

AMENDED IN SENATE AUGUST 7, 2012

AMENDED IN SENATE JUNE 15, 2012

AMENDED IN ASSEMBLY JANUARY 4, 2012

AMENDED IN ASSEMBLY SEPTEMBER 7, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 838**

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**Introduced by Assembly Member Hill**

February 17, 2011

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An act to amend, *repeal, and add* Section 5381.5 of the Public Utilities Code, relating to charter-party carriers of passengers.

LEGISLATIVE COUNSEL'S DIGEST

AB 838, as amended, Hill. Charter-party carriers of passengers: reports.

The Passenger Charter-party Carriers' Act, with certain exceptions, prohibits a charter-party carrier of passengers from engaging in transportation services subject to regulation by the Public Utilities Commission without obtaining a specified certificate or permit, as appropriate, from the commission. Existing law requires the commission to ensure that every charter-party carrier of passengers includes on a waybill or trip report certain information, including the name of at least one passenger in the traveling party.

This bill would ~~state that~~ *authorize, beginning January 1, 2014, a waybill or trip report may to be kept in electronic or hardcopy format and, when requested by a public safety official authorized to inspect*

a waybill or trip report, would authorize the charter-party carrier of passengers to provide the waybill or trip report ~~may be provided~~ in either electronic or hardcopy format.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
 State-mandated local program: no.

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

1 SECTION 1. Section 5381.5 of the Public Utilities Code is  
 2 amended to read:

3 5381.5. ~~(a)~~ The commission shall, by rule or other appropriate  
 4 procedure, ensure that every charter-party carrier of passengers  
 5 operates on a prearranged basis within the state, consistent with  
 6 Section 5360.5. The commission shall require every charter-party  
 7 carrier of passengers to include on a waybill or trip report at least  
 8 all of the following:

9 ~~(1)~~

10 (a) The name of at least one passenger in the traveling party,  
 11 or identifying information of the traveling party’s affiliation, along  
 12 with the point of origin and destination of the passenger or traveling  
 13 party.

14 ~~(2)~~

15 (b) Information as to whether the transportation was arranged  
 16 by telephone or written contract.

17 ~~(b) A waybill or trip report may be kept in electronic or hardcopy  
 18 format. When requested by a public safety official, the waybill or  
 19 trip report may be provided in either electronic or hardcopy format.~~

20 (c) *This section shall remain in effect only until January 1, 2014,  
 21 and as of that date is repealed, unless a later enacted statute, that  
 22 is enacted before January 1, 2014, deletes or extends that date.*

23 SEC. 2. Section 5381.5 is added to the Public Utilities Code,  
 24 to read:

25 5381.5. (a) *The commission shall, by rule or other appropriate  
 26 procedure, ensure that every charter-party carrier of passengers  
 27 operates on a prearranged basis within the state, consistent with  
 28 Section 5360.5. The commission shall require every charter-party  
 29 carrier of passengers to include on a waybill or trip report at least  
 30 all of the following:*

31 (1) *The name of at least one passenger in the traveling party,  
 32 or identifying information of the traveling party’s affiliation, along*

1 *with the point of origin and destination of the passenger or*  
2 *traveling party.*

3 *(2) Information as to whether the transportation was arranged*  
4 *by telephone, written contract, or electronic communication.*

5 *(b) A waybill or trip report may be kept in electronic or*  
6 *hardcopy format. When requested by an official authorized to*  
7 *inspect a waybill or trip report, the waybill or trip report may be*  
8 *provided in either electronic or hardcopy format.*

9 *(c) This section shall become operative on January 1, 2014.*

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