

# New California Laws for 2018

Every year, hundreds of new laws are enacted that impact California automotive repair shops. Below is a short summary/highlights of some key measures that will take effect in 2018, unless otherwise noted.

- **Minimum Wage Increase.** Reminder that effective January 1, 2018, the minimum wage for employers with 26 or more employees will increase to \$11.00 per hour. The minimum wage for employers with 25 or fewer employees will increase to \$10.50. (SB 3 of 2017)
- **Smog Check Exemption.** This new law extends the exemption for performing vehicle smog check inspections from 6 years to 8 years. Exempted vehicle owners will pay \$25.00 annual abatement fee (AB 1274)
- **Mobile Automobile Repair.** These BAR regulations will require mobile automotive operators to display in any advertisement, the name, telephone number and BAR registration number. In addition, mobile operators must comply with all BAR laws and regulations, including estimates, work orders and invoices and provide consumers a copy of the official auto repair dealer sign. (16 CCR 3351.7.1; 3351.7.2; 3371.1)
- **Salary History.** This new law prohibits employers from using or seeking job applicants' salary information. Also, employers cannot rely on salary history information as a factor in determining whether to offer employment and what salary to offer to an applicant. (AB 168)
- **Immigration Enforcement.** This new law will bar employers from voluntarily consenting to allow an immigration enforcement agent to enter nonpublic areas of a workplace, except if the agent provides a judicial warrant or otherwise required by federal law. Employers cannot provide these enforcement agents access to employee records without a subpoena or judicial warrant. Employers must follow specific requirements related to Form I-9 inspections. (AB 450)
- **Vehicle Retirement and Replacement.** These new laws require updated guidelines for retire and replace options to purchase light-duty trucks and to set specific annual goals for retire and replace and post information online. (AB 188 & AB 630)
- **Ban the Box.** This new law prohibits employers with five or more employees from asking about criminal history information on job applications and from inquiring about or considering criminal history at any time before a conditional offer of employment has been made. Once an employer has made a conditional offer of employment, it may seek certain criminal history information. The employer must follow specific requirements before denying employment because of criminal convictions.. (AB 1008)
- **Taxicab Inspections.** This new law requires taxicab to maintain vehicles in safe operation condition and requires an annual inspection to be performed by BAR registered facility. (AB 1069)

- **Workplace Safety.** Employers that have designated cleaning products, including general cleaning, air care, automotive or polish or floor maintenance products, must obtain the safety data sheets from the manufacturers and make them available at the workplace. (SB 258)
- **Workers Compensation.** This new law lowers the ownership threshold for waiving workers' compensation coverage from 15% to 10% and also creates specific waiving provisions for professional corporations, worker-owned cooperatives, and closely-held family business. (SB 189)
- **BAR Vehicle Procurement Requirements.** This new law allows BAR to be exempted from certain state vehicle procurement requirements governing the acquisition of vehicles purchased and used for undercover operations. (SB 547)
- **Parental Leave Act.** This new law requires an employer with 20 or more employees to provide eligible employees up to 12 weeks or unpaid, job-protected leave to bond with a new child. If an employee takes leave, an employer must maintain and pay for coverage under a group health plan at the same level and conditions that coverage would have been provided if the employee had continued working. (SB 63)
- **Prop 65 Signage.** Current law, Proposition 65 protects consumers from toxic substances that may cause cancer and birth defects by requiring warnings in advance of exposures to dangerous chemicals. The Office of Environmental Health Hazard Assessment (OEHHA) passed a new regulations, which provide specific language warnings for environmental exposures signage that maybe used by vehicle repair facilities. This law will take effect August 30, 2018. (27 CCR 25607.25). See link below for Prop 65 warning.  
<https://www.p65warnings.ca.gov/places/vehicle-repair-facilities>
- **Harassment Prevention Training.** This new law requires employers with 50 or more employees to provide supervisors with two hours of sexual harassment prevention training every two years. (SB 396)
- **Retaliation.** This new law greatly expands certain employee retaliation and whistleblower claims. The law also the Labor Commissioner to initiate an investigation of employers, with or without a complaint being filed. (SB 306)

**This summary is designed to provide information and should not be considered legal advice.**