



## REGULATORY AGENCY ACTION

Bureau's adoption of new sections 3363.1-4, Title 16 of the CCR, which establish installation standards for ignition interlock devices. (See CRLR Vol. 9, No. 1 (Winter 1989) p. 39 and Vol. 8, No. 2 (Spring 1988) p. 43 for background information.)

*EPA Plan to Recycle Refrigerants.* On January 27, automakers, auto repair shops, and the U.S. Environmental Protection Agency (EPA) announced a plan aimed at achieving a 10% reduction in certain automobile-related emissions, which are believed to damage the earth's protective ozone layer and help cause the so-called "greenhouse effect." Under the plan, most of the nation's 100,000 auto repair shops which fix auto air conditioners would voluntarily install machines costing from \$1,500-\$6,000 to capture and recycle increasingly expensive and environmentally damaging refrigerants. Shops may be motivated to install the machines because recycling the refrigerants will be a source of income.

The most widely used refrigerants in auto air conditioners are chlorofluorocarbons (CFCs)—a family of chemicals believed to harm the earth's ozone layer. About 19% of all CFCs emitted in this country come from vehicle air conditioners. The chemical is not entirely recoverable since the refrigerant leaks slowly out of auto air conditioning systems while in use. Emissions of these and related chemicals are also believed to account for 15-20% of the "greenhouse gases"—man-made pollutants that remain in the upper atmosphere, reflecting heat and gradually increasing the earth's temperature.

The EPA, car makers, and the Mobile Air Conditioning Society have agreed to use the same kind of recycled refrigerant, allowing manufacturers to put the recycling machines on the market later this year. Auto air conditioners that do not use the polluting refrigerant will be installed in new cars within the next decade.

### LEGISLATION:

*SB 352 (Presley)* would provide that BAR program representatives are peace officers within the meaning of section 830.3 of the Penal Code. This bill is pending in the Senate Judiciary Committee.

*AB 292 (Floyd)* would amend section 27156 and add section 27156.5 to the Vehicle Code. Existing law generally requires all motor vehicles to be equipped with pollution control devices, and prohibits the modification of those devices and the installation of any pollutant control device that does not meet

required standards except as to modifications which—as found by resolution of the state Air Resources Board (ARB)—either do not reduce the effectiveness of required pollution control devices, or result in emissions that are at levels that comply with existing state or federal standards. This bill would eliminate the requirement that the ARB make those findings by resolution. The bill would also expressly authorize the modification of any vehicle exhaust system if the modification would result in emission levels that comply with existing state or federal emissions standards, and a certificate of compliance has been issued. AB 292 is pending in the Assembly Transportation Committee.

*SB 155 (Leonard)* would impose emission charges on motor vehicles and fuels at designated rates based on specified pollutants emitted, as determined by the ARB. Existing law authorizes the payment of emission nonconformance fees by engine manufacturers but does not impose charges on registration of motor vehicles or the use or distribution of fuel based on the amounts of pollutants emitted. This bill would impose a fee of \$25 per gram per mile for each of the following emissions: reactive organic gases; oxides of nitrogen; carbon monoxide and particulate matter. This fee would be a state tax within the meaning of Article XIII A of the California Constitution. The revenues would be deposited in the Clean Emission Fund, which the bill would create, and would be available for specified purposes upon appropriation. This bill is pending in the Senate Transportation Committee.

### RECENT MEETINGS:

At its February 17 meeting, the Advisory Board discussed policy changes with regard to the Bureau's undercover operation to reveal tampering. Currently, the process is to inform the station owner the same day an undercover operation is made, waive a citation for a first offense, and let the shop inspect the car to see what was incorrectly done. BAR Chief Waraas expressed concern that those practices would jeopardize the operation, since the undercover vehicle would also be used as an instructional vehicle. He would implement education differently, such as using one vehicle to take to the shops overtly for instruction, but to continue to use undercover vehicles. Public members expressed concern that immediate education of the mechanics would suffer, and that if there were a time lag after violations, the operation would not work to deter tampering.

At the same meeting, organizational changes within the Bureau were announced. Chief Waraas now has the additional title of Deputy Director of the Bureau of Consumer Affairs, which enables him to attend an executive meeting once a week.

### FUTURE MEETINGS:

June 2 in Sacramento.

### BOARD OF BARBER EXAMINERS

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In 1927, the California legislature created the Board of Barber Examiners (BBE) to control the spread of disease in hair salons for men. The Board, which consists of three public and two industry representatives, regulates and licenses barber schools, instructors, barbers, and shops. It sets training requirements and examines applicants, inspects barber shops, and disciplines violators with licensing sanctions. The Board licenses approximately 22 schools, 6,500 shops, and 21,500 barbers.

### LEGISLATION:

*AB 1108 (Epple)* would delete the sentence in existing section 6529 of the Business and Professions Code which establishes limits for licensing fee increases for any one category of fees imposed by the BBE within the maximum fee ceilings imposed in other sections of the Business and Professions Code. These limits on fee increases would be deleted until January 1, 1993; at that time, new maximum licensure fees for BBE licensees would become operative under the provisions of this bill.

AB 1108 would also provide for the forfeiture of an examination fee where the applicant fails to appear for the examination without good cause, rather than payment of a penalty fee as is provided by existing section 6548 of the Business and Professions Code.

At this writing, AB 1108 is pending in the Assembly Committee on Governmental Efficiency and Consumer Protection.

### FUTURE MEETINGS:

July 10 in San Diego.