

AMENDED IN SENATE MARCH 17, 2016

AMENDED IN SENATE FEBRUARY 12, 2016

SENATE BILL

No. 812

Introduced by Senator Hill

(Principal coauthors: Assembly Members Chiu and Ting)

January 4, 2016

An act to amend Section 5373.1 of, and to add Sections 1033.6 and 5374.4 to, the Public Utilities Code, and to amend Sections 612, 34501, 34505, 34505.1, and 34513 of, and to add ~~Section~~ *Sections* 34505.2 and 34505.3 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 812, as amended, Hill. Charter-party carriers of passengers and passenger stage corporations.

(1) Existing law defines a tour bus to include any bus operated by or for a charter-party carrier of passengers or a passenger stage corporation, with a bus in this respect defined to mean any vehicle designed, used, or maintained for carrying more than 10 persons, including the driver. Existing law provides for the Department of the California Highway Patrol to regulate the safe operation of various classes of vehicles, including tour buses. Existing law requires charter-party carriers of passengers, upon initial application and annually thereafter, to pay tour bus terminal inspection fees of \$15 per tour bus, up to a maximum of \$6,500, to offset the costs of inspections of the Department of the California Highway Patrol, and requires the Public Utilities Commission to collect these fees and to deposit fee revenues in the Motor Vehicle Account. Existing law does not impose similar fees on passenger stage corporations. A violation of various statutes

and regulations governing tour buses and operators of tour buses is a crime.

Existing law also requires the Department of the California Highway Patrol, at least once every 13 months, to inspect every maintenance facility or terminal of any person who at any time operates any bus. Existing law requires that if the bus operation includes more than 100 buses, the inspection shall be without prior notice.

This bill would additionally authorize the department to inspect a maintenance facility or terminal that receives 2 or more successive satisfactory ratings once every 26 months. The bill would also require the department to inspect a maintenance facility or terminal that receives an unsatisfactory rating every 6 months until the operator achieves a satisfactory rating, unless the satisfactory rating is the result of a reinspection, as specified.

This bill would require the Department of the California Highway Patrol, by regulation, to develop and adopt bus terminal inspection fees *that are scaled and* applicable to charter-party carriers of passengers and passenger stage corporations that operate one or more tour buses, to replace existing fees, in an amount sufficient to offset the costs to administer the inspection program for these companies, as specified. The bill would require the fees to be collected by the Public Utilities Commission in the case of charter-party carriers of passengers or as otherwise required by the regulations. *The bill would provide that an operating carrier may not be charged more than \$6,500 in fees.* The bill would make other conforming changes.

This bill would require the Department of the California Highway Patrol, by regulation, to modify its existing tour bus terminal inspection ~~program~~ *program, beginning no later than January 1, 2018, to ensure that the performance-based program is performance-based, with parameters to evaluate and target on-site inspections of tour buses operated by or for charter-party carriers of passengers and passenger stage corporations. The bill would require the tour bus terminal inspection program to prioritize newly acquired tour buses operated by charter-party carriers of passengers and passenger stage corporations, as well as affected targets* companies that are ~~noncompliant or noncompliant,~~ have a history of noncompliance with safety laws or ~~regulations.~~ *regulations, or have received unsatisfactory ratings and to prioritize those companies for unannounced surprise inspections.* The bill would also require no fewer than ~~25%~~ *10%* of the total number of tour bus carrier inspections conducted by the department to be

unannounced surprise inspections. *The bill would require the department to conduct a followup inspection 30 days after an operator receives an unsatisfactory rating.*

This bill would require a charter-party carrier of passengers or a passenger stage corporation, prior to operating a newly acquired tour ~~bus~~, *bus that is more than 2 years old*, to first schedule an inspection of the tour bus with, and obtain a satisfactory rating for the tour bus from, the department. The bill would also require the Department of the California Highway Patrol, upon determining that the condition of a tour bus is such that it has multiple safety violations of a nature that operation of the tour bus could constitute an imminent danger to public safety, to immediately order the tour bus out of service, and would prohibit operation of the tour bus until all of the safety violations have been corrected and the department has verified the correction of the safety violations upon a subsequent inspection of the tour bus. By changing the definition of existing crimes and creating new crimes, the bill would impose a state-mandated local program.

This bill would require, beginning January 1, 2018, a charter-party carrier of passengers or a passenger stage corporation operating tour buses that applies for renewal of the registration of its vehicles to provide proof of its most recent bus terminal inspection with a satisfactory rating by the department.

This bill would also require the Department of the California Highway Patrol to conduct a comprehensive review of the statutes and regulations governing tour buses, as well as buses generally, with the objective of identifying opportunities for simplification, consolidation, avoidance of duplication, and consistent use of terminology, as specified. The bill would require a report containing the department's recommendations for proposed statutory changes to be submitted to the policy committees of both houses of the Legislature with responsibility for transportation matters by January 1, 2018.

(2) Existing law provides for the regulation of passenger stage corporations and charter-party carriers of passengers by the Public Utilities Commission.

This bill would require the commission to monitor the recall notifications of the National Highway Traffic Safety Administration (NHTSA) relative to ~~buses and limousines~~ *buses, limousines, and modified limousines* operated by passenger stage corporations and charter-party carriers of passengers. The bill would require the commission, upon determining that a ~~limousine or bus~~ *bus, limousine,*

or modified limousine is the subject of a safety recall, to notify the carrier and order affected vehicles out of service. The bill would prohibit a carrier from operating a limousine or bus that is the subject of a safety recall after being notified by the commission or otherwise becoming aware of the recall. The bill would require carriers to fix the safety defects of an affected vehicle before returning it to service and to submit written documentation to the commission in that regard. The bill would require the commission, upon determining that the safety defects have been fixed, to rescind its out-of-service order and notify the carrier that the vehicle may again be operated. *recall by NHTSA that involves parts or accessories necessary for the safe operation of the vehicle, as defined, to contact any passenger stage corporation or charter-party carrier of passengers affected by the recall to ensure that the certificate holder or permittee is aware of it and has a plan in place to correct the defect. The bill would authorize the commission to issue an out-of-service order for any vehicle affected by the recall until the recall repair is completed.* Because a violation of provisions governing passenger stage corporations and charter-party carriers of passengers is a crime, this bill would impose a state-mandated local program by creating new crimes.

(3) 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 1033.6 is added to the Public Utilities
2 Code, to read:
3 1033.6. (a) The commission shall monitor the recall
4 notifications of the National Highway Traffic Safety
5 Administration (NHTSA) relative to ~~buses and limousines~~ *buses,*
6 *limousines, and modified limousines* operated by passenger stage
7 corporations in this state and shall subscribe to NHTSA's electronic
8 mail notification system.
9 (b) (1) Upon determining that a ~~limousine or bus~~ *bus,*
10 *limousine, or modified limousine* of a passenger stage corporation
11 is the subject of a safety recall by ~~NHTSA~~, *NHTSA that involves*

1 *parts or accessories necessary for the safe operation of the vehicle,*
2 ~~the commission shall immediately notify the affected passenger~~
3 ~~stage corporation and shall order affected vehicles to be placed~~
4 ~~out of service. contact any passenger stage corporation affected~~
5 ~~by the recall to ensure that the certificate holder or permittee is~~
6 ~~aware of the recall and has a plan in place to correct the defect.~~

7 ~~(e) A passenger stage corporation shall not operate a limousine~~
8 ~~or bus that is the subject of a safety recall by NHTSA after being~~
9 ~~notified by the commission pursuant to subdivision (b), or~~
10 ~~otherwise becoming aware of the recall, and shall fix the safety~~
11 ~~defects of an affected vehicle before returning it to service.~~

12 ~~(d) Upon completing necessary repairs to an affected vehicle,~~
13 ~~the passenger stage corporation shall submit written documentation~~
14 ~~to the commission. The commission, upon determining that the~~
15 ~~safety defects have been fixed, shall rescind its out of service order~~
16 ~~and notify the passenger stage corporation that the vehicle may~~
17 ~~again be operated.~~

18 *(2) As used in this section, “parts or accessories necessary for*
19 *the safe operation of the vehicle” has the same meaning as*
20 *described in Part 393 of Title 49 of the Code of Federal*
21 *Regulations.*

22 *(c) The commission may issue an out-of-service order for any*
23 *vehicle affected by the recall if the recall involves parts or*
24 *accessories necessary for the safe operation of the vehicle, which*
25 *order shall remain in effect until the recall repair of the vehicle is*
26 *completed.*

27 SEC. 2. Section 5373.1 of the Public Utilities Code is amended
28 to read:

29 5373.1. (a) Each application for a charter-party carrier of
30 passengers certificate or permit shall be accompanied by a filing
31 fee as follows:

32 (1) Class A certificates (new): one thousand five hundred dollars
33 (\$1,500).

34 (2) Class A certificates (renewal): one hundred dollars (\$100).

35 (3) Class B certificates (new): one thousand dollars (\$1,000).

36 (4) Class B certificates (renewal): one hundred dollars (\$100).

37 (5) Class C certificates (new): one thousand dollars (\$1,000).

38 (6) Class C certificates (renewal): one hundred dollars (\$100).

39 (7) Permits (new): one thousand dollars (\$1,000).

40 (8) Permits (renewal): one hundred dollars (\$100).

1 (b) The commission shall also require each application to be
2 accompanied by a fee to offset the cost of the charter-party carrier
3 bus terminal inspections conducted by the Department of the
4 California Highway Patrol. The fee shall be fifteen dollars (\$15)
5 per tour bus, as defined in Section 612 of the Vehicle Code, or a
6 maximum of six thousand five hundred dollars (\$6,500) for each
7 operating carrier, until the effective date of the new fee structure
8 established by the Department of the California Highway Patrol
9 pursuant to subdivision (b) of Section 34513 of the Vehicle Code.

10 (c) The commission shall require each charter-party carrier that
11 operates tour buses, as defined in Section 612 of the Vehicle Code,
12 to undergo an annual bus terminal inspection conducted by the
13 Department of the California Highway Patrol and to pay an annual
14 fee of fifteen dollars (\$15) per tour bus, or a maximum of six
15 thousand five hundred dollars (\$6,500), to offset the cost of the
16 inspections, until the effective date of the new fee structure
17 established by the Department of the California Highway Patrol
18 pursuant to subdivision (b) of Section 34513 of the Vehicle Code.

19 (d) The commission shall deposit the fees collected pursuant to
20 subdivisions (b) and (c) in the Motor Vehicle Account in the State
21 Transportation Fund to cover the costs of the inspections conducted
22 by the department as specified in subdivisions (b) and (c). The
23 revenues from the fees shall not be used to supplant other sources
24 of funding for, or otherwise support, any other inspection program
25 conducted by the department.

26 SEC. 3. Section 5374.4 is added to the Public Utilities Code,
27 to read:

28 5374.4. (a) The commission shall monitor the recall
29 notifications of the National Highway Traffic Safety
30 Administration (NHTSA) relative to ~~buses and limousines~~ *buses,*
31 *limousines, and modified limousines* operated by charter-party
32 carriers of passengers in this state and shall subscribe to NHTSA's
33 electronic mail notification system.

34 (b) (1) Upon determining that a ~~limousine or bus~~ *bus,*
35 *limousine, or modified limousine* of a charter-party carrier of
36 passengers is the subject of a safety recall by ~~NHTSA,~~ *NHTSA*
37 *that involves parts or accessories necessary for the safe operation*
38 *of the vehicle,* the commission shall immediately ~~notify the affected~~
39 ~~charter-party carrier of passengers and shall order affected vehicles~~
40 ~~to be placed out of service.~~ *contact any charter-party carrier of*

1 *passengers affected by the recall to ensure that the certificate*
2 *holder or permittee is aware of the recall and has a plan in place*
3 *to correct the defect.*

4 ~~(e) A charter-party carrier of passengers shall not operate a~~
5 ~~limousine or bus that is the subject of a safety recall by NHTSA~~
6 ~~after being notified by the commission pursuant to subdivision~~
7 ~~(b), or otherwise becoming aware of the recall, and shall fix the~~
8 ~~safety defects of an affected vehicle before returning it to service.~~

9 ~~(d) Upon completing necessary repairs to an affected vehicle,~~
10 ~~the charter-party carrier of passengers shall submit written~~
11 ~~documentation to the commission. The commission, upon~~
12 ~~determining that the safety defects have been fixed, shall rescind~~
13 ~~its out-of-service order and notify the charter-party carrier of~~
14 ~~passengers that the vehicle may again be operated.~~

15 *(2) As used in this section, “parts or accessories necessary for*
16 *the safe operation of the vehicle” has the same meaning as*
17 *described in Part 393 of Title 49 of the Code of Federal*
18 *Regulations.*

19 *(c) The commission may issue an out-of-service order for any*
20 *vehicle affected by the recall if the recall, involves parts or*
21 *accessories necessary for the safe operation of the vehicle, which*
22 *order shall remain in effect until the recall repair of the vehicle is*
23 *completed.*

24 SEC. 4. Section 612 of the Vehicle Code is amended to read:

25 612. “Tour bus” means a vehicle designed, used, or maintained
26 for carrying more than 10 persons, including the driver, which is
27 operated by or for a charter-party carrier of passengers, as defined
28 in Section 5360 of the Public Utilities Code, or a passenger stage
29 corporation, as defined in Section 226 of the Public Utilities Code.

30 SEC. 5. Section 34501 of the Vehicle Code is amended to read:

31 34501. (a) (1) The department shall adopt reasonable rules
32 and regulations that, in the judgment of the department, are
33 designed to promote the safe operation of vehicles described in
34 Section 34500, regarding, but not limited to, controlled substances
35 and alcohol testing of drivers by motor carriers, hours of service
36 of drivers, equipment, fuel containers, fueling operations,
37 inspection, maintenance, recordkeeping, accident reports, and
38 drawbridges. The rules and regulations shall not, however, be
39 applicable to schoolbuses, which shall be subject to rules and
40 regulations adopted pursuant to Section 34501.5.

1 The rules and regulations shall exempt local law enforcement
2 agencies, within a single county, engaged in the transportation of
3 inmates or prisoners when those agencies maintain other motor
4 vehicle operations records which furnish hours of service
5 information on drivers which are in substantial compliance with
6 the rules and regulations. This exemption does not apply to any
7 local law enforcement agency engaged in the transportation of
8 inmates or prisoners outside the county in which the agency is
9 located, if that agency would otherwise be required, by existing
10 law, to maintain driving logs.

11 (2) The department may adopt rules and regulations relating to
12 commercial vehicle safety inspection and out-of-service criteria.
13 In adopting the rules and regulations, the commissioner may
14 consider the commercial vehicle safety inspection and
15 out-of-service criteria adopted by organizations such as the
16 Commercial Vehicle Safety Alliance , other intergovernmental
17 safety group, or the United States Department of Transportation.
18 The commissioner may provide departmental representatives to
19 that alliance or other organization for the purpose of promoting
20 the continued improvement and refinement of compatible
21 nationwide commercial vehicle safety inspection and out-of-service
22 criteria.

23 (3) The commissioner shall appoint a committee of 15 members,
24 consisting of representatives of industry subject to the regulations
25 to be adopted pursuant to this section, to act in an advisory capacity
26 to the department, and the department shall cooperate and confer
27 with the advisory committee so appointed. The commissioner shall
28 appoint a separate committee to advise the department on rules
29 and regulations concerning wheelchair lifts for installation and use
30 on buses, consisting of persons who use the wheelchair lifts,
31 representatives of transit districts, representatives of designers or
32 manufacturers of wheelchairs and wheelchair lifts, and
33 representatives of the Department of Transportation.

34 (4) The department may inspect any vehicles in maintenance
35 facilities or terminals, as well as any records relating to the dispatch
36 of vehicles or drivers, and the pay of drivers, to assure compliance
37 with this code and regulations adopted pursuant to this section.

38 (b) The department, using the definitions adopted pursuant to
39 Section 2402.7, shall adopt regulations for the transportation of
40 hazardous materials in this state, except the transportation of

1 materials which are subject to other provisions of this code, that
2 the department determines are reasonably necessary to ensure the
3 safety of persons and property using the highways. The regulations
4 may include provisions governing the filling, marking, packing,
5 labeling, and assembly of, and containers that may be used for,
6 hazardous materials shipments, and the manner by which the
7 shipper attests that the shipments are correctly identified and in
8 proper condition for transport.

9 (c) ~~At~~(1) *Except as provided in paragraphs (2) and (3), at least*
10 *once every 13 months, the department shall inspect every*
11 *maintenance facility or terminal of any person who at any time*
12 *operates any bus. If the bus operation includes more than 100*
13 *buses, the inspection shall be without prior notice.*

14 (2) *A maintenance facility or terminal that receives two or more*
15 *successive satisfactory ratings may be inspected once every 26*
16 *months unless the satisfactory rating is the result of a reinspection*
17 *required pursuant to paragraph (2) of subdivision (c) of Section*
18 *34513.*

19 (3) *A maintenance facility or terminal that receives an*
20 *unsatisfactory rating shall be inspected every six months until the*
21 *operator achieves a satisfactory rating.*

22 (d) The commissioner shall adopt and enforce regulations which
23 will make the public or private users of any bus aware of the
24 operator's last safety rating.

25 (e) It is unlawful and constitutes a misdemeanor for any person
26 to operate any bus without the inspection specified in subdivision
27 (c) having been conducted.

28 (f) The department may adopt regulations restricting or
29 prohibiting the movement of any vehicle from a maintenance
30 facility or terminal if the vehicle is found in violation of this code
31 or regulations adopted pursuant to this section.

32 ~~SEC. 5.~~

33 *SEC. 6.* Section 34505 of the Vehicle Code is amended to read:

34 34505. (a) Tour bus operators shall, in addition to the
35 systematic inspection, maintenance, and lubrication services
36 required of all motor carriers, require each tour bus to be inspected
37 at least every 45 days, or more often if necessary to ensure safe
38 operation. This inspection shall include, but not be limited to, all
39 of the following:

40 (1) Brake adjustment.

1 (2) Brake system components and leaks.

2 (3) Steering and suspension systems.

3 (4) Tires and wheels.

4 (b) A tour bus shall not be used to transport passengers until all
5 defects listed during the inspection conducted pursuant to
6 subdivision (a) have been corrected and attested to by the signature
7 of the operator's authorized representative.

8 (c) Records of inspections conducted pursuant to subdivision
9 (a) shall be kept at the operator's maintenance facility or terminal
10 where the tour bus is regularly garaged. The records shall be
11 retained by the operator for one year, and shall be made available
12 for inspection upon request by any authorized employee of the
13 department. Each record shall include, but not be limited to, all of
14 the following:

15 (1) Identification of the vehicle, including make, model, license
16 number, or other means of positive identification.

17 (2) Date and nature of each inspection and any repair performed.

18 (3) Signature of operator's authorized representative attesting
19 to the inspection and to the completion of all required repairs.

20 (4) Company vehicle number.

21 (d) Prior to operating a newly acquired tour ~~bus~~, *bus that is*
22 *more than two years old*, a charter-party carrier of passengers or
23 a passenger stage corporation shall first schedule an inspection of
24 the tour bus with, and obtain a satisfactory rating for the tour bus
25 from, the department.

26 ~~SEC. 6.~~

27 *SEC. 7.* Section 34505.1 of the Vehicle Code is amended to
28 read:

29 34505.1. (a) Upon determining that a tour bus carrier or
30 modified limousine carrier has either (1) failed to maintain any
31 vehicle used in transportation for compensation in a safe operating
32 condition or to comply with the Vehicle Code or with regulations
33 contained in Title 13 of the California Code of Regulations relative
34 to motor carrier safety, and, in the department's opinion, that failure
35 presents an imminent danger to public safety or constitutes such
36 a consistent failure as to justify a recommendation to the Public
37 Utilities Commission or the United States Department of
38 Transportation or (2) failed to enroll all drivers in the pull notice
39 system as required by Section 1808.1, the department shall
40 recommend to the Public Utilities Commission that the carrier's

1 operating authority be suspended, denied, or revoked, or to the
2 United States Department of Transportation that appropriate
3 administrative action be taken against the carrier's interstate
4 operating authority, whichever is appropriate. For purposes of this
5 subdivision, two consecutive unsatisfactory compliance ratings
6 for an inspected terminal assigned because the tour bus carrier or
7 modified limousine carrier failed to comply with the periodic report
8 requirements of Section 1808.1 or the cancellation of the carrier's
9 enrollment by the Department of Motor Vehicles for nonpayment
10 of required fees may be determined by the department to be a
11 consistent failure. However, when recommending denial of an
12 application for new or renewal authority, the department need not
13 conclude that the carrier's failure presents an imminent danger to
14 public safety or that it constitutes a consistent failure. The
15 department need only conclude that the carrier's compliance with
16 the safety-related matters described in paragraph (1) of subdivision
17 (a) is sufficiently unsatisfactory to justify a recommendation for
18 denial. The department shall retain a record, by carrier, of every
19 recommendation made pursuant to this section.

20 (b) Before transmitting a recommendation pursuant to
21 subdivision (a), the department shall notify the carrier in writing
22 of all of the following:

23 (1) That the department has determined that the carrier's safety
24 record is unsatisfactory, furnishing a copy of any documentation
25 or summary of any other evidence supporting the determination.

26 (2) That the determination may result in a suspension,
27 revocation, or denial of the carrier's operating authority by the
28 Public Utilities Commission or the United States Department of
29 Transportation, as appropriate.

30 (3) That the carrier may request a review of the determination
31 by the department within five days of its receipt of the notice
32 required under this subdivision. If a review is requested by the
33 carrier, the department shall conduct and evaluate that review prior
34 to transmitting any notification pursuant to subdivision (a).

35 (c) Notwithstanding anything to the contrary in subdivision (a)
36 or (b), upon determining during a terminal inspection or at any
37 other time that the condition of a tour bus is such that it has
38 multiple safety violations of a nature that operation of the tour bus
39 could constitute an imminent danger to public safety, the
40 department shall immediately order the tour bus out of service.

1 The tour bus shall not be subsequently operated with passengers
2 until all of the safety violations have been corrected and the
3 department has verified the correction of the safety violations upon
4 a subsequent inspection by the department of the tour bus, which
5 shall occur within five business days of the submission of a
6 reinspection request from the tour bus carrier to the department.

7 ~~SEC. 7.~~

8 *SEC. 8.* Section 34505.2 is added to the Vehicle Code, to read:

9 34505.2. (a) (1) The department shall conduct unannounced
10 surprise inspections of charter-party carriers of passengers and
11 passenger stage corporations operating one or more tour buses in
12 addition to ~~regular~~ regularly scheduled inspections. ~~In each~~

13 (2) *The department shall prioritize unannounced surprise*
14 *inspections of companies that are noncompliant, have a history of*
15 *noncompliance with safety laws or regulations, or that have*
16 *received unsatisfactory ratings.*

17 (b) *Each* fiscal year, no fewer than ~~25~~ 10 percent of the total
18 number of tour bus carrier inspections conducted by the department
19 shall be unannounced surprise inspections.

20 *SEC. 9.* Section 34505.3 is added to the Vehicle Code, to read:

21 34505.3. (a) *Beginning January 1, 2018, a charter-party*
22 *carrier of passengers or a passenger stage corporation operating*
23 *tour buses that applies for renewal of the registration of its vehicles*
24 *shall provide proof of its most recent bus terminal inspection with*
25 *a satisfactory rating by the department.*

26 (b) *The Department of Motor Vehicles shall not approve a*
27 *registration renewal under subdivision (a) if proof of inspection*
28 *with a satisfactory rating is not provided by the charter-party*
29 *carrier of passengers or the passenger stage corporation.*

30 ~~SEC. 8.~~

31 *SEC. 10.* Section 34513 of the Vehicle Code is amended to
32 read:

33 34513. (a) The department shall adopt rules and regulations
34 relating to the equipment, maintenance, and operation of tour buses.

35 (b) (1) The department shall, by regulation, develop and adopt
36 a fee structure for bus terminal inspections of charter-party carriers
37 of passengers and passenger stage corporations, to be paid by
38 charter-party carriers of passengers and passenger stage
39 corporations that operate one or more tour buses. The fees shall
40 be *scaled and* based upon the number of buses operated by or for

1 a company and shall be collected upon initial application and
2 annually thereafter by the Public Utilities Commission pursuant
3 to Section 5373.1 for carriers subject to that section, or as otherwise
4 provided in regulations. The fees shall be in an amount sufficient
5 to offset the costs to administer the inspection program as it
6 pertains to charter-party carriers of passengers and passenger stage
7 corporations, and revenues from the fees shall be deposited in the
8 Motor Vehicle Account in the State Transportation Fund. ~~The~~

9 (2) *The revenues from the fees shall not be used to supplant*
10 *other sources of funding for, or otherwise support, any other*
11 *inspection program conducted by the department.* ~~When~~

12 (3) *When developing the regulations, the department shall*
13 *consider measures that increase efficiencies to limit the financial*
14 *impact to charter-party carriers of passengers and passenger stage*
15 *corporations subject to the fees.* ~~The~~

16 (4) *The department shall adopt the regulations in consultation*
17 *with appropriate interested parties.*

18 (5) *In no instance shall an operating carrier be charged more*
19 *than \$6,500.*

20 (c) ~~The~~ (1) *No later than January 1, 2018, the department shall,*
21 *by regulation, modify its existing tour bus terminal inspection*
22 *program to ensure that the performance-based program is*
23 *performance-based, with parameters to evaluate and target on-site*
24 *inspections of buses operated by or for charter-party carriers of*
25 *passengers and passenger stage corporations. The bus terminal*
26 *inspection program shall prioritize newly acquired tour buses*
27 *operated by charter-party carriers of passengers and passenger*
28 *stage corporations, as well as affected targets companies that are*
29 *noncompliant or noncompliant, have a history of noncompliance*
30 *with safety laws or regulations. It regulations, or that have received*
31 *unsatisfactory ratings.*

32 (2) *If a carrier receives an unsatisfactory rating, the department*
33 *shall conduct a followup inspection no later than 30 days after the*
34 *initial inspection during which an unsatisfactory rating was deemed*
35 *appropriate.*

36 (3) *It is the intent of the Legislature that, to the greatest extent*
37 *possible, the bus inspection program shall strive to inspect as many*
38 *tour buses operated by or for charter-party carriers of passengers*
39 *and passenger stage corporations as possible.*

1 ~~SEC. 9.~~

2 *SEC. 11.* The Department of the California Highway Patrol
3 shall conduct a comprehensive review of the statutes and
4 regulations governing tour buses, as well as buses generally, with
5 the objective of identifying opportunities for simplification,
6 consolidation, avoidance of duplication, and consistent use of
7 terminology. The review shall be conducted in consultation with
8 the Public Utilities Commission, the Office of Legislative Counsel,
9 and interested parties. On or before January 1, 2018, the department
10 shall submit a report containing its recommendations for proposed
11 statutory changes to the policy committees of both houses of the
12 Legislature with responsibility for transportation matters, for
13 potential inclusion, if appropriate in whole or in part, in a future
14 omnibus transportation bill. The report shall be submitted pursuant
15 to Section 9795 of the Government Code.

16 ~~SEC. 10.~~

17 *SEC. 12.* No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.