

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1366**

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**Introduced by Assembly Member Allen**

February 22, 2013

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An act to ~~amend Section 5411~~ *add and repeal Section 5353.1* of the Public Utilities Code, relating to charter-party carriers *of passengers*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1366, as amended, Allen. Charter-party ~~carriers~~. *carriers of passengers: report by Public Utilities Commission.*

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, and imposes various other requirements. Existing law ~~imposes certain penalties for violation of the act~~ *establishes various exclusions to the act. Pursuant to existing law, the commission has opened Rulemaking 12-12-011 to assess public safety risks and to ensure that the safety of the public is not compromised in the operation of transportation services utilizing new transportation business models.*

This bill would ~~make a nonsubstantive change to these provisions~~ *require the commission, by January 1, 2014, to report to the Legislature summarizing the results and conclusions of the commission in Rulemaking 12-12-011, including any recommendations to the Legislature of proposed statutory changes. The bill would repeal this requirement on January 1, 2018.*

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 5353.1 is added to the Public Utilities  
2     Code, to read:  
3     5353.1. (a) Not later than January 1, 2014, the commission  
4     shall report to the Legislature summarizing the results and  
5     conclusions of the commission in Rulemaking 12-12-011, Order  
6     Instituting Rulemaking on Regulations Relating to Passenger  
7     Carriers, Ridesharing, and New Online-Enabled Transportation  
8     Services, Filed December 20, 2012, including any  
9     recommendations to the Legislature of proposed statutory changes.  
10    (b) (1) The report to be submitted pursuant to subdivision (a)  
11    shall be submitted in compliance with Section 9795 of the  
12    Government Code.  
13    (2) Pursuant to Section 10231.5 of the Government Code, this  
14    section is repealed on January 1, 2018.  
15    SECTION 1. ~~Section 5411 of the Public Utilities Code is~~  
16    ~~amended to read:~~  
17    ~~5411. Every charter-party carrier of passengers and every~~  
18    ~~officer, director, agent, or employee of any charter-party carrier~~  
19    ~~of passengers who violates or who fails to comply with, or who~~  
20    ~~procures, aids, or abets any violation by any charter-party carrier~~  
21    ~~of passengers of any provision of this chapter, or who fails to obey,~~  
22    ~~observe, or comply with any order, decision, rule, regulation,~~  
23    ~~direction, demand, or requirement of the commission, or of any~~  
24    ~~operating permit or certificate issued to any charter-party carrier~~  
25    ~~of passengers, or who procures, aids, or abets any charter-party~~  
26    ~~carrier of passengers in its failure to obey, observe, or comply with~~  
27    ~~the order, decision, rule, regulation, direction, demand,~~  
28    ~~requirement, or operating permit or certificate, is guilty of a~~  
29    ~~misdemeanor and is punishable by a fine of not less than one~~  
30    ~~thousand dollars (\$1,000) and not more than five thousand dollars~~  
31    ~~(\$5,000) or by imprisonment in a county jail for not more than~~  
32    ~~three months, or by both that fine and imprisonment.~~

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