STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

[Signature]
OFFICE OF
ADMINISTRATIVE LAW

2013 SEP 19 AM 10:56

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

1. SUBJECT OF NOTICE
   N/A
   TITLE(S)
   FIRST SECTION AFFECTED
   N/A
   2. REQUESTED PUBLICATION DATE
      N/A

3. NOTICE TYPE
   [ ] Notice re Proposed
   Regulatory Action
   [ ] Other

4. AGENCY CONTACT PERSON
   TELEPHONE NUMBER
   N/A
   FAX NUMBER (Optional)
   N/A

ACTION ON PROPOSED NOTICE
[ ] Approved as Submitted
[ ] Approved as Modified
[ ] Disapproved/Withdrawn

NOTICE REGISTER NUMBER

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)
   Transportation Services Fee Election

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
   58520

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

SECTION(S) AFFECTED
(List all section number(s)
individually. Attach
additional sheet if needed.)

TITLE(S)
5
REPEAL

3. TYPE OF FILING
   [ ] Regular Rulemaking (Gov. Code §11346)
   [ ] Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
   [ ] Emergency (Gov. Code, §11346.1(b))

   [ ] Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
   [ ] Emergency Readopt (Gov. Code, §11346.1(h))
   [ ] Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
   [ ] File & Print
   [ ] Print Only
   [ ] Other (Specify)

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 (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
   [ ] Effective January 1, April 1, July 1 or October 1 (Gov. Code §11343.4(a))
   [ ] Effective on filing with Secretary of State
   [ ] §100 Changes Without Regulatory Effect
   [ ] Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
   [X] Department of Finance (Form STD. 399) (SAM §6660)
   [ ] Fair Political Practices Commission
   [ ] State Fire Marshal
   [ ] Other (Specify)

7. CONTACT PERSON
   STEVEN BRUCKMAN, General Counsel
   TELEPHONE NUMBER
   916-445-9328
   FAX NUMBER (Optional)
   916-322-9030
   E-MAIL ADDRESS (Optional)
   sbruckman@cccco.edu

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

TYPED NAME AND TITLE OF SIGNATORY
STEVEN BRUCKMAN, Executive Vice Chancellor and General Counsel

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED
SEP 30 2013
Office of Administrative Law
ATTACHMENT 1

BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES
REVISIONS TO TITLE 5 REGULATIONS:
Transportation Services Fee Election

1. Section 58520 of article 3 of subchapter 6 of chapter 6 of division 6 of title 5 of the
   California Code of Regulations is repealed:

§ 58520. Transportation Services Fee Election.

—If the governing board of the Los Rios Community College District or the governing board of
the Rio Hondo Community College District seeks to establish a mandatory transportation
services fee pursuant to subdivisions (b)(1) or (b)(2) of Education Code section 76361.1, that
governing board shall adopt and publish procedures for elections conducted for the purpose of
collecting a transportation services fee and shall call an election for such purpose. The election
shall, at a minimum, meet the following criteria:
—(a) The governing board shall make available in its district office and the student government
office of each affected college written information regarding election procedures. Such
information shall be made available to the public upon request.
—(b) Adequate notice of the election shall be given by the governing board. Adequate notice is
deemed to be notice at least ten school days prior to the election.
—(c) Each election shall be held on a day which counts toward the 175-day requirement as
defined in section 58120. In instances where an election is conducted for more than one day,
those days shall be consecutive and shall be limited to a maximum of five days.
—(d) The election shall be conducted in a manner that would allow equal opportunity for day,
evening, and weekend students to participate.
—(e) Each election shall be held no more than 10 years prior to the date of the expiration of a
contract proposed to be entered into for transportation services provided by a common carrier
or a municipally owned transit system, or no more than 10 years prior to the date to which it is
proposed that an existing contract be extended.
—(f) If the proposed transportation services fee is to be required of all students, other than
those students who are exempt from the fees pursuant to paragraph (1) of subdivision (c) of
section 76361.1, and of all employees of a campus of the Los Rios Community College District or
a campus of the Rio Hondo Community College District, the fee may be imposed upon the
favorable vote of the majority of the students and of a majority of the employees of that
particular campus voting in an election on the question of whether or not the governing board
should require all students and employees at that campus to pay a fee for transportation
services for a period of time to be determined by the governing board of the district.
—(g) If the proposed transportation services fee is to be required of all students, other than
those students who are exempt from the fees pursuant to paragraph (1) of subdivision (c) of
section 76361.1, of a campus of the Los Rios Community College District or a campus of the Rio
Hondo Community College District, the fee may be imposed upon the favorable vote of a
majority of the students of that particular campus voting in an election on the question
whether or not the governing board should require all students at that campus to pay a fee for
transportation services for a period of time to be determined by the governing board of the
district.

—(h) Any transportation services fee election held by either the Los Rios Community College
District or the Rio Hondo Community College District prior to the effective date of this section
will be considered valid and binding if the election satisfies the requirements of this section.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 76361
and 76361.1, Education Code.