



REGULATORY AGENCY ACTION

Board's staff consists of an executive secretary, three legal assistants and two secretaries.

MAJOR PROJECTS:

Status Report on Certification Fees. Pursuant to Business and Professions Code section 9889.75, NMVB has been collecting fees from manufacturers and distributors of new motor vehicles for the purpose of funding the Bureau of Automotive Repair's (BAR) certification of third party dispute programs. (See CRLR Vol. 9, No. 3 (Summer 1989) pp. 121-22; Vol. 9, No. 1 (Winter 1989) p. 101; and Vol. 8, No. 4 (Fall 1988) p. 116 for complete background information.)

At the request of BAR, NMVB recently amended section 553.70, Title 13 of the California Code of Regulations (CCR), to decrease the amount assessed for purposes of funding the program from 41 cents per vehicle to 11 cents per vehicle. The Office of Administrative Law (OAL) approved this regulatory change, which became effective on September 15. Billing for 1989-90 fees began on September 29; thus far, \$116,202 has been collected.

Other Regulatory Changes Adopted. Following a May 5 public hearing, NMVB adopted other proposed changes to its regulations in Title 13 of the CCR. The Board amended sections 550, 554, and 595 to specify that petitions may be filed against new motor vehicle dealers, and to eliminate the requirement that petitioners be California residents. The Board also adopted new section 555.1, amended sections 555, 556, 557, 558, and 562, and repealed section 559, to simplify existing petition procedures in a number of ways. Finally, the Board moved section 579 regarding the availability of subpoenas in protest hearings from Article 4 to Article 1, and renumbered it as section 551.2. (See CRLR Vol. 9, No. 2 (Spring 1989) p. 116 and Vol. 9, No. 1 (Winter 1989) pp. 101-02 for detailed background information on these changes.) At this writing, OAL is still reviewing the Board's rulemaking file on these regulatory changes.

LEGISLATION:

The following is a status update on bills reported in detail in CRLR Vol. 9, No. 3 (Summer 1989) at page 122:

AB 1104 (Torres) requires that new motor vehicle dealers be charged fees sufficient to fully fund NMVB's activities other than the certification of third party dispute resolution processes. The Board is authorized to recover the direct cost of those activities by charging the Bureau

of Automotive Repair. This bill was signed by the Governor on July 21 (Chapter 193, Statutes of 1989).

The following bills were made two-year bills, and may be pursued when the legislature reconvenes in January: *AB 552 (Moore)*, which would give buyers of a motor vehicle pursuant to a conditional sales contract or purchase order the right to cancel the contract or purchase order, without penalty or obligation, until midnight of the first business day after the day on which the contract was signed; *SB 582 (Green)*, which would delete existing separate statutory provisions relating to lessor-retailers, and provide instead for their licensing and regulation under the same provisions which apply to dealers; and *SB 587 (Doolittle)*, which, as amended July 5, would make it unlawful for any person to provide, as defined, unsafe, improperly equipped, unsafely loaded, or unregistered vehicles to a highway carrier.

FUTURE MEETINGS:

To be announced.

BOARD OF OSTEOPATHIC EXAMINERS

Executive Director: Linda Bergmann (916) 322-4306

In 1922, California voters approved a constitutional initiative which created the Board of Osteopathic Examiners (BOE). BOE regulates entry into the osteopathic profession, examines and approves schools and colleges of osteopathic medicine and enforces professional standards. The 1922 initiative, which provided for a five-member Board consisting of practicing osteopaths, 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.

The Board's licensing statistics as of August 1989 include the issuance of 1,481 active licenses and 450 inactive licenses to osteopaths.

MAJOR PROJECTS:

Regulatory Changes. At its June 23 meeting in Irvine, BOE approved numerous changes in its regulations, which appear in Chapter 16, Title 16 of the California Code of Regulations (CCR). These changes include an amendment to section 1621 regarding approved written examinations for reciprocity licensure; the addition of sections 1660-1662 to implement BOE's Impaired Physicians'

Diversion Program; an amendment to section 1676(a) which allows BOE to register previously unauthorized fictitious names; and amendments to sections 1690(f), (g), (i), and (j), which lower the annual tax and registration fee, the inactive certificate fee, the medical corporation renewal fee, and the fictitious name permit renewal fee. (See CRLR Vol. 9, No. 3 (Summer 1989) p. 122 for background information on these regulatory changes.)

At this writing, the Office of Administrative Law is reviewing these proposed changes.

LEGISLATION:

The following is a status update of bills described in detail in CRLR Vol. 9, No. 3 (Summer 1989) at page 123:

AB 1180 (Leslie), as amended August 22, sets BOE's certification fee and annual tax and registration fee; increases the penalty for failure to pay the annual tax and registration fee; adds an oral and practical examination fee; and provides that BOE shall hold one meeting during the first quarter of each calendar year at a time and place designated by the Board. This bill was signed by the Governor on September 29 (Chapter 1101, Statutes of 1989).

AB 1249 (Bader) provides that no medical school or clinical training program shall discriminate with respect to offering elective clerkships or preceptorships in any medical school or clinical training program in this state against osteopathic medical students enrolled in an approved school. This bill was signed by the Governor on September 13 (Chapter 425, Statutes of 1989).

FUTURE MEETINGS:

To be announced.

PUBLIC UTILITIES COMMISSION

Acting Executive Director:

Wesley Franklin

President: G. Mitchell Wilk (415) 557-1487

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 the PUC regulates the service and rates of more than 25,000 privately-owned utilities and transportation companies. These include gas, electric, local and long distance telephone, radio-telephone, water, steam heat utili-