

AMENDED IN SENATE APRIL 14, 1999

SENATE BILL

No. 804

Introduced by Senator Perata

February 25, 1999

An act to add Section 14035.55 to the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 804, as amended, Perata. Transportation: rail feeder bus service.

Existing law authorizes the Department of Transportation to contract with common carriers, as defined, or with any other entity to provide feeder services to or from rail passenger terminals or intercity bus transportation.

~~This bill would require the Department of Transportation, or its successor in interest, to state-subsidized service provided by the National Railroad Passenger Corporation (Amtrak), to consult with intercity bus companies for the purpose of determining whether or not intercity bus companies can provide desired rail feeder bus service under terms and conditions beneficial to the state's interests in intercity passenger rail service.~~

~~The bill would require the department, or its successor in interest, as specified, to encourage Amtrak and motor carriers of passengers to combine or package their respective services, as specified, and to coordinate schedules, routes, rates, reservations, and ticketing to provide for enhanced intermodal surface transportation.~~

The bill would authorize the department or its successor in interest to provide funding to ~~Amtrak~~ *the National Railroad Passenger Corporation (Amtrak)* for the purpose of entering into a contract with a motor carrier of passengers for the intercity transportation of passengers over regular routes, if, among other things, the motor carrier is not a public provider of mass transportation service who is a recipient of governmental assistance, except as specified, and the service is provided only for trips where passengers have had prior movement by rail or will have subsequent movement by rail.

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

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

1 SECTION 1. Section 14035.55 is added to the
 2 Government Code, to read:
 3 14035.55. (a) The Legislature finds and declares all of
 4 the following:
 5 (1) Intercity passenger bus service provided by
 6 intercity bus companies on a regular route basis is the only
 7 public mass transportation service in the state to provide
 8 surface transportation without public subsidy.
 9 (2) The long-term maintenance of private sector
 10 intercity passenger service is of vital importance to the
 11 state.
 12 (3) Intercity bus companies serve over 250
 13 communities throughout California, providing a network
 14 of connection points without equal by any other mode of
 15 public or private transportation.
 16 ~~(4) The coordination of this intercity passenger bus~~
 17 ~~service and intercity passenger rail service is necessary to~~
 18 ~~ensure the optimum level of service for Californians in~~
 19 ~~need of surface transportation.~~
 20 ~~(5) The Amtrak California Thruway Bus network is~~
 21 ~~operated by Amtrak for the state and is designed to help~~
 22 ~~rail passengers complete trips that begin or end with~~
 23 ~~transportation on an Amtrak passenger train.~~
 24 ~~(6) It is in the best interest of the state that the Amtrak~~
 25 ~~California Thruway Bus network and the network of~~



1 ~~private intercity bus providers be coordinated to avoid~~
2 ~~unnecessary duplication of service for the benefit of all~~
3 ~~Californians in need of surface passenger transportation.~~

4 ~~(7) It is counterproductive to the maintenance of this~~
5 ~~service for the state to subsidize bus service that~~
6 ~~competes directly or indirectly with nonsubsidized bus~~
7 ~~services.~~

8 ~~(b) Notwithstanding any other provision of law, for~~
9 ~~the purposes of operating passenger rail feeder bus~~
10 ~~service, including the addition to, or modification of,~~
11 ~~existing feeder bus service, the department shall annually~~
12 ~~consult with intercity bus companies for the purpose of~~
13 ~~determining whether or not intercity bus companies are~~
14 ~~able to provide the desired feeder bus service under~~
15 ~~terms and conditions beneficial to the state's interests in~~
16 ~~intercity passenger rail service.~~

17 ~~(e) To the extent permitted by federal law, the~~
18 ~~department shall encourage Amtrak and motor carriers~~
19 ~~of passengers to do both of the following:~~

20 ~~(1) Combine or package their respective services and~~
21 ~~facilities to the public as a means of improving service to~~
22 ~~the public.~~

23 ~~(2) Coordinate schedules, routes, rates, reservations,~~
24 ~~and ticketing to provide for enhanced intermodal surface~~
25 ~~transportation.~~

26 ~~(d)~~

27 ~~(b) The department may provide funding to Amtrak~~
28 ~~for the purpose of entering into a contract with a motor~~
29 ~~carrier of passengers for the intercity transportation of~~
30 ~~passengers by motor carrier over regular routes only if all~~
31 ~~of the following conditions are met:~~

32 ~~(1) The motor carrier is not a public provider of mass~~
33 ~~transportation service who is a recipient of governmental~~
34 ~~assistance, other than a recipient of funds under Section~~
35 ~~5311(f) of Title 49 of the United States Code.~~

36 ~~(2) Service is provided only for passengers on trips~~
37 ~~where the passengers have had prior movement by rail~~
38 ~~or will have subsequent movement by rail.~~



1 (3) Vehicles of the motor carrier, when used to
2 transport passengers pursuant to paragraph (2), are used
3 exclusively for that purpose.

4 ~~(4) The annual consultation required by subdivision~~
5 ~~(b) has taken place and the intercity bus companies~~
6 ~~consulted are not able to provide the desired feeder~~
7 ~~service under terms and conditions beneficial to the~~
8 ~~state's interest in intercity passenger rail and intercity~~
9 ~~passenger bus service.~~

10 ~~(e)~~

11 (c) The department shall incorporate the conditions
12 specified in subdivision ~~(d)~~ (b) into state-supported
13 passenger rail feeder bus service agreements between
14 Amtrak and motor carriers of passengers. The bus service
15 agreements shall also provide that a breach of those
16 conditions shall be grounds for termination of the
17 agreements.

18 ~~(f)~~

19 (d) For purposes of this section, the following terms
20 have the following meanings:

21 (1) "Amtrak" means the National Railroad Passenger
22 Corporation.

23 (2) "Department" means the Department of
24 Transportation or the department's successor with
25 respect to providing funds to subsidize Amtrak service.

26 (3) "Intercity bus companies" and "motor carrier"
27 mean companies or carriers that operate regularly
28 scheduled bus passenger service that (A) are registered
29 with the United States Department of Transportation
30 (DOT), and that (B) operate in compliance with the
31 federal Motor Carrier Safety Regulations and DOT
32 regulations adopted in compliance with the Americans
33 with Disabilities Act regulations including accessibility to
34 over-the-road busses and over-the-road bus service.

35 (4) "Intercity passenger bus service" means regularly
36 scheduled bus passenger service, except commuter, air,
37 water, and rail passenger service, for the general public
38 that operates with limited stops over fixed routes
39 connecting two or more urbanized or nonurbanized
40 areas not in close proximity, that has the capacity to



1 transport baggage carried by passengers, and that makes
2 connections at common points with scheduled intercity
3 bus service to more distant points. The service shall
4 publish schedule information which shall be made
5 available through a nationally published schedule guide.

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