In this regular rulemaking action, the Board amends a regulation to add C-49 Tree and Palm as a subclassification among a list of classified specialty contractors. The Board further adopts a regulation to define this new subclassification.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2024.
STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

For use by Secretary of State only

ENDORSED - FILED
in the office of the Secretary of State of the State of California

MAR 30 2022

office of admin. law
2021 OCT 18 PM 12:51

Office of Administrative Law

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED
MAR 30 2022
Office of Administrative Law

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE
C-49 - Tree and Palm Contractor

2. REQUESTED PUBLICATION DATE
April 23, 2021

3. NOTICE TYPE
Revised

4. AGENCY CONTACT PERSON
Betsy Figueira

5. TELEPHONE NUMBER
(916) 255-3369

6. FAX NUMBER (Optional)

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)
C-49 - Tree and Palm Contractor

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

3. TYPE OF FILING
Regular Rulemaking

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES
Effective January 1, 2024

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
Department of Finance
Fair Political Practices Commission
State Fire Marshal

7. CONTACT PERSON
Betsy Figueira

8. SIGNATURE OF AGENCY HEAD OR DESIGNEE
David R. Fogt, Registrar

9. TYPED NAME AND TITLE OF SIGNATORY
David R. Fogt, Registrar
Added language indicated by underline.

Amend Section 832 as follows:

§832. Specialty Contractors Classified

Specialty contractors shall perform their trade using the art, experience, science and skill necessary to satisfactorily organize, administer, construct and complete projects under their classification, in accordance with the standards of their trade. They are classified into the following subclassifications:

- Asbestos Abatement ........................................................................................................... C-22
- Boiler, Hot Water Heating and Steam Fitting ................................................................. C-4
- Building Moving/Demolition ......................................................................................... C-21
- Cabinet, Mill Work and Finish Carpentry ....................................................................... C-6
- Concrete ............................................................................................................................ C-8
- Construction Zone Traffic Control .................................................................................. C-31
- Drywall .............................................................................................................................. C-9
- Earthwork and Paving ...................................................................................................... C-12
- Electrical .......................................................................................................................... C-10
- Elevator ............................................................................................................................. C-11
- Fencing ............................................................................................................................... C-13
- Fire Protection .................................................................................................................. C-16
- Flooring and Floor Covering .......................................................................................... C-15
- Framing and Rough Carpentry ....................................................................................... C-5
- General Manufactured Housing ..................................................................................... C-47
- Glazing ............................................................................................................................... C-17
- Insulation and Acoustical ............................................................................................... C-2
- Landscaping ...................................................................................................................... C-27
- Lathing and Plastering ..................................................................................................... C-35
- Limited Specialty .............................................................................................................. C-61
- Lock and Security Equipment ......................................................................................... C-28
- Low Voltage Systems ....................................................................................................... C-7
- Masonry ............................................................................................................................... C-29
- Ornamental Metal .............................................................................................................. C-23
- Painting and Decorating ................................................................................................... C-33
- Parking and Highway Improvement ............................................................................... C-32
- Pipeline ............................................................................................................................... C-34
- Plumbing ............................................................................................................................. C-36
<table>
<thead>
<tr>
<th>Trade</th>
<th>Code</th>
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<tbody>
<tr>
<td>Refrigeration</td>
<td>C-38</td>
</tr>
<tr>
<td>Roofing</td>
<td>C-39</td>
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<tr>
<td>Sanitation System</td>
<td>C-42</td>
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<td>C-43</td>
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<td>C-50</td>
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<tr>
<td>Steel, Structural</td>
<td>C-51</td>
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<td>C-53</td>
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<tr>
<td>Tile (Ceramic and Mosaic)</td>
<td>C-54</td>
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<tr>
<td>Tree and Palm</td>
<td>C-49</td>
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<tr>
<td>Warm-Air Heating, Ventilating and Air Conditioning</td>
<td>C-20</td>
</tr>
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<td>Water Conditioning</td>
<td>C-55</td>
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<tr>
<td>Welding</td>
<td>C-60</td>
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<tr>
<td>Well Drilling (Water)</td>
<td>C-57</td>
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Note: Authority cited: Sections 7008 and 7059, Business and Professions Code.
Reference: Sections 7058 and 7059, Business and Professions Code

Add Section 832.49 as follows:

§832.49. Class C-49 — Tree and Palm Contractor

(a) A tree and palm contractor plants, maintains, and removes trees and palms. The duties include pruning, stump grinding, and tree, palm, or limb guying.

(b) Effective January 1, 2024, this regulation shall become operative.

(c) This regulation does not apply to, and a license shall not be required for, incidental pruning of trees or guying of planted trees and their limbs by a nurseryperson or incidental pruning of trees by a gardener as described in Section 7026.1 of the Code.

Note: Authority cited: Sections 7008 and 7059, Business and Professions Code.
Reference: Sections 7026.1, 7058, and 7059, Business and Professions Code.