

ASSEMBLY BILL

No. 609

Introduced by Assembly Member Morrissey

February 17, 1995

An act to add Section 1045 to the Public Utilities Code, relating to carriers.

LEGISLATIVE COUNSEL'S DIGEST

AB 609, as introduced, Morrissey. Carriers: passenger stage corporations.

Under existing law, passenger stage corporations are regulated by the Public Utilities Commission as common carriers under the Public Utilities Act. Existing law prohibits operations as a passenger stage corporation without a certificate of public convenience and necessity issued to the operator by the commission.

This bill would make it unlawful for a passenger stage corporation to conduct any operations as a carrier after the cancellation or revocation of a permit or certificate, or during the period of its suspension.

Since existing law makes any public utility who violates specified provisions regulating public utilities guilty of a misdemeanor, this bill would impose a state-mandated local program by creating a new crime.

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 1045 is added to the Public
2 Utilities Code, to read:

3 1045. After the cancellation or revocation of a
4 certificate, or during the period of its suspension, it is
5 unlawful for a passenger stage corporation to conduct any
6 operations as a carrier. The commission may either grant
7 or deny an application for a new certificate whenever it
8 appears that a prior certificate of the applicant has been
9 canceled or revoked pursuant to Section 1033.5 or
10 whenever it appears, after hearing, that as a prior
11 certificate holder, the applicant engaged in any of the
12 unlawful activities set forth in Section 1033.5 for which his
13 or her certificate might have been canceled or revoked.

14 SEC. 2. No reimbursement is required by this act
15 pursuant to Section 6 of Article XIII B of the California
16 Constitution because the only costs that may be incurred
17 by a local agency or school district will be incurred
18 because this act creates a new crime or infraction,
19 eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section
21 17556 of the Government Code, or changes the definition
22 of a crime within the meaning of Section 6 of Article
23 XIII B of the California Constitution.

24 Notwithstanding Section 17580 of the Government
25 Code, unless otherwise specified, the provisions of this act
26 shall become operative on the same date that the act
27 takes effect pursuant to the California Constitution.

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