

INITIAL STATEMENT OF REASONS

Commission Regulation 1070 Amend *Minimum Training Standards for Instructors of POST-Certified Specialized Training*

The Commission on Peace Officer Standards and Training (POST) proposes to amend Regulation 1070 to address the following changes:

- Remove the requirement that vehicle operation instructors attend the Driver Training Course, if they are only instructing slow speed driving in the basic courses.

All changes to basic course curriculum begin with recommendations from law enforcement practitioners or, in some cases, via legislative mandates. POST then facilitates meetings with curriculum advisors and subject matter experts (SMEs) who recommend changes to existing academy curriculum. The Commission approved them at the June 18, 2020, Commission meeting, subject to the Notice of Proposed Regulatory Action process.

Justification – Regulation 1070

Penal Code Section 13510.5 specifies the Commission will “adopt, and may, from time to time amend, rules establishing minimum standards for training of peace officers” for the “purpose of maintaining the level of competence of state law enforcement officers.” The proposed changes maintain the level of competence of state law enforcement officers by modifying required minimum training standards to levels corresponding to current industry standards in regard to specific legal terminology and law.

POST currently requires all vehicle operation instructors in the basic courses to complete the Driver Awareness Instructor Course and the Driver Training Instructor Course. For those instructors that only teach slow speed maneuvers the Driver Training Instructor Course is not necessary, consequently creating an undue burden on instructors and course presenters. The proposed changes would allow instructors in the basic courses only teaching slow speed maneuvers to attend the Driver Awareness Instructor Course only. With the limited amount of Driver Training Instructor courses offered this would allow instructors only teaching slow speed maneuvers to get the necessary training in a timely manner.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses

The Commission on Peace Officer Standards and Training has made a determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Assessment

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The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the State of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Considerations of Alternatives

The Commission determined that there were no reasonable alternatives to the proposed regulation.

Benefits Anticipated

The specific benefits anticipated by the proposed amendments to the regulations will be to increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California. There would be no effect in regard to the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

Economic Impact Analysis

Impact of Jobs/New Business:

The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the State of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California. These proposed regulations will set standards for consistency across the State.

Benefits of Proposed Regulation:

The proposed amendments of regulations will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California.