

ASSEMBLY BILL

No. 828

Introduced by Assembly Members Low and Chang

February 26, 2015

An act to amend Section 260 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 828, as introduced, Low. Vehicles: transportation network companies.

Existing law defines “commercial vehicle,” for the purposes of the Vehicle Code, as a motor vehicle of a type required to be registered under that code that is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. Existing law, the Passenger Charter-party Carriers’ Act, provides for the regulation of transportation network companies by the Public Utilities Commission. Existing law defines a “transportation network company” to mean an organization, including, but not limited to, a corporation, limited liability company, partnership, sole proprietor, or any other entity, operating in California that provides prearranged transportation services for compensation using an online-enabled application or platform to connect passengers with drivers using a personal vehicle.

This bill would exclude from the definition of “commercial vehicle,” for purposes of the Vehicle Code, any motor vehicle operated in connection with a transportation network company.

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

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

- 1 SECTION 1. Section 260 of the Vehicle Code is amended to
- 2 read:
- 3 260. (a) A “commercial vehicle” is a motor vehicle of a type
- 4 required to be registered under this code used or maintained for
- 5 the transportation of persons for hire, compensation, or profit or
- 6 designed, used, or maintained primarily for the transportation of
- 7 property.
- 8 (b) Passenger vehicles and house cars that are not used for the
- 9 transportation of persons for hire, compensation, or profit are not
- 10 commercial vehicles. This subdivision ~~shall~~ *does* not apply to
- 11 Chapter 4 (commencing with Section 6700) of Division 3.
- 12 (c) ~~Any~~ A vanpool vehicle is not a commercial vehicle.
- 13 (d) *A motor vehicle operated in connection with a transportation*
- 14 *network company, as defined in Section 5431 of the Public Utilities*
- 15 *Code, is not a commercial vehicle.*
- 16 (d)
- 17 (e) The definition of a commercial vehicle in this section does
- 18 not apply to Chapter 7 (commencing with Section 15200) of
- 19 Division 6.