

**TITLE 16. CONTRACTORS STATE LICENSE BOARD
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

ADDENDUM

NOTICE IS HEREBY GIVEN that the Contractors State License Board (Board) is proposing to take the action described in the Informative Digest contained in the original Notice of Proposed Changes in the Regulations for California Code of Regulations Section 832.47. **The hearing date and the deadline date for the receipt of written comments have been revised.** Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Contractors State License Board, 9821 Business Park Drive, Sacramento, California 95827, at 10:00 a.m. on **May 27, 2008** (revised date). Written comments must be received by the Board at its office at the above address not later than **May 27, 2008** (revised date) at 5:00 p.m. or at the hearing. All other information contained in the original Notice shall remain the same.

**TITLE 16. CONTRACTORS STATE LICENSE BOARD
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the Contractors State License Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Contractors State License Board, 9821 Business Park Drive, Sacramento, California 95827, at 10:00 a.m. on May 27, 2008. Written comments must be received by the Board at its office at the above address not later than May 27, 2008 at 5:00 p.m. or at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposal if such modification is sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in the Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference Citations

Pursuant to the authority vested by Sections 7008 and 7059 of the Business and Professions (B&P) Code, and to implement, interpret, or make specific Sections 7026.11, 7058, and 7059 of said Code, the Contractors State License Board is considering changes to Division 8 of Title 16 of the California Code of Regulations (CCR) as follows:

Informative Digest

Amend Section 832.47 – Class C-47 – General Manufactured Housing Contractor.

Section 7008 authorizes the Board to adopt rules and regulations, in accordance with the Administrative Procedures Act, that are reasonably necessary to carry out the provisions of the chapter of the B&P Code. Section 7026.11 establishes the permissible scope of work for the General Manufactured Housing Contractor (C-47). Section 7058 establishes the specialty contractor license classification and defines “specialty contractor” as “a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.” Section 7059 authorizes the Board to adopt rules and regulations that are reasonably necessary to effect the classification of contractors.

The existing regulation sets forth the scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

This proposal would amend the regulation in order to make the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted Section 7026.11 of the B&P Code, which includes mobilehomes and

multifamily manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

Local Mandate

The proposed regulatory action does not impose a mandate on local agencies or school districts.

Fiscal Impact on Public Agencies/STD 399

The proposed regulatory action will not result in costs or savings to any state agency, costs or savings to any local agency or school district that is required to be reimbursed under Part 7 of Division 4 (commencing with Section 17500 of the Government Code), other nondiscretionary costs or savings on local agencies, or costs or savings in federal funding to the state.

Cost Impact on Affected Private Persons

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Housing Costs

The proposed regulatory action will not have a significant effect on housing costs.

Effect on Small Business

The proposed regulatory action will not affect small businesses, because it simply clarifies the definition of a C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Contact Person

Inquiries or comments concerning the proposed administrative action may be addressed to:

Contractors State License Board
9821 Business Park Drive
Sacramento, CA 95827
Attn: Michael Brown
(916) 255-3939
(916) 255-1395 (FAX)
mbrown@dca.cslb.ca.gov

The backup contact person is:

Betsy Figueira
(916) 255-3369
(916) 255-6335 (FAX)
bfigueira@dca.cslb.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Michael Brown at (916) 255-3939.

Comment Period

Written comments must be received by the Board at the Contractors State License Board, 9821 Business Park Drive, Sacramento, CA 95827 not later than May 27, 2008 at 5:00 p.m. or at the hearing to be held in the Board office at 10:00 a.m. on May 27, 2008.

Availability of Modifications

With the exception of technical or grammatical changes, the full text of any modified proposal will be available from the person designated in this notice as the contact person for 15 days prior to its adoption and will be mailed to those persons who submit written or oral testimony related to this proposed regulatory action or who have requested notification of any changes to the proposal.

Reference to Text and Initial Statement of Reasons

The Board has prepared a statement of the reasons for the proposed action, which is available to the public upon request. The express terms of the proposed action and all information upon which the proposal is based are available upon request.

Business Impact

CSLB is not aware of any significant statewide adverse economic impact that the proposed regulatory action will have directly affecting business, including the ability of California businesses to compete with businesses in other states, because it simply clarifies the definition of a C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Impact on Jobs/New Businesses

The proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or the elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California, because it simply clarifies the definition of a C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Public Hearing

A public hearing will be held at the Contractors State License Board, 9821 Business Park Drive, Sacramento, California 95827, at 10:00 a.m. on May 27, 2008.

Federal Mandate

The proposed regulatory action is not mandated by federal law or is not identical to any previously adopted or amended federal regulation.

Consideration of Alternatives

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would be either more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome on affected private persons than the proposed regulatory action.

The actual determination must be part of both the Initial and Final Statement of Reasons.

Availability of the Final Statement of Reasons

Interested parties may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the contact person named above.

Website Access

Materials regarding the proposed regulatory action can be found at www.cslb.ca.gov.

STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CONTRACTORS STATE LICENSE BOARD
INITIAL STATEMENT OF REASONS

Hearing Date: May 27, 2008

Subject Matter of Proposed Regulation(s): Class C-47 – General Manufactured Housing Contractor

Section(s) Affected: Title 16, California Code of Regulations (CCR), Section 832.47

Purpose

The Contractors State License Board (CSLB) is mandated to protect the public health, safety, and welfare by ensuring that only those individuals who meet the qualifications for licensure are granted contractor licenses in California. Contractor's licenses are organized into four major groups – General Engineering, General Building, Specialty Contractors, and Limited Specialty Contractors.

Business and Professions (B&P) Code Section 7058 establishes the specialty contractor license classification and defines “specialty contractor” as “a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.” Section 7059 authorizes the Board to adopt rules and regulations that are reasonably necessary to effect the classification of contractors.

The Legislature adopted B&P Code Section 7026.11 in 2007 (Senate Bill 538, Chapter 540, Statutes of 2007) to establish the permissible scope of work for the General Manufactured Housing Contractor (C-47) to include manufactured homes, mobilehomes, and multifamily manufactured homes, as defined in Health and Safety Code Sections 18007, 18008, and 18008.7, respectively.

The existing regulation sets forth the scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

CSLB initiated the proposed regulatory action for the purpose of making the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted B&P Code Section 7026.11, which includes mobilehomes and multifamily manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

§ 832.47. Class C-47 – General Manufactured Housing Contractor

The existing language of Section 832.47 sets forth scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

The proposed amendment is being made in order to make the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted B&P Code Section 7026.11, which includes mobilehomes and multifamily manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

Factual Basis/Rationale

§ 832.47. Class C-47 – General Manufactured Housing Contractor

The existing language of Section 832.47 sets forth scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

The proposed regulatory action would amend the regulation in order to make the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted B&P Code Section 7026.11, which includes mobilehomes and multifamily manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

This regulation is necessary to clarify the definition of a C-47 General Manufactured Housing Contractor. Regulatory action is needed because without the regulatory language making the General Manufactured Housing Contractor definition consistent with the definition that is contained in statute (B&P Code Section 7026.11), CSLB staff and affected contractors and applicants may not be able to accurately apply the appropriate definition in relation to the licensure and enforcement of such contractors.

Underlying Data

Senate Bill 538, Chapter 540, Statutes of 2007

Business Impact

CSLB is not aware of any significant adverse economic impact that the proposed regulatory action will have directly affecting business, including the ability of California businesses to compete with businesses in other states, because it simply clarifies the definition of C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Requirements for Specific Technologies or Equipment

This proposed regulatory action does not mandate the use of specific technologies or equipment.

Consideration of Alternatives / Description of Alternatives

No alternative which was considered would be either more effective than or equally as effective as and less burdensome to affected private persons than the proposed regulation.