

Assembly Bill No. 626

CHAPTER 559

An act to add Section 39800.5 to the Education Code, and to add Section 10326.1 to the Public Contract Code, relating to motor vehicles.

[Approved by Governor September 28, 2003. Filed with Secretary of State September 29, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 626, Liu. Vehicles: 15-passenger vans.

Existing law authorizes a governing board of a school district to purchase or lease vehicles to provide transportation of pupils to and from school. Existing law also authorizes the Department of General Services or a state agency, as authorized by the Department of General Services, to contract with suppliers to acquire goods and services for state agencies.

This bill makes legislative findings that 15-passenger vans are unsafe and declares the intent of the Legislature that all school districts, private schools, community colleges, and the California State University should require that 15-passenger vans owned by those entities only be driven by a person holding a commercial driver's license.

This bill would require school districts, private schools, community colleges, and the California State University, to limit the operation of those vehicles to persons issued an endorsement for the operation of those vehicles and holding a class B driver's license.

The California Constitution authorizes the Regents of the University of California to enter into public contracts.

This bill would provide that the Legislature recommends that the Regents of the University of California adopt rules and regulations that would impose upon the university the requirements contained in the bill.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that the National Transportation Safety Board has recently issued findings that 15-passenger vans, because of their design, are involved in a greater number of single-vehicle accidents that result in rollover crashes than other passenger vehicles.

(b) It is the intent of the Legislature that all school districts, private schools, California Community Colleges, and all campuses of the California State University that own a 15-passenger van should require



that those vehicles may only be driven by a person holding a commercial driver's license.

SEC. 2. Section 39800.5 is added to the Education Code, to read:

39800.5. (a) Any school district and any owner or operator of a private school that provides transportation for pupils that owns, leases, or otherwise has possession or control of a 15-passenger van, may not, on or after January 1, 2005, authorize the operation of that van for the purpose of transporting passengers unless the person driving or otherwise operating that van has both of the following:

(1) A valid class B driver's license, as provided in Division 6 (commencing with Section 12500) of the Vehicle Code, issued by the Department of Motor Vehicles.

(2) An endorsement for operating a passenger transportation vehicle, as provided in Article 6 (commencing with Section 15275) of Chapter 7 of Division 6 of the Vehicle Code, issued by the Department of Motor Vehicles.

(b) (1) Except as provided in paragraph (2), for purposes of this section, a "15-passenger van" means any van manufactured to accommodate 15 passengers, including the driver, regardless of whether that van has been altered to accommodate fewer than 15 passengers.

(2) For purposes of this section, a "15-passenger van" does not mean a 15-passenger van with dual rear wheels that has a gross weight rating equal to, or greater than, 11,500 pounds.

SEC. 3. Section 10326.1 is added to the Public Contract Code, to read:

10326.1. (a) A campus or a facility of a California Community College or a campus or a facility of the California State University, that owns, leases, or otherwise has possession or control of a 15-passenger van, may not, on or after January 1, 2005, authorize the operation of that van for the purpose of transporting passengers unless the person driving or otherwise operating that van has both of the following:

(1) A valid class B driver's license, as provided in Division 6 (commencing with Section 12500) of the Vehicle Code, issued by the Department of Motor Vehicles.

(2) An endorsement for operating a passenger transportation vehicle, as provided in Article 6 (commencing with Section 15275) of Chapter 7 of Division 6 of the Vehicle Code, issued by the Department of Motor Vehicles.

(b) (1) Except as provided in paragraph (2), for purposes of this section, a "15-passenger van" means any van manufactured to accommodate 15 passengers, including the driver, regardless of whether that van has been altered to accommodate fewer than 15 passengers.



(2) For purposes of this section, a “15-passenger van” does not mean a 15-passenger van with dual rear wheels that has a gross weight rating equal to, or greater than, 11,500 pounds.

(c) The Legislature recommends that the Regents of the University of California adopt rules and regulations similar to the provisions contained in this section.

