

**State of California  
Office of Administrative Law**

In re:  
California Highway Patrol

Regulatory Action:

Title 13, California Code of Regulations

Adopt sections:

Amend sections: 1202

Repeal sections:

NOTICE OF APPROVAL OF CHANGES  
WITHOUT REGULATORY EFFECT

California Code of Regulations, Title 1,  
Section 100

OAL Matter Number: 2023-0628-03

OAL Matter Type: Nonsubstantive (N)

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This action without regulatory effect amends the mailing address for the California Highway Patrol for purposes of an application for exemption from any of the requirements of Title 13, Division 2, Chapter 6.5 of the California Code of Regulations regarding motor carrier safety. The action also amends language to be gender neutral.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: August 9, 2023



Digitally signed by Mark  
Storm  
Date: 2023.08.09 09:26:04  
-07'00'

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Mark Storm  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: Sean A. Duryee, Commissioner

Copy: Adam Roha

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

**PROPOSED TEXT**

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2  
AMEND CHAPTER 6.5, ARTICLE 1, SECTION 1202

**CHP CONTACT  
(CHP-R-2023-06206)**

*Existing text:* .....Times New Roman 12 point font.  
*Additions* .....Times New Roman 12 point font with single underline.  
*Deletions:* .....~~Times New Roman 12 point font with strikethrough.~~

**TITLE 13, CALIFORNIA CODE OF REGULATIONS,  
DIVISION 2, CHAPTER 6.5,  
ARTICLE 1, SECTION 1202, IS AMENDED TO READ:**

**§ 1202. General Provisions.**

The general provisions of this chapter are as follows:

- (a) Inspections by Department. Motor carriers shall afford authorized representatives of the department a reasonable opportunity to enter terminals, maintenance facilities, farm labor camps, or other private property to inspect vehicles and records to determine compliance with this chapter. Every driver shall permit the inspection of any vehicle or pertinent records for which the driver is responsible or has under his or her control.
- (b) Authority of District Boards. The governing board of any school district, county superintendent of schools, or equivalent private school entity or official, may adopt and enforce additional requirements governing the transportation of pupils. Such requirements shall not conflict with any law or state administrative regulation.
- (c) Application to Private School Buses. The provisions of this chapter shall apply equally to private school buses and to private school officials and agencies unless the context clearly indicates that no such application may reasonably be made.
- (d) Special Application. Regulations in this title relating to buses and to the transportation of passengers shall also apply to trailer buses.

(e) Exemptions. The Commissioner may grant exemptions from any of the requirements of this chapter when, in ~~his~~ the Commissioner's judgment, requests appear reasonable, or the results intended by these regulations can be accomplished by alternate methods of compliance. However, no exemption will be granted if, in the opinion of the Commissioner, the exemption would compromise the safety requirements of these regulations. In addition, any exemption granted by the Commissioner is nontransferable and may be rescinded at any time for cause.

(1) Application for Exemption. An application for exemption shall be made in writing to the Commissioner, and it shall include the following data:

Reason for requesting an exemption

Alternate method(s) of compliance

When relevant, the make and model, vehicle identification number, and license number of the vehicle for which the exemption is being requested

The application shall be mailed to:

CALIFORNIA HIGHWAY PATROL  
~~ENFORCEMENT SERVICES DIVISION~~ COMMERCIAL VEHICLE SECTION  
POST OFFICE BOX 942898  
SACRAMENTO, CA 94298-0001

In lieu of mailing the application, it may be sent via electronic mail to [cvs@chp.ca.gov](mailto:cvs@chp.ca.gov), with "Request for Exemption – Title 13 California Code of Regulations" in the subject line.

(2) Copy of Exemption. A copy of any exemption granted shall be carried in the vehicle(s) for which it was issued at all times, unless specified otherwise in the exemption, and shall be presented for inspection upon demand by any authorized representative of the department.

(3) Blanket Exemptions. The provisions of this subsection do not apply to any blanket exemptions the Commissioner may elect to issue. A blanket exemption is an exemption from a particular provision of this subchapter granted to all vehicles, or vehicles manufactured on or after a specified date, pending a change in these regulations.

(f) Motor Carrier of Property Certificate of Compliance. Any motor carrier of property, as defined in Section 34601 of the Vehicle Code, who contracts or subcontracts with, or otherwise provides transportation services for, another motor carrier of property shall provide to that motor carrier a certificate as set forth in Section 34620(b) of the Vehicle Code. The certificate may be on a form provided by the department, or may be a carrier-provided form containing the following information:

- (1) The name of the contracted motor carrier.
  - (2) The contracted motor carrier's Motor Carrier Permit number and expiration date.
  - (3) The signature of the contracted motor carrier or his or her agent.
  - (4) The printed name, title, and driver's license number of the contracted motor carrier or his or her agent.
  - (5) The date the certificate is signed.
  - (6) The name of the contracting motor carrier.
  - (7) The following statement, inserting the above information as indicated: "I, the undersigned, certify that (*name of contracted carrier*) holds a Motor Carrier Permit, Number (*permit number*), which is valid through (*expiration date*), a copy of which is attached. I further certify that I, or a company officer, will immediately notify users of this company's services if the permit is suspended, revoked, or is otherwise rendered invalid. (*signature of contracted motor carrier or agent*) (*date*) (*printed name, title, and driver's license number of contracted motor carrier or agent*)"
- (g) As used in subsection (f), "contracted motor carrier" means the motor carrier providing the transportation service. The motor carrier for whom the transportation service is provided shall be referred to as the "contracting motor carrier."

NOTE: Authority cited: Sections 546, 31401, 34501, 34501.5, 34508 and 34620, Vehicle Code; and Section 39831, Education Code. Reference: Sections 2808, 31401, 34501, 34501.5, 34508 and 34620, Vehicle Code; and Section 39831, Education Code.