



those vehicles which are in an exempt category).

AB 4620 (Bader), which would also have made extensive revisions to the Smog Check Program, was dropped by its author.

AB 1250 (Lewis), among other things, exempts registered electronic and appliance repair dealers from the Automotive Repair Act. This bill was signed by the Governor on August 22 (Chapter 480, Statutes of 1988).

SB 2808 (McCorquodale), which would have prohibited any automotive repair dealer from charging more than the dealer's regular shop hourly rate, and defined and prohibited the use of the "flat rate" method of charging, died in the Senate.

AB 4468 (Elder), as amended August 12, would have required a third party administrator providing a service contract for consumer goods to obtain a service contract reimbursement policy of insurance coverage to back up that contract. The purpose of the bill was to indemnify the purchaser of the service contract. The Governor vetoed AB 4468 on September 28.

AB 3531 (Tanner) was incorporated into AB 3540 (Tanner) (see *supra* for description).

SB 1863 (McCorquodale), which would have authorized emissions warranty service providers to perform emissions warranty service work, died in the Senate Committee on Insurance, Claims and Corporations.

RECENT MEETINGS:

In Santa Ana on August 26, the Advisory Board discussed a new test analyzer which is to be developed for Smog Check repair stations. BAR plans to have it available for sale by July 1, 1990, and it will be required equipment in shops by July 1, 1992. The unit should cost approximately \$15,000, an amount which concerned some industry Board members. This new analyzer will conform to emissions reduction goals set for January 1, 1994.

The issue of unnecessary repairs performed on cars taken to Smog Check stations was also discussed. Currently, BAR is not authorized to regulate repair station fees. The Bureau, however, looks for patterns from data processing to detect possible problems with a given Smog Check station. It has also implemented undercover operations to reveal tampering, but such tampering was said not to be a significant or routine problem. Bureau Chief Martin Dyer suggested that the new test analyzers (discussed

above) might indicate the amount of repair needed.

The Board was advised that the San Joaquin County Smog Check Program is proceeding smoothly (see CRLR Vol. 8, No. 3 (Summer 1988) p. 47 for background information).

FUTURE MEETINGS:

To be announced.

BOARD OF BARBER EXAMINERS

Executive Officer: Lorna P. Hill
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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.

MAJOR PROJECTS:

Withdrawal of Rulemaking File. At its August meeting, the BBE approved Executive Officer Hill's recommendation to withdraw the rulemaking file on section 229 of Chapter 3, Title 16 of the California Code of Regulations. Section 229 sets forth standards for models used by applicants taking the practical portion of the licensure examination, and proposed amendments to the section were adopted by the BBE at an April hearing. (See CRLR Vol. 8, No. 3 (Summer 1988) p. 48 for background information.) Executive Officer Hill noted that a motion to reject the proposed changes had been made by one of the Board members at the April meeting based upon comments made by witnesses at the hearing, and cited the need to explore alternatives raised by the comments. The Board will discuss section 229 at a future meeting.

Exam Passage Rate. The BBE remains concerned with the high failure rate at its examination and the backlog of examinees resulting from the high failure rate. (See CRLR Vol. 7, No. 4 (Fall 1988) p. 40 for background information.) In response to these problems, the Board considered the following proposals at its August meeting:

-The BBE considered and rejected a proposal to have barber college owners appear before the Board to give periodic

reports on school activities and the school's exam passage rate. The BBE rejected this proposal in the belief that it lacks statutory or regulatory authority to support it.

-The BBE also considered and rejected the use of a facilitator to arbitrate widespread differences in scoring between examiners of the licensure examination.

-Finally, the Board rejected the Department of Consumer Affairs' Central Testing Unit's (CTU) recommendation to establish multiple cut-off scoring for the barber examination. CTU recommends that Business and Professions Code section 6548.5 should be repealed or changed so that an overall combined passage rate of 75% would no longer be required. According to CTU, the examination should instead be graded based on separate passing scores for its written and practical tests. The separate minimum scores would prevent strong examinee performance on one part of the exam from compensating for weak performance on the other part of the exam.

LEGISLATION:

Future Legislation. At its October meeting, the BBE was scheduled to hear public testimony regarding proposed legislation to change the maximum amount allowed annually for fee increases. Current legislation allows the BBE to increase each of its fees up to \$5 per fee annually. The Board is considering an increase in fifteen different fees. Increases in application fees, examination fees, and annual renewal fees are among the fifteen fee variations being considered by the Board. In recent years, the BBE has been able to avoid raising fees over the \$5 limit, but at its August meeting, the BBE's conditional fund analysis indicated that the Board would be unable to meet its budget demands without a higher increase in fees.

RECENT MEETINGS:

At its August meeting in Ventura, the BBE conditionally approved certification of the Chino Youth Training Program's 1500-hour barber course. The certification was conditioned upon successful review of the program's curriculum by a committee set up by the BBE. The committee consists of a BBE inspector, representatives from the Chino Youth Training Program, and another approved barber school. (For background information, see CRLR Vol. 8, No. 3 (Summer 1988) p. 48.)

FUTURE MEETINGS:

To be announced.