

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1422

Introduced by Assembly Member Cooper

February 27, 2015

An act to ~~amend~~ *add* Section ~~2108~~ of 5444 to the ~~Vehicle Code,~~ *Public Utilities Code*, relating to ~~vehicles.~~ *transportation.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1422, as amended, Cooper. ~~California Highway Patrol.~~ *Transportation network companies.*

Existing law, the Passenger Charter-party Carriers' Act, provides for the regulation of transportation network companies by the Public Utilities Commission, and imposes specified requirements for liability insurance coverage for those transportation network companies and their participating drivers, as defined. A violation of the act is generally a crime. 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 authorize a transportation network company to participate in the Department of Motor Vehicles pull-notice system to regularly check the driving records of a participating driver regardless of whether the participating driver is an employee or an independent contractor of the transportation network company.

~~Existing law establishes the Department of the California Highway Patrol within the Transportation Agency, which is under the control of~~

~~a civil executive officer known as the Commissioner of the California Highway Patrol. Existing law requires the commissioner to, among other things, perform all duties and exercise all powers and jurisdiction vested by law in the department.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

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 5444 is added to the Public Utilities Code,
2 immediately following Section 5443, to read:

3 5444. A transportation network company may participate in
4 the pull-notice system established pursuant to Section 1808.1 of
5 the Vehicle Code to regularly check the driving records of a
6 participating driver regardless of whether the participating driver
7 is an employee or an independent contractor of the transportation
8 network company.

9 SECTION 1. Section 2108 of the Vehicle Code is amended to
10 read:

11 2108. (a) ~~The commissioner shall perform all duties, exercise~~
12 ~~all powers and jurisdiction, assume and discharge all~~
13 ~~responsibilities, and carry out and effect all purposes vested by~~
14 ~~law in the department.~~

15 (b) ~~Notwithstanding any other law, the commissioner may~~
16 ~~administratively determine the geographic area of residence of any~~
17 ~~member of the department in order to assure the availability of~~
18 ~~that member for emergency service and the discharge of~~
19 ~~departmental responsibilities.~~