

STATE OF CALIFORNIA

MEMO



To: All Licensed Vehicle Manufacturers/Distributors  
Public Mailing List

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Date: January 2022

Subject: Regulations - Operative January 1, 2022

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REGULATIONS<sup>1</sup>

The Board's regulations in Title 13 of the California Code of Regulations (CCR) were amended and operative January 1, 2022, as summarized below:

**13 CCR § 550 Definitions.**

Subdivision (t) amends the definition of protest to include references to Vehicle Code<sup>2</sup> sections 3065.3 (performance standard), 3065.4 (retail labor rate or retail parts rate) and 3085 (export or sale-for-resale prohibition policy).

Subdivision (u) amends the definition of protestant to reflect a Section 3085 protest filed by an association. For purposes of Section 3085, an association (an organization primarily owned by, or comprised of, new motor vehicle dealers and that primarily represents the interests of dealers) is a protestant.

**13 CCR § 551.8 Dismissals of Petitions and Protests.** Amended to reflect Sections 3085.2 and 3085.4.

**13 CCR § 551.12. Notice of Assignment of Administrative Law Judges; Peremptory Challenges.** Amended to reflect the re-lettering of Section 3050 and references Section

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<sup>1</sup> The regulations are available on the Board's website or at the Office of Administrative Law's website ([www.oal.ca.gov](http://www.oal.ca.gov)).

<sup>2</sup> All statutory references are to the California Vehicle Code.

3085.2(a).

**13 CCR § 553.40. Filing Fees.** Amended to include references to Sections 3065.3 (performance standard protests), 3065.4 (retail labor rate or retail parts rate protests) and 3085 (export or sale-for-resale prohibition policy protests).

**13 CCR § 558 Answer-Time of Filing; Form and Content.** Clarifies that by declaration, the respondent in a petition may submit, as exhibits to the answer, photographic, documentary or similar physical evidence relevant to the matter in support of the answer with an appropriate description thereof in the answer sufficient to identify them and to explain their relevancy.

**13 CCR § 586 Filing of Protest, Schedules of Compensation for Preparation and Delivery Obligations, Warranty Reimbursement Schedules, Retail Labor Rate, Retail Parts Rate and Franchisor Incentive Program Reimbursement Pursuant to Vehicle Code Sections 3064, 3065, 3065.1, 3065.4, 3074, 3075, and 3076.** Adds references to Vehicle Code section 3065.4 protests (retail labor rate or retail parts rate) in the content requirements for filing a protest and deletes all references to “formulas.”

**13 CCR § 586.5 Filing of Protest Pursuant to Vehicle Code Section 3065.3.** Adds a new regulation providing the content requirements for filing a Section 3065.3 protest (performance standard).

**13 CCR § 590 Hearings by Board or by Administrative Law Judge.** Amended to include references to Sections 3065.3 (performance standard protests), 3065.4 (retail labor rate or retail parts rate protests) and 3085 (export or sale-for-resale prohibition policy protests).

If you have any questions or comments, please do not hesitate to contact Robin Parker, Chief Counsel at [Robin.Parker@nmvb.ca.gov](mailto:Robin.Parker@nmvb.ca.gov) or Danielle Phomsopha, Senior Staff Counsel at [Danielle.Phomsopha@nmvb.ca.gov](mailto:Danielle.Phomsopha@nmvb.ca.gov).