

# DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## NOTICE OF EMERGENCY REGULATORY ACTION

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5  
AMEND ARTICLE 1, SECTION 1201; ARTICLE 3, SECTION 1217;  
ARTICLE 6, SECTION 1232; AND ARTICLE 8,  
SECTIONS 1242, 1268, AND 1269  
ADD ARTICLE 8, SECTION 1267.1

### MODIFIED LIMOUSINE SAFETY (CHP-R-2017-10)

The Commissioner of the California Highway Patrol (CHP) finds that the adoption of these emergency regulations is necessary to carry out the duties of the CHP. Section 34501 California Vehicle Code (CVC) requires the Department to adopt reasonable regulations that, in the judgement of the Department, are designed to promote the safe operation of vehicles described in Section 34500 CVC including, but not limited to, equipment including fire extinguishers. Section 27375 CVC requires the CHP to establish by regulation, standards to ensure push-out side window emergency exits in modified limousines are operable and sufficient.

#### PUBLIC COMMENTS

Government Code (GC) Section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to OAL, the adopting agency provide a notice of the emergency action to every person who has filed a request for notice of regulatory action with the agency. Upon submission of the proposed emergency action to OAL, (1) OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulatory action directly to OAL, as set forth in Section 11349.6 GC; and (2) OAL will have ten calendar days to review and make a decision on the proposed emergency regulatory action.

Title 1 of the California Code of Regulations (CCR), Section 55(b) sets forth the requirements for submitting comments to OAL on this Emergency Rulemaking. Comments must be in writing, must identify the topic of this rulemaking (i.e., "13 C.C.R. § 1242 Fire Extinguishers"), and must be submitted directly to OAL as follows:

Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, CA 95814-4339  
Fax: (916)323-6826  
E-mail: [staff@oal.ca.gov](mailto:staff@oal.ca.gov)

In addition, a copy of all comments must be transmitted to the CHP's contact person for this rulemaking. To ensure prompt receipt and consideration of your comments, the CHP requests that you transmit a copy by electronic mail to [cvsregs@chp.ca.gov](mailto:cvsregs@chp.ca.gov) (please put "Modified

Limousine Safety Comments” in the subject line), via facsimile at (916) 322-3154, or by writing to:

California Highway Patrol  
Commercial Vehicle Section  
Attention: Officer Joseph Mosinski  
P.O. Box 942898  
Sacramento, CA 94298-0001

If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for 180 days. Within the 180 day period, the CHP will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

Attached to this notice is the specific language of the emergency regulation. The Finding of Emergency is set forth in the paragraph below. You may also review the actual text of the proposed emergency regulation and Finding of Emergency on the CHP’s Web Site at: <https://www.chp.ca.gov/News-Alerts/Regulatory-Actions>.

#### **CONTACT PERSON**

Any inquiries concerning the written materials pertaining to the proposed emergency regulations or questions regarding the content of the proposed regulations, should be directed to Officer Joseph Mosinski or Mr. Cullen Sisskind, CHP, CVS, at (916) 843-3400.

#### **STATEMENT OF CONFIRMATION OF MAILING OF FIVE-DAY EMERGENCY NOTICE**

The CHP sent notice of the emergency action to every person who has filed a request for notice of regulatory action at least five working days before submitting the emergency regulation to the Office of Administrative Law in accordance with the requirements of Section 11346.1 (a)(2) GC.

#### **FINDING OF EMERGENCY**

In 2013, at least two limousines transporting passengers on a for-hire, prearranged basis, were engulfed by fire during the passenger transportation process, causing the loss of life and injury to passengers. As a result, Senate Bill (SB) 109, (Corbett, Chapter 752, Statutes of 2013) and SB 611 (Hill, Chapter 860, Statutes of 2014) were enacted to address the absence of regulations for modified limousine drivers, and modified limousine operators. Under these earlier bills, the equipment requirements would have gone into effect on January 1, 2017, however, SB 812 (Hill, 2016) moved the date for the equipment retrofit for existing modified limousine out to January 2018.

These regulations are critical to the protection of public and passenger transportation safety. Currently, modified limousines are largely unregulated relative to equipment requirements. The regulations will clarify new requirements that will protect users of these

vehicles from catastrophic incidents like the ones that occurred in 2013. These requirements include push-out side window emergency exits, passenger doors, emergency exit maintenance, and fire extinguishers in modified limousines. These standards will meet a critical public safety need by ensuring that window exits are operable and sufficient in emergency situations for modified limousine passengers.

The department has identified approximately 482 carriers that operate modified limousines and who will be subject to the regulations. Emergency regulations are necessary to provide the regulated community with sufficient time to complete the necessary vehicle retrofits and equipment installations on modified limousines modified prior to July 1, 2015, by the statutorily-required compliance date of January 1, 2018. Retrofit of modified limousines with push-out side window emergency exits is estimated to require a minimum of one working day per side to install the emergency exits, up to several days to complete the retrofit. Installation of roof-mounted emergency exits is anticipated to require similar time frames to complete. It is anticipated a minimum of one week will be necessary and may require several weeks or months to install doors which meet statutory location requirements. The cost and time required for installation of push-out side window emergency exits, roof-mounted emergency exits, and required doors is dependent on several factors including the individual design of each vehicle, availability of parts, and time required to complete the retrofit, refinish and repaint the vehicle as necessary. As a result, it is critical to provide regulatory guidance in the interest of passenger safety and industry support, as quickly as possible.

The department initially planned to initiate the rulemaking process in early 2017 after the enactment of SB 812 settled the timing of the equipment issues. Consideration of reorganizing some of the Public Utilities Commission's transportation responsibilities to the CHP and DMV began in 2016 and held up the regulatory work as proposed changes may have impacted certain aspects of the regulations. Once it was determined that the reorganization discussions were not going to impact the regulation of modified limousines at this time, the CHP sent a regulatory package to OAL for review in early May 2017. The regulatory package was returned to CHP in mid-May for revisions. These factors made addressing the situation through nonemergency regulations insupportable in that industry will not have time to meet the equipment requirements set forth in the new regulations.

## **INFORMATIVE DIGEST**

Existing law authorizes the Commissioner of the CHP to make and enforce regulations as necessary to carry out the duties of the CHP. Section 27375 CVC requires the CHP to establish by regulation, standards to ensure push-out side window emergency exits in modified limousines are operable and sufficient.

This rulemaking is initiated in order to fulfill statutory requirements contained in Section 27375 CVC. It adopts criteria which will clarify requirements regarding the location, size, marking, latching, maintenance, inspection, and operability requirements for push-out side window emergency exits. The rulemaking also adopts criteria for passenger doors, emergency exit maintenance, and fire extinguishers in modified limousines.

## SECTION BY SECTION OVERVIEW

### **Title 13 California Code of Regulations (CCR), Division 2, Chapter 6.5, Motor Carrier Safety Regulations.**

#### **Section 1201. Definitions.**

**New Subsection (r)** is added to define a modified limousine for the purpose of ensuring consistency in the applicability of regulations. For the purpose of Chapter 6.5, a modified limousine is as defined in Section 378(b) CVC. Additionally, the section provides specific means and methods to determine if a vehicle meets the aforementioned definition. These means and methods are necessary to ensure consistent and appropriate application of requirements related to modified limousines.

**Existing Subsections (r) through (gg)** are renumbered subsections (s) through (hh) in order to accommodate the new definition of modified limousine contained in new subsection (r).

#### **Article 3, General Driving Requirements**

##### **Section 1217. Transportation of Passengers.**

**Subsection (g)** is amended to specify modified limousines shall not be operated to transport passengers if any emergency exit is locked or otherwise secured from being opened. This is consistent with existing requirements for buses operated in California.

#### **Article 6, Carrier Requirements**

##### **Section 1232. Vehicle Inspection and Maintenance.**

**Subsection (a)(1)** is necessary to meet consistency requirements contained in Title 49, Code of Federal Regulations (CFR), Part 355. The section is added to require a vehicle which is equipped with push-out windows, roof exits, emergency doors, and emergency door marking lights to be inspected at least every 90 days in accordance with provisions contained in Title 49, CFR, Part 396.3, which are incorporated by reference. Additionally, required inspections shall be documented and inspection documentation shall be retained in accordance with Title 49, CFR, Part 396.3. This requirement is applicable to any vehicle described in Section 1200 including, but not limited to, modified limousines.

#### **Article 8, General Equipment Requirements**

##### **Section 1242. Fire Extinguishers.**

**Subsection (g)** is necessary to ensure compliance with statutory requirements contained in Section 28062 CVC and permit, but not require, the installation of additional fire extinguishers in modified limousines. Additionally, the section is necessary to clarify statutory fire extinguisher mounting locations in the interest of passenger safety and in support of consistent enforcement efforts. The section is necessary to clarify the meaning of the phrase “readily accessible” as used

within the section and to clarify the additional requirements for fire extinguishers as deemed necessary by the CHP, in order to ensure installed fire extinguishers are available for passenger use in an emergency and to ensure fire extinguishers are effective when deployed.

### **Section 1267.1. Door Locations on Modified Limousines.**

This section is needed to clarify the requirements of Section 27375 CVC which requires specified modified limousines to be equipped with at least two doors to allow for unobstructed ingress and egress, to and from the modified limousine's passenger compartment. Additionally, the section is needed to clarify that the lower seat cushion of a seat is deemed not to be an obstruction, but a seat back or other component of a seat is deemed to be an obstruction within the context of the section.

**Subsection (a)** is needed to specify the location requirement for forward passenger doors contained in Section 27375 CVC, within the passenger compartment of a modified limousine. The section also clarifies the phrase "as close as practical" as used within the section to ensure understanding and consistent application and enforcement of the requirement.

**Subsection (a)(1)** is necessary to clarify that when two passenger doors are installed in the passenger compartment of a modified limousine, an additional door is required to be installed when the distance between the driver compartment door and the rear passenger compartment door on the same side of the vehicle is equal to or greater than two times the width of the rear door. This door is necessary to provide safe egress for passengers in the event of an emergency. The distance standard included within the section is deemed the most appropriate standard by the CHP because any distance less than the required standard will prohibit the installation of a door meeting the requirements of subsection (a)(3).

**Subsection (a)(2)** clarifies that when the distance between the driver compartment door and the rear passenger compartment door on the same side of the vehicle is less than two times the width of the rear door, the rear door will be deemed to meet the requirement for a forward passenger door as outlined in subsection (a). This standard is necessary to clarify the phrase "located near the driver's compartment" contained in Section 27375(a)(2)(B) CVC for the purpose of clarity, safety of passengers, consistent enforcement of requirements, and compliance with the requirement contained in Section 27375(a)(2)(C) CVC.

**Subsection (a)(3)** clarifies that the forward passenger compartment door shall be no smaller than and of equivalent height of any other door on the vehicle in order to ensure efficient passenger ingress and egress through the door. The standard is necessary to ensure safe ingress and egress of passengers into and out of modified limousines.

**Subsection (b)** requires one door in the passenger compartment of a modified limousine be located on the opposite side of the vehicle from the door required by subsection (a) and be located as close to the rear of the passenger compartment as possible. These requirements are deemed necessary by the CHP to clarify that the passenger compartment of a modified limousine, notwithstanding other requirements, must be equipped with a passenger door on the opposite side of the vehicle from the door required by subsection (a) in order to permit safe

ingress and egress of passengers without regard to vehicle location or position, and to clarify the installation location requirement.

**Subsection (c)** clarifies that when there is an unobstructed opening between the driver compartment and the passenger compartment of a modified limousine, the door within the driver compartment immediately adjacent to the driver fulfills the requirement for a forward door contained in subsection (a) and clarifies the term “unobstructed.” This subsection is necessary to clarify that when a passenger is afforded unobstructed access to the right side door installed in the driver compartment, the door immediately adjacent to the driver and installed on the right side of the vehicle is to be deemed to be a door which meets the “near the driver compartment” standard contained in Section 27375(a)(2)(B).

**Subsection (c)(1)** further clarifies size requirements associated with the term “unobstructed” as used in subsection (c). The unobstructed opening must be no smaller than the width of the door providing passenger ingress and egress. The subsection is necessary to ensure the unobstructed opening provides adequate access to the right side ingress and egress door to ensure passenger safety in the event of emergency.

**Subsection (d)** requires passenger ingress and egress doors outlined in subsections (a) and (b) shall be located at least one on each side of the vehicle. The section is necessary to ensure passengers can enter and exit the passenger compartment of a modified limousine safely from both the passenger and driver sides of the vehicle.

**Subsection (e)** requires passenger ingress and egress doors located in the passenger compartment of a modified limousine to remain accessible to and operable by any passenger without the use of tools or equipment. The section is necessary to clarify the requirements contained in Section 27375(b) CVC, ensure the ability of passengers to open doors in case of emergency, sets a standard deemed necessary by the CHP to ensure passenger safety, and is intended to prohibit and preclude the rendering of the normal door release mechanisms available to the passengers inoperative or ineffective.

**Subsection (f)** clarifies that all passenger ingress and egress doors located in the passenger compartment of a modified limousine must meet all applicable Federal Motor Vehicle Safety Standards (FMVSS) as required by Section 27375(a)(2)(C) CVC and to clarify the requirement is applicable notwithstanding the installation of the door during original or final stage manufacture, or installation subsequent to the first point of retail sale. Reference to these standards has been determined by the CHP to provide the best and most appropriate design and installation standards for the installation of doors in modified limousines. Additionally, compliance with these standards is necessary to ensure installation of doors in modified limousines provide passengers the best opportunity for safe ingress and egress including, but not limited to, egress in the event of an emergency.

**Subsection (g)** is necessary to clarify terms used within Division 2, Chapter 6.5, Article 8 and in order to ensure door and emergency exit window installations in modified limousines are consistent with applicable FMVSS. The subsection provides definitions of the terms “A-pillar,” “B-pillar,” “pillar,” “driver compartment,” and “passenger compartment” as those terms are defined in FMVSS 201 (Title 49 CFR, Part 571.201). The definitions provide clarity and

consistency, are terms used within the vehicle manufacturing and modification industries, and serve to provide technical guidance consistent with national standards regarding doors installed in modified limousines. The terms have been determined by the CHP to support the best and most appropriate design and installation standards for the installation of doors and emergency exit windows in modified limousines.

The terms “passenger compartment” and “driver compartment” are specifically defined to provide clarity throughout Section 1267.1. The terms outline specific, predefined spaces within modified limousines in order to ensure clarity of the regulations and enhance compliance with the requirements.

### **Section 1268. Emergency Exits.**

**Subsection (g)** is amended to include modified limousines. The CHP has determined the addition is necessary to ensure side window emergency exits in modified limousines remain unlocked, in a condition which provides passengers the opportunity to use the exits in the event of an emergency, and are consistent with similar requirements applicable to side window emergency exits in buses. The subsection requires locking devices on emergency exits, including push-out side windows, be designed and installed, so vehicle movement and vibration cannot unintentionally cause the device to move to the locked position.

### **Section 1269. Side Windows as Emergency Exits.**

**Subsection (c)** is added. The subsection is necessary to clarify requirements contained in Section 27375 CVC for push-out side window emergency exits installed in modified limousines, including location, size, marking, and operational requirements. These size, location, marking, and operational requirements have been determined by the CHP to provide the best and most appropriate size and installation location standards for the installation of emergency exit windows in modified limousines and are consistent with FMVSS applicable to passenger transportation vehicles. The subsection also provides specific exceptions to side window emergency exit requirements, under specified conditions, as outlined within Section 27375 CVC.

**Subsection (c)(1)** is necessary to define size and location requirements applicable to side window emergency exits in modified limousines. The subsection requires, except as outlined in subsections (c)(1)(A) and (c)(1)(B), every modified limousine shall be equipped with at least two push-out side window emergency exits within the passenger compartment, consistent with requirements contained in Section 27375 CVC. The subsection requires minimum size standards for each of the push-out side window emergency exits and requires the exits to meet the size requirements in an unobstructed manner. Additionally, the push-out side window emergency exits are required to be constructed and latched in a manner which renders them easily opened by a passenger in the passenger compartment of a modified limousine without the use of tools.

The subsection requires a minimum total escape area of not less than 67 square inches for each seating space within the passenger compartment, and requires that not less than 40% of the unobstructed escape area be located on one side of the vehicle. These requirements are consistent with regulations applicable to buses subject to regulations contained in the subsection, and requirements for side window emergency exits contained in the FMVSS. The subsection

clarifies that passenger seating positions located within the driver compartment of a modified limousine which is separated from the passenger compartment by a partition are not included in the total escape area calculation requirement.

**Subsection (c)(1)(A)** provides one exception to the requirements of subsection (c)(1) to require the installation of a roof-mounted push-out escape window when the design of the vehicle precludes installation of a push-out escape window on one side of the modified limousine, consistent with Section 27375 CVC. The subsection is necessary to provide a minimum unobstructed escape area requirement for the roof-mounted push-out escape window and requires the window to be included in the total unobstructed escape area calculation of 67 square inches for each passenger seating space.

**Subsection (c)(1)(B)** provides a second exception to the requirements of subsection (c)(1) to require the installation of even one roof-mounted push-out escape window when the design of the vehicle precludes installation of a push-out escape window on even one side of the modified limousine, consistent with Section 27375 CVC. This exception is necessary to clarify the exception contained in Section 27375 CVC when the design of the modified limousine precludes the installation of any push-out, side mounted emergency escape windows in a modified limousine. The subsection provides a minimum unobstructed escape area requirement for the roof-mounted push-out escape window and requires the window to be included in total unobstructed escape area of 67 square inches for each passenger seating space.

**Subsection (c)(2)** is necessary to provide clarification regarding any determination that the design of the modified limousine precludes the installation of one or more required push-out side window emergency exits. The clarification has been determined by the CHP to be necessary to ensure a determination the design of the modified limousine precludes the installation of even one side window emergency exit is made by a qualified party in the interest of passenger safety. The clarification requires any such determination to be made by and attested to in writing by the entity who certified compliance of the modified limousine with applicable FMVSS, or by an independent engineering firm. This clarification is consistent with the requirement contained in Section 1272(c) of the chapter applicable to schoolbus modifications. Additionally, the requirement is intended to ensure any determination the design of a modified limousine precludes the installation of one or more required push-out side window emergency exits is made by a qualified entity in the interest of passenger safety, and prohibit an unqualified entity such as a modified limousine operator from making the determination in the interest of economy.

**Subsection (c)(2)(A)** is necessary to ensure any determination made pursuant to (c)(2) is properly documented. This requirement is deemed necessary by the CHP to support passenger safety and provide the basis for consistent enforcement of side window emergency exit installations in modified limousines. The subsection requires when a determination that the design of the modified limousine precludes the installation of one or more required push-out side window emergency exits is made and attested to in writing, the operating motor carrier must obtain and retain that written determination.

**Subsection (c)(2)(B)** requires that when possession and control of a modified limousine is transferred from one entity to another, the original, written determination document required by subsection (c)(2) shall be given to the entity purchasing or receiving possession and control of

the vehicle. The subsection is necessary to ensure purchasers or entities receiving possession and control of modified limousines subject to the subsection, subsequent to the installation of required push-out side window emergency exits, are provided proof the vehicle emergency exit installations meet applicable requirements, in support of passenger safety and consistent enforcement of side window emergency exit installations.

**Subsection (c)(2)(C)** This requirement has been determined by the CHP to be the best standard for and is necessary to support enforcement efforts related to side window emergency exit installations in modified limousines. The subsection requires motor carriers subject to the section to retain a copy of the design preclusion determination document required by subsection (c)(2) for not less than six months after the vehicle is no longer in the possession and control of the motor carrier.

**Subsection (c)(2)(D)** requires the modified limousine design preclusion document required by subsection (c)(2) to be presented for inspection upon request of any authorized representative of the CHP. This requirement has been determined by the CHP to be the best standard for and is necessary to provide the Department the capacity to make an appropriate determination regarding compliance with applicable push-out side window emergency exit installation requirements during roadside inspections, or any other enforcement or inspection contact with the motor carrier operating the modified limousine.

**Subsection (c)(3)** is necessary to ensure passengers are provided side window emergency exit operation instructions to facilitate escape from a modified limousine in the case of emergency. The CHP has determined this requirement provides the best and most appropriate standard and is consistent with side window emergency exit marking requirements applicable to buses. The section requires all push-out side window emergency exits to be equipped with operating instructions. These requirements are consistent with emergency exit marking requirements applicable to buses, contained within the chapter. It is the intent of the subsection to ensure the required instructions are clear, undamaged, and designed in a manner which ensures, without regard to the nature of an emergency including, but not limited to, fire or loss of electricity, the instructions provide clear and concise emergency exit operating instructions.

**Subsection (c)(4)** requires installation of required push-out side window emergency exits does not render any device or element of design, or any other requirement of the FMVSS in effect at the time of vehicle manufacture disabled, inoperable, or ineffective. The subsection is necessary to ensure side window emergency exit installation requirements are consistent with applicable FMVSS as required by Section 27375 CVC. The requirements of the subsection are consistent requirements contained in the Title 49, CFR, Part 567 and intended to ensure safe and effective push-out side window emergency exit installation and operation.

**Subsection (c)(5)** is necessary to clarify the applicability of subdivision (c) of the subsection, consistent with the requirements of Section 27375 CVC.

## **CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS**

After conducting an evaluation, the CHP has determined these are the only regulations concerning modified limousine safety. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

## **ANTICIPATED BENEFITS OF THE PROPOSED REGULATION**

This proposed regulatory action will provide a nonmonetary benefit to the protection and safety of public health, employees, and the environment because changes to the application of the regulation are a response to existing statute.

## **DISCLOSURES REGARDING THE PROPOSED ACTION**

*The CHP has made the following determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code (GC) Sections 17500 through 17630: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Cost impacts on a representative private person or business: The CHP contacted various vendors to receive an approximate cost needed to install push-out emergency exit windows in a modified limousine. The estimates for the push-out emergency exit windows ranged from \$2,000.00 - \$5,000.00 depending on vehicle configuration and vendor. The estimated fiscal impact to industry would range from \$3.4 to \$8.4 million. The CHP estimates the cost to outfit a modified limousine with the required fire extinguishers at approximately \$200 a vehicle. The estimated fiscal impact to industry would be approximately \$336,200. It is anticipated there will be a positive economic impact to small businesses that retrofit existing modified limousines and to businesses that sell and install the required fire extinguishers.

Statewide adverse economic impact directly affecting business and individuals: Although the proposed action *will* directly affect businesses statewide, including small businesses, the CHP concludes that the adverse economic impact, including the ability of California businesses to compete with businesses in other states, *will not* be significant.

Significant effect on housing costs: None.

Verbiage included in Sections 1242(b), 1267.1, and 1269(c) of the Proposed Text restates or duplicates, in whole or in part, language contained in identified authoritative or reference sections requiring, necessitating, or permitting the promulgation of these regulations. Language

contained in Section 1242 repeats verbiage contained in Section 28062 of the CVC and includes additional verbiage for the purpose of making clear the requirements associated with required fire extinguisher mounting locations in modified limousines. Language contained in Section 1267.1 restates verbiage contained in Section 37375 CVC in order to ensure clear understanding of the statutory requirements for doors installed in the passenger compartment of specified modified limousines. Language contained in Section 1269(c) restates verbiage contained in Section 37375 CVC in order to clarify and make specific requirements for side window emergency exits installed in the passenger compartment of modified limousines.

## **RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT**

The CHP concludes this proposed regulatory action: (1) is likely to create additional jobs, but not eliminate any jobs in the State of California; (2) is unlikely to result in the elimination of existing businesses, nor create or expand businesses in the State of California; (3) will continue to provide a nonmonetary benefit to the protection and safety of public health, employees, and the environment because changes to the application of the regulation are a response to existing statute.

## **STUDIES, REPORTS OR DOCUMENTS RELIED UPON**

None.

## **CONSIDERATION OF ALTERNATIVES**

In accordance with Section 11346.5(a)(13) GC, the CHP must determine that no reasonable alternative considered by the CHP, or that has otherwise been identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The CHP invites interested parties to present statements or arguments with respect to alternatives to the emergency regulations during the written comment period.

## **AUTHORITY AND REFERENCE**

The authority and references for the adopted and amended sections contained in this rulemaking are as follows:

### **Section 1201**

Note: Authority cited: Sections 31401, 34501, 34501.5, 34508 and 34520, CVC; and Section 39831, Education Code (EC). Reference: Sections 336, 378, 545, 546, 31401, 34501, 34501.5, 34508 and 34520, CVC; and Section 39831, EC.

### **Section 1217**

Authority and reference cited: Sections 543, 27375, 31401, 34501, 34501.5 and 34508, CVC; and Section 38047, EC.

**Section 1232**

Authority cited: Sections 2807.2, 27375, 31401, 34501 and 34501.5, CVC.

Reference: Sections 545, 2807.2, 27375, 31401, 34501 and 34501.5, CVC.

**Section 1242**

Authority cited: Sections 31401, 34501, 34501.5, 34501.8 and 34508, CVC; and Section 39831, EC. Reference: Sections 28062, 31401, 34501, 34501.5, 34501.8 and 34508, CVC; and Section 39831, EC.

**Section 1267.1**

Authority and reference cited: Sections 27375, and 34501 CVC.

**Section 1268**

Authority cited: Sections 27375, 31401, 34501 and 34501.5, CVC.

Reference: Sections 322, 31401, 34501 and 34501.5, CVC.

**Section 1269**

Authority and reference cited: Sections 27375, 31401, 34501, and 34501.5, CVC.

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

E. L. FALAT, Chief

Enforcement and Planning Division