



Vol. 9, No. 3 (Summer 1989) p. 37 for background information.) The first package amends regulatory sections 104, 110, and 110.1 and repeals sections 145 and 146, Chapter 2, Title 16 of the California Code of Regulation (CCR). These changes delete all reference to "registered building designers." Pursuant to 1985 legislation requiring registered building designers to be licensed as architects, the term "building designer" is now obsolete. These regulatory changes were approved by the Office of Administrative Law (OAL) on September 6.

The second package amends sections 109, 116, 119, 119.5, 121, 123, 125, and 144. These amendments delete all references to the CALE, and facilitate BAE's administration of the Architectural Record Exam (ARE) of the National Council of Architectural Registration Boards (NCARB) beginning in 1990. (See CRLR Vol. 9, No. 2 (Spring 1989) pp. 44-45 for detailed background information.) At this writing, these regulatory changes have not yet been submitted to OAL for approval.

Licensing Examination. At its June 15 meeting, BAE approved its Executive Committee's recommendation to develop a supplemental oral examination to test content areas not tested by the ARE but required in California. This task will be let by contract to a private vendor. BAE wants the supplemental examination prepared in time to be administered in conjunction with the 1990 ARE.

BAE's return to the national examination process from its independent administration of the CALE was formally approved by NCARB at its annual meeting on June 26. The administrative details of the transition have not yet been formalized. BAE and NCARB are working in conjunction to finalize these details. (See CRLR Vol. 9, No. 2 (Spring 1989) pp. 44-45 for background information.)

LEGISLATION:

The following is a status update on bills discussed in CRLR Vol. 9, No. 3 (Summer 1989) at pages 37-38:

AB 1158 (Bradley) was signed by the Governor on July 19 (Chapter 175, Statutes of 1989). This bill provides that an individual licensed in jurisdictions other than California may be granted reciprocal licensure upon satisfaction of the Board's requirements for licensure. (See CRLR Vol. 9, No. 2 (Spring 1989) pp. 44-45 for detailed background information on this bill.)

The following bills were made two-year bills, and may be pursued when the

legislature reconvenes in January: **AB 1789 (Cortese)**, which, as amended August 21, would give architects, engineers, and land surveyors a specified design professional's lien on property for which a work of improvement is planned, and for which a specified governmental approval is obtained; **AB 459 (Frizzelle)**, which would provide that a previously licensed individual may renew his/her license at any time after license expiration upon payment of the applicable fees, and upon satisfaction of continuing education requirements; and **AB 1005 (Frazee)**, which would require architects to affix on plans a stamp bearing the architect's name, license number, the term "licensed architect," and the renewal date of the license.

FUTURE MEETINGS:

To be announced.

ATHLETIC COMMISSION

Executive Officer: Ken Gray
(916) 920-7300

The Athletic Commission regulates amateur and professional boxing, contact karate, and professional wrestling. The Commission consists of eight members each serving four-year terms. All eight seats are "public" as opposed to industry representatives.

The current Commission members are Bill Malkasian, Raoul Silva, Ara Hairabedian, P.B. Montemayor, M.D., Jerry Nathanson, Thomas Thaxter, M.D., Charles Westlund, and Robert Wilson.

The Commission is constitutionally authorized and has sweeping powers to license and discipline those within its jurisdiction. The Commission licenses promoters, booking agents, matchmakers, referees, judges, managers, boxers, martial arts competitors, and wrestlers. The Commission places primary emphasis on boxing, where regulation extends beyond licensing and includes the establishment of equipment, weight, and medical requirements. Further, the Commission's power to regulate boxing extends to the separate approval of each contest to preclude mismatches. Commission inspectors attend all professional boxing contests.

The Commission's goals are to ensure the health, safety, and welfare of boxers and wrestlers, and the integrity of the sport of boxing in the interest of the general public and the participating athletes.

MAJOR PROJECTS:

Promotional Contracts Drafting Committee. The Commission recently established a committee to develop a process for approving a contractual relationship between a promoter and a boxer (and his manager if he has one). The committee consists of Supervising Deputy Attorney General Ron Russo, Department of Consumer Affairs Legal Counsel Greg Gorges, and Commission Executive Officer Ken Gray. The committee drafted two promotional contracts, one for promoters and non-champion boxers and another for promoters and champion boxers. The committee is awaiting feedback on the proposed contracts from boxing promoters.

Safety Equipment Committee. At the August 25 meeting, Commissioner Hairabedian joined the Committee to replace departing Commissioner Roosevelt Grier. The Committee is reviewing input from various sources on boxing gloves and attempting to locate a UCLA study on boxing gloves. (See CRLR Vol. 9, No. 2 (Spring 1989) p. 45 for background information.)

LEGISLATION:

The following is a status update on bills reported in detail in CRLR Vol. 9, No. 3 (Summer 1989) at page 49:

AB 112 (Floyd) requires the Commission to adopt regulations detailing the criteria for approval of the licensed physician assigned to attend any boxing contest. AB 112 was signed by the Governor on September 15 (Chapter 471, Statutes of 1989).

SB 599 (Montoya) allows the Commission to establish standards for evaluating a professional boxer's boxing ability, and requires reporting of injuries and knockouts. This bill was signed by the Governor on August 2 (Chapter 264, Statutes of 1989).

AB 1040 (Floyd), as amended August 25, deregulates professional wrestling, except for a tax on general admission and closed-circuit telecasts of professional wrestling events. This bill was signed by the Governor on September 24 (Chapter 757, Statutes of 1989).

RECENT MEETINGS:

At its meeting on June 16 in Sacramento, the Commission discussed the need to fill the vacancy created by the dismissal of Martin Denkin. The Commission terminated Denkin, its former Assistant Executive Officer, on June 13 following an investigation into charges of extortion. Mr. Denkin is currently appealing the decision. (See CRLR Vol.



REGULATORY AGENCY ACTION

9, No. 2 (Spring 1989) p. 46 for background information.)

Also at the June meeting, the Commission retired Herman Pettigrew, a 40-year-old boxer, after his last fight was stopped in the first round. (See CRLR Vol. 9, No. 3 (Summer 1989) p. 39 for background information.) The Commission granted a wrestling promoter's license to Paul Brown (dba West Coast Wrestling Alliance); and granted a kickboxing promoter's license to Dannie, Timmy, and Larry Stell (dba LTD Productions).

At its July 21 meeting in Irvine, the Commission discussed its 1990-91 budget. The budget amount (\$783,000) is the same as last year. The only change, a \$40,000 increase in neurological examination expense, is due to a 50% increase in the number of boxers licensed.

Also at the July meeting, the Commission approved the World Boxing Organization (WBO) as a sanctioning organization in California, with the understanding that the WBO follow the laws, rules, and regulations of the Commission and that the Commission has the final decision in assignment of officials to championship contests. The Commission granted wrestling promoter's licenses to World Championship Wrestling (dba National Wrestling Alliance) and William Jimenez, Samuel Vasquez, and Sammy Vasquez (dba Latin American Wrestling Association); and granted a boxing promoter's license to Noel DeGaetano (dba Celebrity Boxing).

At its August 25 meeting, the Commission decided to terminate its membership in all boxing organizations which sanction championship contests, but will remain in close communication with them. The Commission had been a dues-paying member in the organizations to show impartiality and rarely had participated in their decisionmaking processes.

Also at the August meeting, the Commission denied Lalo Velazquez's claim to the California Junior Welterweight Title as inadequate; Velazquez failed to fight champion John Montes.

The Commission discussed its ongoing selection process for the Assistant Executive Officer position. Donald Muse, a candidate for the permanent position, is serving as the acting Assistant Executive Officer.

FUTURE MEETINGS:

December 15 in Los Angeles.

BUREAU OF AUTOMOTIVE REPAIR

Chief: John Waraas

(916) 366-5100

Toll Free Complaint Number:

1-800-952-5210

Established in 1971 by the Automotive Repair Act (Business and Professions Code sections 9880 *et seq.*), the Bureau of Automotive Repair (BAR) registers automotive repair facilities; official smog, brake and lamp stations; and official installers/inspectors at those stations. Approximately 39,200 auto repair dealers are registered with BAR. The Bureau's other duties include complaint mediation, routine regulatory compliance monitoring, investigating suspected wrongdoing by auto repair dealers, oversight of ignition interlock devices, and the overall administration of the California Smog Check Program.

The Smog Check Program was created in 1982 in Health and Safety Code section 44000 *et seq.* The Program provides for mandatory biennial emissions testing of motor vehicles in federally designated urban nonattainment areas, and districts bordering a nonattainment area which request inclusion in the Program. BAR licenses approximately 22,000 smog check mechanics who will check the emissions systems of an estimated six million vehicles this year. Testing and repair of emissions systems is conducted only by stations licensed by BAR.

Approximately 130,000 individuals and facilities are registered with the Bureau. Registration revenues support an annual Bureau budget of nearly \$34 million. BAR employs 433 staff members to oversee the Automotive Repair Program and the Vehicle Inspection Program.

The Bureau is assisted by a nine-member Advisory Board which consists of five public and four industry representatives. They are Herschel Burke, Carl Hughett, Joe Kellejian, Louis Kemp, William Kludjian, Vincent Maita, Alden Oberjurge, Gilbert Rodriguez, and Jack Thomas.

Carl Hughett is a new member of the Board. Hughett has retired from the Los Angeles Police Department, where he was formerly head of the automotive repair detail section. His experience also includes helping to develop the Automotive Repair Act and training BAR staff and investigators.

MAJOR PROJECTS:

New Smog Check Test and Repair Exams. In August, changes to the Smog Check Program pursuant to SB 1997

(Chapter 1544, Statutes of 1988) took effect regarding the examination and certification of mechanics. (See CRLR Vol. 8, No. 4 (Fall 1988) pp. 44-45 for background information on SB 1997.) The "test only" mechanic category was eliminated, and a two-tiered mechanic qualification program was created. The first tier consists of the unlimited class, which will allow a qualified mechanic to both test and repair all model year vehicles. This class requires more technical knowledge of current technological changes in motor vehicles. The second tier is the limited class, which authorizes a qualified mechanic to test and repair 1979 and older model vehicles. All Smog Check Program mechanics must be retested according to the new guidelines by December 31, 1989 in order to obtain the qualification certificate required to perform smog checks.

Regulatory Changes. On August 11, BAR published proposed regulatory changes to implement SB 1997. These proposed regulations would revise Article 5.5, Chapter 33, Title 16 of the California Code of Regulations (CCR), in numerous ways, including the following: first, several definitions in section 3340.1 would be updated. The current exemption from the Smog Check Program for vehicles which run on liquid petroleum gas or liquid natural gas contained in section 3340.5 would be repealed. An amendment to section 3340.10 would expressly state that no person shall operate a Smog Check station unless licensed to do so by BAR. Under an amendment to section 3340.15, Smog Check stations would be authorized to conduct their testing out of doors in the case of heavy duty vehicles and would be required to post their prices. Revised section 3340.16 would amend the equipment and material requirements of "test only" stations, and would require the posting of a conspicuous notice advising customers that the station is licensed only to test vehicles and cannot make repairs.

Amended section 3340.16.5 would update some of the equipment requirements for Smog Check stations; amended section 3340.17 would require that BAR's June 1989 test analyzer system specifications replace the May 1983 system specifications. Amended section 3340.24 would grant BAR the right to revoke or suspend licenses or to pursue legal or administrative remedies against licensees who willfully resist, delay, or obstruct BAR employees, or who falsely or fraudulently issue or obtain certificates of compliance with the Program. New sec-