

FINAL STATEMENT OF REASONS

1) The Update to the Initial Statement of Reasons

The following changes were made to the Initial Statement of Reasons:

- The department updated the form INF 1130 A during the 45-day public comment period.

The Government Requester Account Application for California Courts, Tax Collectors, and Parking/Toll Agencies, form INF 1130 A was referenced in the proposed text and the initial statement of reasons as form INF 1130 A. The department has amended the regulatory text to identify the corrected form number.

The Government Requester Account Application for California Courts, Tax Collectors, and Parking/Toll Agencies, form INF 1130 A, was updated from a revision date of 9/2023 to 12/2023. Changes to the form are identified in the Addendum to the Initial Statement of Reasons and include the following:

- Section 1 (Type of Application) contains three options that allow the applicant to indicate the type of transaction they are requesting. Those options are identified as Original, Renewal, and Changes to Existing Account. On the 9/2023 version of the form INF 1130 A, the Renewal section and Changes to Existing Account section requests the applicant “Provide current Requester/Parking/Court Code(s).” This is the space where an existing account holder will enter the current requester code.
- The form is revised to remove reference to “Requester/Parking/Court Code(s)” and will be rephrased to “Provide current Requester (Court/Tax/Parking/Toll Update/Inquiry) Codes.” The revised language is necessary as it continues to request the applicant to provide the existing requester code number, but also provides additional clarification to note that requester codes issued only to court, tax collectors, and parking/toll agencies will be acceptable in this line.
- Section 2 (Agency Information) requires the applicant to identify the type of agency to which the requester code will be issued and the agency’s contact information, including the address, telephone number, and email address. The 12/2023 version of the form is updated to include a line that requires the applicant to provide an indication of the address to which the department will send revenue checks when the department collects parking/toll fees on behalf of the agency. This information is necessary to ensure the revenue checks are directed to the appropriate address in a timely manner.

The department provided the amended text and the Addendum to the Initial Statement of Reasons and made the form available to interested parties for a period of 15 days commencing January 11, 2024 and ending January 26, 2024, during which the department received no comments related to the amended text or the modified forms.

- The department amended subsections (a) and (b) of the originally proposed regulation to require the forms INF 1130 and INF 1130 A to be submitted electronically through the department’s internet portal.

The department provided the amended text and the Second Addendum to the Initial Statement of Reasons for a period of 15 days commencing February 12, 2024 and ending February 27, 2024, during which the department received no comments related to the modified text.

The department made the following non-substantive edits to the text:

Subsection (a) is amended to correct the name of the form by removing the word “Governmental” and replacing with “Government.”

Subsection (a) is amended to correct the revision date of the form INF 1130 by removing reference to 4/2023 and replacing with 2/2024.

- The department made the following non-substantive edits to the form INF 1130:

Section 7 (Information Use), item 3 is updated to remove an incorrect citation to “GC §3.” That section is unrelated to government requesters and is removed from the form INF 1130.

Section 8 (General Security Requirements), item 3 is updated to correct a citation. The previous version of the INF 1130 referenced an incorrect citation to Civil Code §798.29. The revised form adopts the correct citation of Civil Code §1798.29.

The last page of the form INF 1130 is updated to instruct applicants representing tax collectors, courts, or parking agency to use the form INF 1130 A and includes the email addresses for use when the applicant is a tax collector, a court, or a parking agency.

- The department made the following non-substantive edits to the form INF 1130 A:

In Section 2 (Agency Information) space is added for the applicant to provide an indication of the address to which the department will send revenue checks when the department collects fees on the agency’s behalf.

Section 6 (Information Use), item 3 is updated to remove an incorrect citation to “GC §3.” That section is unrelated to government requesters and is removed from the form INF 1130 A.

Section 11 (Agent), item 3 is amended to remove a superfluous reference to “et al.”

The last page of the form INF 1130 A is updated to include the email address for use when the applicant is a tax collector.

The department has determined these edits to be non-substantive as they do not change any requirements that were established during the initial 45-day comment period.

2) Imposition of Mandate on Local Agencies or School Districts

The department’s regulatory action amending Section 350.06 in Article 5.0, Chapter 1, Division 1, of Title 13, does not impose any mandate on local agencies or school districts and imposes (1) no cost or savings to any state agency, (2) no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, (3) no other discretionary cost or savings to local agencies, and (4) no cost or

savings in federal funding to the state. No studies or data were relied upon to make this determination.

3) Summary of Comments Received and Department Response

The proposal was noticed on November 10, 2023, and made available to the public from November 10, 2023 through December 25, 2023. The department received no comments during the 45-day comment period.

The department conducted a 15-day comment period to allow the public an opportunity to review and provide comment on the amended form INF 1130 A. The comment period began on January 11, 2024 and ended on January 26, 2024 with the department having received no comments.

The department conducted a second 15-day comment period to allow the public an opportunity to review and provide comment on the amended text that requires both the form INF 1130 and INF 1130 A to be submitted electronically through the department. The comment period began on February 12, 2024 and ended on February 27, 2024 with the department having received no comments.

4) Determination of Alternatives

The department has determined that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be effective as 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 provisions of law.

5) Incorporation by Reference

The department has incorporated two forms by reference, the INF 1130 and INF 1130 A. The department is incorporating these forms by reference because it would be cumbersome, unduly expensive, or otherwise impractical to publish the document in the California Code of Regulations. The department currently has over 200 forms in regulation and adopt each form in regulation would greatly increase the length of the department's regulations in Title 13.

The department noted in its Notice of Proposed Action that the forms are made available by requesting them from the department. The forms are also available on the department's website.