.7, 1.10, 1.13, 1.15, 1.16, 2.2, 2.4, 3.7, 4.1,

5.1, 6.2, 6.3, 8.1, 8.2, 9.2, 9.3, 9.4, 9.5, 11.4, 13.7,

13.8, 14.3, 14.5, 14.6, 15.5, 16.1, 16.4, 17.3, 18.1

Filed 09/16/2026

Effective 01/01/2027

Agency Contact:

Sarah R. Thomas (415) 703–2782

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