

AMENDED IN SENATE AUGUST 16, 2012
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

Introduced by Assembly Member Hill

February 17, 2011

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, *beginning January 1, 2014*, would authorize, ~~beginning January 1, 2014~~, a waybill or trip report to be kept in electronic or

hardcopy format and, ~~when requested by an official authorized to inspect a waybill or trip report,~~ would authorize the charter-party carrier of passengers to provide the waybill or trip report in either electronic or hardcopy format *when requested by any commission or airport enforcement officer or any official of a city, county, or city and county authorized to inspect a waybill or trip report.* The bill would require, beginning January 1, 2014, a charter-party carrier of passengers to produce in its office a hard copy of any waybill or trip report when requested by the commission or one of its authorized representatives.

Vote: majority. Appropriation: no. Fiscal committee: 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. 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 (a) The name of at least one passenger in the traveling party, or
10 identifying information of the traveling party’s affiliation, along
11 with the point of origin and destination of the passenger or traveling
12 party.
13 (b) Information as to whether the transportation was arranged
14 by telephone or written contract.
15 (c) This section shall remain in effect only until January 1, 2014,
16 and as of that date is repealed, unless a later enacted statute, that
17 is enacted before January 1, 2014, deletes or extends that date.
18 SEC. 2. Section 5381.5 is added to the Public Utilities Code,
19 to read:
20 5381.5. (a) The commission shall, by rule or other appropriate
21 procedure, ensure that every charter-party carrier of passengers
22 operates on a prearranged basis within the state, consistent with
23 Section 5360.5. The commission shall require every charter-party
24 carrier of passengers to include on a waybill or trip report at least
25 all of the following:

1 (1) The name of at least one passenger in the traveling party,
2 or identifying information of the traveling party's affiliation, along
3 with the point of origin and destination of the passenger or traveling
4 party.

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

7 (b) A waybill or trip report may be kept in electronic or hardcopy
8 format. When requested by ~~an official~~ *any commission or airport*
9 *enforcement officer or any official of a city, county, or city and*
10 *county authorized to inspect a waybill or trip report pursuant to*
11 *subdivision (h) of Section 5371.4*, the waybill or trip report may
12 be provided in either electronic or hardcopy format.

13 (c) *A charter-party carrier of passengers shall produce in its*
14 *office a hard copy of any waybill or trip report when requested by*
15 *the commission or one of its authorized representatives pursuant*
16 *to Section 5389.*

17 (e)

18 (d) This section shall become operative on January 1, 2014.