

Senate Bill No. 804

Passed the Senate August 30, 1999

Secretary of the Senate

Passed the Assembly August 23, 1999

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 1999, at _____ o'clock ____M.

Private Secretary of the Governor



CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

SB 804, 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.

The bill would require the department or its successor in interest to encourage the National Railroad Passenger Corporation (Amtrak) and motor carriers of passengers, as defined, to undertake specific actions and would authorize the department or its successor in interest to provide funding to 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 recipient of governmental assistance, as defined in federal law, 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.

The bill also would authorize the department to provide funding to Amtrak for the purpose of entering into a contract with a motor carrier of passengers to transport Amtrak passengers on buses operated on a route, if the buses are operated by the motor carrier as part of a regularly scheduled, daily bus service that has been operating consecutively without an Amtrak contract for 12 months immediately prior to contracting with Amtrak.



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

SECTION 1. Section 14035.55 is added to the Government Code, to read:

14035.55. (a) The Legislature finds and declares all of the following:

(1) Intercity passenger bus service provided by intercity bus companies on a regular route basis is the only public mass transportation service in the state to provide surface transportation without public subsidy.

(2) The long-term maintenance of private sector intercity passenger service is of vital importance to the state.

(3) Intercity bus companies serve over 250 communities throughout California, providing a network of connection points without equal by any other mode of public or private transportation.

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

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

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

(c) Except as authorized under subdivision (e), the department may provide funding to Amtrak for the purpose of entering into a contract with a motor carrier of passengers for the intercity transportation of passengers by motor carrier over regular routes only if all of the following conditions are met:

(1) The motor carrier is not a public recipient of governmental assistance, as defined in Section 13902(b)(8)(A) of Title 49 of the United States Code, other than a recipient of funds under Section 5311(f) of that title and code. This paragraph does not apply if a local public motor carrier proposes to serve passengers only within its service area.



(2) Service is provided only for passengers on trips where the passengers have had prior movement by rail or will have subsequent movement by rail, evidenced by a combination rail and bus one-way or roundtrip ticket.

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

(4) The motor carrier is registered with the United States Department of Transportation (DOT) and operates in compliance with the federal motor carrier safety regulations, and provides service that is accessible to persons with disabilities in compliance with applicable DOT regulations pertaining to Amtrak services, in accordance with the federal Americans with Disabilities Act of 1990 (Public Law 101-336).

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

(e) Notwithstanding subdivisions (c) and (d), the department may provide funding to Amtrak for the purpose of entering into a contract with a motor carrier of passengers to transport Amtrak passengers on buses operated on a route, if the buses are operated by the motor carrier as part of a regularly scheduled, daily bus service that has been operating consecutively without an Amtrak contract for 12 months immediately prior to contracting with Amtrak.

(f) For purposes of this section, the following terms have the following meanings:

(1) “Amtrak” means the National Railroad Passenger Corporation.

(2) “Department” means the Department of Transportation or the department’s successor with respect to providing funds to subsidize Amtrak service.



(3) “Motor carrier of passengers” means a person or entity providing motor vehicle transportation of passengers for compensation.



Approved _____, 1999

Governor

