

AMENDED IN SENATE JULY 16, 2015

AMENDED IN SENATE APRIL 7, 2015

SENATE BILL

No. 247

Introduced by Senator Lara

February 18, 2015

~~An act to add Chapter 20 (commencing with Section 11900) to Part 7 of Division 1 of Title 1 of the Education Code, relating to public schools. An act to add Section 5384.3 to the Public Utilities Code, relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 247, as amended, Lara. ~~Dream Centers: educational support services. Charter bus transportation: safety improvements.~~

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 on charter-party carriers of passengers. The act provides for the safety regulation of charter-party carriers of passengers engaged in charter bus transportation by the commission. A violation of the act is a crime.

This bill would require a charter-party carrier of passengers engaged in charter bus transportation to ensure that the driver of a charter bus performs 2 specified tasks prior to any trip that include, among other things, instructions to all passengers on the safety equipment and emergency exits on the vehicle. The bill would also make findings and declarations and declare the intent of the Legislature to enact specified legislation to require safety improvements on charter buses.

Because a violation of these provisions would be a crime, this 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.

~~Existing law establishes a system of public elementary and secondary schools maintained and operated by local educational agencies throughout the state. Existing law also establishes the California State University, under the administration of the Trustees of the California State University, the University of California, under the administration of the Regents of the University of California, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state.~~

~~Existing law requires the Student Aid Commission to establish procedures and forms that enable students who are exempt from paying nonresident tuition because they meet specified residency requirements, or who meet equivalent requirements adopted by the regents, to apply for, and participate in, all student financial aid programs administered by the state to the full extent permitted by federal law.~~

~~This bill would authorize the governing board of each school district or county office of education that maintains any of grades 9 to 12, inclusive, the governing board of each community college district, and the Trustees of the California State University to establish, and would encourage the Regents of the University of California to establish, undocumented student support services to include, but not necessarily be limited to, state and institutional financial aid assistance, academic counseling, referral services, and on-campus Dream Centers.~~

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

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

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) The safety of passengers traveling in charter buses in*
- 4 *California is of the utmost importance. According to the Federal*

1 *Motor Carrier Safety Administration, between 1975 and 2012,*
2 *there were over 11,000 fatal crashes involving charter buses,*
3 *including 1,567 occupant fatalities. Improved safety standards*
4 *and practices are necessary to better protect passengers in the*
5 *event of a charter bus crash.*

6 *(b) On April 10, 2014, in Orland California, eight passengers*
7 *traveling on a charter bus, along with the driver, were tragically*
8 *killed in a freeway collision. In a report released in 2015, the*
9 *National Transportation Safety Board examined the crash and*
10 *made recommendations for safety improvements, including fire*
11 *performance standards for interior materials, requiring pretrip*
12 *safety briefings for passengers, improvements in vehicle design to*
13 *facilitate evacuation, and the installation of event data recorder*
14 *(EDR) technology for crash reconstruction and safety*
15 *improvements.*

16 *(c) These improvements would significantly increase passenger*
17 *safety and would reduce or prevent future deaths in traffic*
18 *collisions involving charter buses.*

19 *SEC. 2. It is the intent of the Legislature to enact legislation*
20 *that would require charter buses to implement all of the following*
21 *safety improvements:*

22 *(a) Burn resistant materials for occupant compartments.*

23 *(b) Emergency lighting fixtures with self-contained independent*
24 *power sources that will turn on in the event of an accident.*

25 *(c) Interior and exterior luminescent or retro-reflective*
26 *emergency signage.*

27 *(d) An event data recorder capable of recording certain*
28 *vehicle-related data in the event of sudden deceleration or hard*
29 *braking.*

30 *(e) Bus windows that can be easily opened and remain open*
31 *during an emergency.*

32 *(f) That new buses be equipped with a secondary door for use*
33 *as an additional emergency exit.*

34 *SEC. 3. Section 5384.3 is added to the Public Utilities Code,*
35 *to read:*

36 *5384.3. A charter-party carrier of passengers engaged in*
37 *charter bus transportation shall ensure that the driver of a vehicle*
38 *described in paragraph (1) of subdivision (b) of Section 5363*
39 *performs both of the following tasks prior to any trip:*

1 (a) Instructs all passengers on the safety equipment and
2 emergency exits on the vehicle.

3 (b) Provides each passenger with written instructions that
4 include, at a minimum, the location and operation of all exits,
5 including emergency exits, and the importance of wearing a
6 seatbelt, if available.

7 SEC. 4. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.

16 SECTION 1. ~~Chapter 20 (commencing with Section 11900)~~
17 ~~is added to Part 7 of Division 1 of Title 1 of the Education Code,~~
18 ~~to read:~~

19

20 CHAPTER 20. DREAM CENTERS

21

22 11900. ~~The governing board of each school district or county~~
23 ~~office of education that maintains any of grades 9 to 12, inclusive,~~
24 ~~the governing board of each community college district, and the~~
25 ~~Trustees of the California State University may establish, and the~~
26 ~~Regents of the University of California are encouraged to establish,~~
27 ~~undocumented student support services to include, but not~~
28 ~~necessarily be limited to, state and institutional financial aid~~
29 ~~assistance, academic counseling, referral services, and on-campus~~
30 ~~Dream Centers.~~