



REGULATORY AGENCY ACTION

to them by registered mail." The proposed amendment would provide that the decisions are final upon their delivery or mailing and not subject to reconsideration or rehearing; the amendment would also authorize delivery by certified mail.

No public comments were received at the hearing, nor did NMVB receive any written comments. The Board unanimously adopted both amendments, which were approved by the Office of Administrative Law on December 19.

LEGISLATION:

SB 1113 (Leonard) would impose a \$25 fee on the purchase of new automobiles and new light-duty trucks that do not meet, and provide specified rebates to the purchasers of those vehicles that do meet, prescribed standards relative to low-emission vehicles and safety. This two-year bill is pending in the Senate Transportation Committee.

SB 760 (Johnston) would require every applicant for a vehicle dealer's license and every managerial employee, commencing July 1, 1992, to take and complete a written examination prepared by DMV concerning specified matters; permit an oral examination in place of the written examination for any dealer or managerial employee who is not the sole owner of any vehicle dealership, so long as at least one person in the dealership ownership structure completes the written examination; prescribe continuing education requirements applicable to dealers and managerial employees consisting of at least six hours of instruction during the two-year period following the initial examination and at least four hours during each succeeding two-year period; and require DMV to adopt regulations with respect to these examination and instruction requirements. This two-year bill is pending in the Senate Transportation Committee.

SB 1164 (Bergeson) would provide that, for purposes of vehicle license fees, the market value of a vehicle shall be determined upon the first sale of a new vehicle to a consumer and upon each sale of a used vehicle to a consumer, but the market value shall not be redetermined upon the sale of a vehicle to specified family members. This two-year bill is pending in the Senate inactive file.

AB 126 (Moore), as amended July 10, would enact the "One-Day Cancellation Law" which would provide that, in addition to any other right to revoke an offer or rescind a contract, the buyer of a motor vehicle has the right to can-

cel a motor vehicle contract or offer which complies with specified requirements until the close of business of the first business day after the day on which the buyer signed the contract or offer. This bill is pending in the Senate Judiciary Committee.

FUTURE MEETINGS:

To be announced.

OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA

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In 1922, California voters approved a constitutional initiative which created the Board of Osteopathic Examiners; 1991 legislation changed the Board's name to the Osteopathic Medical Board of California (OMB). Today, pursuant to Business and Professions Code section 3600 *et seq.*, OMB regulates entry into the osteopathic profession, examines and approves schools and colleges of osteopathic medicine, and enforces professional standards. The Board is empowered to adopt regulations to implement its enabling legislation; OMB's regulations are codified in Division 16, Title 16 of the California Code of Regulations (CCR). The 1922 initiative, which provided for a five-member Board consisting of practicing doctors of osteopathy (DOs), was amended in 1982 to include two public members. The Board now consists of seven members, appointed by the Governor, serving staggered three-year terms.

MAJOR PROJECTS:

Regulatory Hearing Planned. OMB is planning to hold a regulatory hearing this summer regarding amendments to certain unspecified regulations that are inconsistent with legislation passed in 1991. At this writing, the proposed revisions have not yet been published in the *California Regulatory Notice Register*.

LEGISLATION:

AB 1691 (Filante), as amended May 8, would require, on or after July 1, 1993, every health facility operating a postgraduate physician training program to develop and adopt written policies governing the working conditions of resident physicians. This bill was rejected by the Assembly on June 27; it is pending in the Assembly inactive file.

SB 664 (Calderon) would prohibit osteopaths, among others, from charging, billing, or otherwise soliciting payment from any patient, client, customer,

or third-party payor for any clinical laboratory test or service if the test or service was not actually rendered by that person or under his/her direct supervision, except as specified. This two-year bill is pending in the Senate Business and Professions Committee.

AB 819 (Speier) would, effective July 1, 1992, provide that, subject to specified exceptions, it is unlawful for specified licensed health professionals to refer a person to any laboratory, pharmacy, clinic, or health care facility which is owned in whole or in part by the licensee or in which the licensee has a proprietary interest; the bill would also provide that disclosure of the ownership or proprietary interest does not exempt the licensee from the prohibition. This two-year bill is pending in the Assembly Health Committee.

Future Legislation. OMB is currently looking for a legislator to carry a bill which would authorize the Board to recover investigative and prosecution costs incurred in specified discipline actions taken against osteopathic physicians.

FUTURE MEETINGS:

To be announced.

PUBLIC UTILITIES COMMISSION

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The California Public Utilities Commission (PUC) was created in 1911 to regulate privately-owned utilities and ensure reasonable rates and service for the public. Today, under the Public Utilities Act of 1951, Public Utilities Code section 201 *et seq.*, the PUC regulates the service and rates of more than 43,000 privately-owned utilities and transportation companies. These include gas, electric, local and long distance telephone, radio-telephone, water, steam heat utilities and sewer companies; railroads, buses, trucks, and vessels transporting freight or passengers; and wharfingers, carloaders, and pipeline operators. The Commission does not regulate city- or district-owned utilities or mutual water companies.

It is the duty of the Commission to see that the public receives adequate service at rates which are fair and reasonable, both to customers and the utilities. Overseeing this effort are five commissioners appointed by the Governor with Senate approval. The commissioners serve staggered six-year terms. The PUC's regulations are codified in Chap-