

AMENDED IN ASSEMBLY JUNE 26, 2013

AMENDED IN ASSEMBLY JUNE 10, 2013

AMENDED IN SENATE APRIL 8, 2013

**SENATE BILL**

**No. 109**

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**Introduced by Senator Corbett**

January 14, 2013

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An act to add Section 5385.7 to the Public Utilities Code, and to add Article 3.4 (commencing with Section 27375) to Chapter 5 of Division 12 of the Vehicle Code, relating to charter-party carriers.

LEGISLATIVE COUNSEL'S DIGEST

SB 109, as amended, Corbett. Charter-party carriers: limousines: emergency exits.

(1) 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. The act also defines a "limousine" for these purposes and imposes specified requirements applicable only to the operator or driver of a limousine. Existing law imposes various additional requirements on the operator of a limousine for hire. A violation of these requirements is a crime.

This bill would prohibit any person from operating a limousine *that has been modified or extended for purposes of increasing vehicle length and passenger capacity* in any city, county, or city and county, unless the limousine is equipped with at least 2 rear push-out windows, at least

one of which is located on each side of the ~~vehicle~~ *vehicle*, and at least 2 rear side doors, at least one of which is located on each side of the vehicle, that are accessible to all passengers and that may be opened manually, as specified.

The bill would apply these provisions to *all limousines manufactured modified or extended for purposes of increasing vehicle length and passenger capacity* on or after January 1, 2015, and, beginning January 1, 2016, to ~~all vehicles remanufactured or modified as limousines and to all vehicles that were originally manufactured as limousines~~ *modified or extended for purposes of increasing vehicle length and passenger capacity* prior to January 1, 2015. The bill would require an owner or operator of a limousine to instruct all passengers on the safety features of the vehicle prior to the beginning of any trip and to disclose whether the limousine meets the safety requirements described in this bill.

(2) Because the bill would create new crimes, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. Section 5385.7 is added to the Public Utilities
- 2 Code, to read:
- 3 5385.7. A charter-party carrier shall not operate a limousine,
- 4 as defined by Section 5371.4, *that has been modified or extended*
- 5 *for purposes of increasing vehicle length and passenger capacity,*
- 6 unless the limousine is equipped with emergency exits at the rear
- 7 of the vehicle as required pursuant to Article 3.4 (commencing
- 8 with Section 27375) of Chapter 5 of Division 12 of the Vehicle
- 9 Code. The commission shall adopt rules to implement this section.
- 10 SEC. 2. Article 3.4 (commencing with Section 27375) is added
- 11 to Chapter 5 of Division 12 of the Vehicle Code, to read:

1 Article 3.4. Emergency Exits for Charter-Party Carriers of  
2 Passengers  
3

4 27375. (a) Any person who operates a limousine, as defined  
5 in subdivision (i) of Section 5371.4 of the Public Utilities Code,  
6 in any city, county, or city and ~~county~~ county, *that has been*  
7 *modified or extended for purposes of increasing vehicle length*  
8 *and passenger capacity*, shall ensure that the vehicle has at least  
9 two rear side doors and two rear windows that the rear seat  
10 passengers, or all passengers of the vehicle if a partition separates  
11 all of the passengers from the driver, may open from the inside of  
12 the vehicle in case of any fire or other emergency that may require  
13 the immediate exit of the occupants of the vehicle. A limousine  
14 subject to this section shall be equipped with both of the following:

15 (1) At least two rear push-out windows that are accessible to  
16 all passengers. At least one push-out window shall be located on  
17 each side of the vehicle. Each push-out window shall be releasable  
18 by operating no more than two mechanisms and allow manual  
19 release of the push-out window by a single occupant. For  
20 mechanisms that require rotary or straight (parallel to the  
21 undisturbed exit surface) motions to operate the release, no more  
22 than 20 pounds of force shall be required to release the push-out  
23 window. For push-out windows that require a straight motion  
24 perpendicular to the undisturbed surface of the push-out window,  
25 no more than 60 pounds shall be required to release the push-out  
26 window. The push-out windows shall comply with any applicable  
27 federal safety standards as deemed necessary by the Department  
28 of the California Highway Patrol.

29 (2) At least two rear side doors that are accessible to all  
30 passengers and that may be opened manually by any passenger.  
31 At least one rear side door shall be located on each side of the  
32 vehicle. At least one of these side doors shall be located near the  
33 driver's compartment and another near the back of the vehicle.  
34 The mechanism for releasing these side doors shall not be subject  
35 to being disabled by the driver. These side doors shall comply with  
36 any applicable federal safety standards as deemed necessary by  
37 the Department of the California Highway Patrol.

38 (b) An owner or operator of a limousine shall do both of the  
39 following:

1 (1) Instruct all passengers on the safety features of the vehicle  
2 prior to the beginning of any trip.

3 (2) Disclose to the contracting party and the passengers whether  
4 the limousine meets the safety requirements described in this  
5 section.

6 (c) (1) Subdivision (a) shall apply to all ~~vehicles manufactured~~  
7 *as limousines modified or extended for purposes of increasing*  
8 *vehicle length and passenger capacity* on or after January 1, 2015.

9 (2) Subdivision (a) shall, beginning January 1, 2016, apply to  
10 all ~~vehicles limousines~~ that were ~~remanufactured or modified as~~  
11 ~~limousines~~ and to all ~~vehicles that were originally manufactured~~  
12 ~~as limousines~~ *modified or extended for purposes of increasing*  
13 *vehicle length and passenger capacity* prior to January 1, 2015.

14 SEC. 3. No reimbursement is required by this act pursuant to  
15 Section 6 of Article XIII B of the California Constitution because  
16 the only costs that may be incurred by a local agency or school  
17 district will be incurred because this act creates a new crime or  
18 infraction, eliminates a crime or infraction, or changes the penalty  
19 for a crime or infraction, within the meaning of Section 17556 of  
20 the Government Code, or changes the definition of a crime within  
21 the meaning of Section 6 of Article XIII B of the California  
22 Constitution.