

AMENDED IN SENATE JUNE 30, 2016

AMENDED IN ASSEMBLY APRIL 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2763

Introduced by Assembly Member Gatto

February 19, 2016

An act to amend Section 5431 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2763, as amended, Gatto. Transportation network companies: personal vehicles.

The Passenger Charter-party Carriers' Act provides for the regulation of charter-party carriers of passengers by the Public Utilities Commission and includes specific requirements for liability insurance coverage for transportation network companies, which are defined as certain organizations that, using an online-enabled application or platform, connect passengers with drivers using a personal vehicle.

This bill would define a personal vehicle as a vehicle that is used by a participating driver to provide prearranged transportation services for compensation, *with a passenger capacity of eight persons or less, including the driver*; that is owned, leased, ~~rented~~, *rented for a term that does not exceed 30 days, as specified*, or otherwise authorized for use ~~for any period of time~~ by the participating driver, meets all inspection and other safety requirements imposed by the commission, and is not a taxicab or a limousine.

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 5431 of the Public Utilities Code is
2 amended to read:

3 5431. For purposes of this article, the following terms have
4 the following meanings:

5 (a) “Participating driver” or “driver” means any person who
6 uses a vehicle in connection with a transportation network
7 company’s online-enabled application or platform to connect with
8 passengers.

9 (b) “Personal vehicle” means a vehicle that is used by a
10 participating driver to provide prearranged transportation services
11 ~~for compensation, is compensation that meets all of the following~~
12 ~~requirements:~~

13 (1) *Has a passenger capacity of eight persons or less, including*
14 *the driver.*

15 (2) *Is owned, leased, ~~rented,~~ rented for a term that does not*
16 *exceed 30 days, or otherwise authorized for use ~~for any period of~~*
17 *time by the participating driver, ~~meets driver.~~*

18 (3) *Meets all inspection and other safety requirements imposed*
19 *by the ~~commission, and is commission.~~*

20 (4) *Is not a taxicab or limousine.*

21 (c) “Transportation network company” means an organization,
22 including, but not limited to, a corporation, limited liability
23 company, partnership, sole proprietor, or any other entity, operating
24 in California that provides prearranged transportation services for
25 compensation using an online-enabled application or platform to
26 connect passengers with drivers using a personal vehicle.

27 (d) “Transportation network company insurance” means a
28 liability insurance policy that specifically covers liabilities arising
29 from a driver’s use of a vehicle in connection with a transportation
30 network company’s online-enabled application or platform.