

**STATE OF CALIFORNIA  
DEPARTMENT OF INSURANCE  
300 Capitol Mall, 17th Floor  
Sacramento, CA 95814**

**NOTICE OF AVAILABILITY OF REVISED TEXT  
AND OF ADDITION TO RULEMAKING FILE**  
(Government Code §§ 11346.8 (c), 11347.1)

**ANTI-STEERING IN AUTO BODY REPAIRS**

**Date:** September 26, 2016

**REGULATION FILE:** REG-2015-00015

On March 4, 2016, the Insurance Commissioner issued a Notice of Proposed Rulemaking, proposing to adopt Title 10, California Code of Regulations (“CCR”), Chapter 5, Subchapter 7.5, Article 1, section 2695.8(e). The regulations clarify the anti-steering provisions of Insurance Code section 758.5 which prohibit insurers from making untruthful and deceptive statements that unreasonably influence a claimant’s right to select an auto body repair facility, and untruthful and deceptive statements made by insurers during the claims process.

**PUBLIC COMMENT INVITED ON REVISED TEXT**

The Insurance Commissioner plans to make additional changes to section 2695.8(e), and now solicits written comments on those changes only. The Commissioner believes the changes made are sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. Accordingly, pursuant to the provisions of California Government Code section 11346.8(c), the Commissioner is soliciting written public comments on these changes.

A copy of the proposed sections to be revised, with the proposed changes clearly indicated by double strikethrough and double underline, will be available for public inspection and comment for at least 15 days before the proposed action is adopted. A copy of the proposed sections to be revised can be obtained upon request from the contact person listed below. In addition, a copy of the proposed revisions can be accessed through the Department’s website at: <https://www.insurance.ca.gov>. Further, a copy of the proposed sections to be revised may be inspected between the hours of 9:00 a.m. and 4:00 p.m. at the Department’s offices at 300 Capitol Mall, 17th Floor, Sacramento, California 95814 by contacting Damon Diederich, whose contact information appears below.

**PUBLIC COMMENT INVITED ON ADDITION TO RULEMAKING FILE**

The Commissioner intends to add the following additional material to the rulemaking file:

- 1) Excerpts from CDI Complaint File Number: CSB-7059184
- 2) Excerpts from CDI Complaint File Number: CSB-7057044
- 3) Excerpts from CDI Complaint File Number: CSB-7058541

- 4) Excerpts from CDI Complaint File Number: CSB-7061835
- 5) Excerpts from CDI Complaint File Number: CSB-7065157
- 6) Excerpts from CDI Complaint File Number: CSB-7067026
- 7) Excerpts from CDI Complaint File Number: CSB-7067875
- 8) Excerpts from CDI Complaint File Number: CSB-7068195
- 9) Excerpts from CDI Complaint File Number: CSB-7064276
- 10) Excerpts from CDI Complaint File Number: CSB-7069411
- 11) Excerpts from CDI Complaint File Number: CSB-7069945
- 12) Excerpts from CDI Complaint File Number: CSB-7070897
- 13) Excerpts from CDI Complaint File Number: CSB-7071632
- 14) Excerpts from CDI Complaint File Number: CSB-7071984
- 15) Excerpts from CDI Complaint File Number: CSB-7078720
- 16) Excerpts from CDI Complaint File Number: CSB-7076100
- 17) Department of Consumer Affairs, Bureau of Automotive Repair Licensing Unit — Application for Automotive Repair Dealer Registration, revised 05/11

Accordingly, pursuant to the provisions of California Government Code Section 11347.1, the Commissioner is soliciting written public comment on these documents.

The above listed documents are available for public comment and inspection. The documents may be inspected between the hours of 9:00 a.m. and 4:00 p.m. by arrangement with the contact person listed below, at the Department's offices at 300 Capitol Mall, 17th Floor, Sacramento, California 95814.

**PRESENTATION OF WRITTEN COMMENTS; CONTACT PERSONS**  
**(Gov. Code section 11346.5(a)(14))**

All persons are invited to submit written comments on the revised text of the proposed regulations and/or the documents being added to the rulemaking file during the public comment period. The public comment period will end at **5:30 p.m. on October 11, 2016**. Please direct all written comments submitted in response to this Notice to the following contact person:

Damon Diederich  
California Department of Insurance  
300 Capitol Mall, 17th Floor  
Sacramento, CA 95814  
Telephone: (916) 492-3567  
Email: [Damon.Diederich@insurance.ca.gov](mailto:Damon.Diederich@insurance.ca.gov)

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Diane Pinney  
California Department of Insurance  
300 Capitol Mall, 17th Floor

Sacramento, CA 95814  
Telephone: (916) 492-3456  
Email: Diane.Pinney@insurance.ca.gov

**DEADLINE FOR WRITTEN COMMENTS (Gov. Code section 11346.5(a)(15))**

All written comments regarding the proposed additional changes to the regulations and/or the documents being added to the rulemaking file must be received by the Insurance Commissioner, addressed to Damon Diederich at the address listed above, no later than **5:30 p.m. on October 11, 2016**. Any written materials received after that time may not be considered.

Please note that under the California Public Records Act (Government Code section 6250, et seq.), your written and oral comments, and associated contact information (e.g., your address, phone number, e-mail, etc.) become part of the public record and can be released to the public upon request.

**COMMENTS TRANSMITTED BY EMAIL OR FACSIMILE**

The Commissioner will accept written comments transmitted by email provided they are sent to the following email address: [Damon.Diederich@insurance.ca.gov](mailto:Damon.Diederich@insurance.ca.gov).

The Commissioner will also accept written comments transmitted by facsimile provided they are directed to the attention of Damon Diederich and sent to the following facsimile number: (916) 324-1883. However, email comments are strongly preferred.

**Comments sent to other e-mail addresses or other facsimile numbers may not be received. Comments sent by e-mail or facsimile are subject to the deadline set forth above for written comments.**