

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Labor Standards Enforcement
Licensing & Registration Unit
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San Francisco, CA 94142-0603



IMPORTANT INFORMATION AND INSTRUCTIONS FOR NEW AND RENEWAL APPLICANTS FOR CAR WASHING AND POLISHING REGISTRATION

READ ALL INFORMATION AND INSTRUCTIONS CAREFULLY !!

PLEASE see the website of the Division of Labor Standards Enforcement (DLSE) at http://www.dir.ca.gov/dlse/Car_Wash_Polishing.htm for further information and/or clarification and to download the application form and required supporting documentation. If you have questions not addressed by this document or the website, or to request that an application package be mailed to you, please call the Car Wash and Polishing Program at 415-703-5640.

GENERAL INFORMATION

Correspondence: Original signatures are required; therefore, we cannot accept submission by fax. Correspondence should be addressed as follows:

- a. U.S. Mail:
Department of Industrial Relations
Division of Labor Standards Enforcement
LICENSING AND REGISTRATION UNIT
P.O. Box 420603
San Francisco, CA 94142
- b. Personal Delivery (UPS, DHL, FedEx, etc.):
Department of Industrial Relations
Division of Labor Standards Enforcement
LICENSING AND REGISTRATION UNIT
455 Golden Gate Ave., 9th Floor
San Francisco, CA 94102

Who Must Register?

"Car washing and polishing" means washing, cleaning, drying, polishing, detailing, servicing, or otherwise providing cosmetic care to vehicles. "Car washing and polishing" does not include motor vehicle repair, as defined in Section 9880.1 of the Business and Professions Code. [Labor Code section 2051\(a\)](#). Every person engaged in the business of car washing & polishing must register with the Labor Commissioner. California Code of Regulations, Title 8, Section 13680 through 13693.

Who Is Excluded from Registering?

"Employer" means any individual, partnership, corporation, limited liability company, joint venture, or association engaged in the business of car washing and polishing that engages any other individual in providing those services. [Labor Code Section 2051\(b\)\(1\)](#). "Employer" does not include any charitable, youth, service, veteran, or sports group, club, or association that conducts car washing and polishing on an intermittent basis to raise funds for charitable, education, or religious purposes. "Employer" does not include any licensed vehicle dealer or car rental agency that conducts car washing and polishing ancillary to its primary business of selling, leasing, or

servicing vehicles. "Employer" does not include either a new motor vehicle dealer, as defined in Section 426 of the Vehicle Code, that is primarily engaged in the business of selling, leasing, renting, or servicing vehicles or an automotive repair dealer, as defined by subdivision (a) of Section 9880.1 of the Business and Professions Code, who is primarily engaged in the business of repairing and diagnosing malfunctions of motor vehicles. "Employer" does not include any self-service car wash or automated car wash that has employees for cashiering or maintenance purposes only. [Labor Code Section 2051\(b\)\(2\)](#).

Posting Requirements:

Each employer must post the registration form issued by the Division of Labor Standards Enforcement where it may be read by the employees during the workday. (Labor Code section 2057)

Record Keeping Requirements:

Pursuant to Labor Code section 2052, every employer must keep accurate records for three (3) years showing all of the following:

- The names and addresses of all employees engaged in rendering actual services for any business of the employer
- The hours worked daily by each employee, including the times the employee begins and ends each work period
- All gratuities received daily by the employers, whether received directly from the employee or indirectly by deduction from the wages of the employee or otherwise
- The wage and wage rate paid each payroll period
- The age of all minor employees
- Any other conditions of employment

Additional Resources: California Code of Regulations, Title 8, Chapter 6, Subchapter 11, Car Washing & Polishing, sections 13680-13694 at <http://www.dir.ca.gov/t8/ch6sb11.html>

APPLICATON PROCESS:

Duration of Registration:

Every employer must register annually (Labor Code section 2054) using a written application in the form prescribed by the Labor Commissioner (Labor Code section 2061). **A Car Washing and Polishing Application form (DLSE 666 (09/05)), along with other required documentation, can be downloaded from the DLSE website at <http://www.dir.ca.gov/dlse/HowToObtainCarWashRegistration.htm>**

Fees Required for Registration:

The Division of Labor Standards Enforcement must receive a completed application along with a \$250.00 annual registration fee for each branch location. In addition to the fee specified each employer shall be assessed an annual fee of \$50.00 for each branch location. (Total registration fee of \$300.00 for each branch location.) The registration and assessment fees may be combined and paid in one instrument. "Branch" means a separate location of the employer's business where employees carry out car washing and polishing operations, and includes a main or central location.

The DLSE Licensing & Registration Unit offers online payment of fees by accessing http://www.dir.ca.gov/dlse/Dlse_Online_Payment.html. Through this website you will be able to pay by electronic fund transfer (EFT) or by credit card. Please be sure to print out your payment receipt as we will not be able to provide a duplicate receipt.

NOTE: Unfortunately, payments using this system cannot be processed using a VISA credit card. ***If VISA is the only card available to you, you will be required to submit your payment via certified check, cashier's***

check or money order made payable to Division of Labor Standards Enforcement.

IMPORTANT: Submitting an application for a certificate of registration DOES NOT authorize you to operate a car washing and polishing business. It is illegal to operate a car washing and polishing business without first obtaining a car wash registration certificate from the State Labor Commissioner. If you operate without a valid certificate of registration, you will be subject to a civil penalty

Documentation Required of ALL NEW AND RENEWALS Applicants:

- Completed Application form DLSE 666 (Rev. 09/05). Application MUST be either TYPED or PRINTED in ink.
- Annual registration AND assessment fees. (\$300.00 for each branch location)
- A valid workers' compensation insurance certificate or a copy of the certificate from the Director of the Department of Industrial Relations consenting to your being self insured against liability to pay compensation under the State's workers' compensation laws either as an individual employer or as one employer in a group of employers. A valid workers' compensation insurance certificate MUST:
 - Show the complete and correct name of the legal entity that is the insured employer, i.e. full name of an individual (if a sole proprietorship), all partners, general and limited (if a partnership), name of limited liability company, or corporation, whichever is applicable.
 - Show correct fictitious business name (the "doing business as" name), if applicable.
 - Contain the complete and correct address of each location where the employer engages in the business of car washing and polishing; and
 - Identify the certificate holder as:
 - Division of Labor Standards Enforcement
 - Licensing and Registration Unit, 9th Floor West
 - P.O. Box 420603
 - San Francisco, CA 94142-0603

IMPORTANT: The DLSE will not accept copies of an application for insurance, policy declaration, information page, annual rating endorsement, or payroll report. Only the actual certificate or a readable copy will be accepted.

- If you intend to contract with an employee leasing company as the employer, that employee leasing company must be currently registered with the Labor Commissioner as an employer engaged in the business of car washing and polishing, and you must submit the following:
 - A copy of the signed contract between you and the employee leasing company; and
 - A current workers' compensation insurance certificate that is provided to you by the employee leasing company.
- Proof of compliance with the local government's (i.e., city, county, district, etc.) business licensing or regional regulatory requirements. For example, a car wash operating within the jurisdiction of the South County Regional Wastewater Authority is required to have an industrial waste discharge permit certificate, a copy of which would be included in the applicant's registration packet.
- Surety bond. **FOR NEW APPLICANTS:** A surety bond in the amount of One Hundred and Fifty Thousand Dollars (\$150,000.00) or if you are a carwash employer with a valid collective bargaining agreement no bond is required. The bond must be issued by a surety company licensed to do business in the State of California and must be in favor of, and payable to the people of the State of California. The bond may either be on the surety's form or on the form provided by the Labor Commissioner, Car Wash Bond, DLSE 668 (01/06).

- **FOR RENEWAL APPLICANTS:** A surety bond in the amount of \$150,000 must be in place and continuous while conducting a car washing and polishing business unless you are covered by a valid collective bargaining agreement.
<http://www.dir.ca.gov/dlse/CarWash/CW-Bond1.pdf>
- A completed Internal Revenue Service (IRS) form 8821 must be submitted directly to the IRS Compliance Verification Group (CVG). The address for the IRS CVG is listed on the front page of the pamphlet entitled "Car Wash Registration—Proof of Tax Filing and Payment."
<http://www.dir.ca.gov/dlse/CarWash/CW-ProofOfTaxFilingAndPayment.pdf>

ADDITIONAL Documentation Required for NEW Applicants:

- A copy of the Fictitious Business Name Statement(s) (doing business as (dba)) for any business name(s) you use or intend to use.
- A copy of your State Employer Identification Number (SEIN) or a copy of the application for same.
- A copy of your Federal Employer Identification Number (FEIN) or a copy of the application for same.
- A copy of the Articles of Incorporation, if you are a corporation.
- A copy of the Statement of Information by a domestic stock corporation, if you are a corporation.
- A copy of the Articles of Organization, if you are a limited liability company.
- A sample form of your contract and the 24-hour cancellation notice that you use/ intend to use, if you are an employee leasing company.

Any changes to the above forms must also be submitted at the time of renewal.

AN INCOMPLETE APPLICATION, INCLUDING INCOMPLETE SUBMISSION OF REQUIRED SUPPORTING DOCUMENTATION, WILL DELAY THE ISSUANCE OF YOUR LICENSE. IF YOU ARE SUBMITTING A RENEWAL APPLICATION, TO AVOID A LAPSE IN THE EFFECTIVE DATE OF YOUR LICENSE, PLEASE RETURN YOUR APPLICATION PACKAGE, WITH FEES AND DOCUMENTATION, AT LEAST 90-DAY PRIOR TO THE EXPIRATION OF YOUR LICENSE.