

SENATE THIRD READING
 SB 812 (Hill)
 As Amended August 18, 2016
 Majority vote

SENATE VOTE: 39-0

Committee	Votes	Ayes	Noes
Transportation	15-0	Frazier, Linder, Baker, Bloom, Brown, Chu, Daly, Dodd, Eduardo Garcia, Gomez, Kim, Mathis, Melendez, Nazarian, O'Donnell	
Appropriations	14-0	Gonzalez, Bloom, Bonilla, Bonta, Calderon, Daly, Eggman, Eduardo Garcia, Holden, Quirk, Santiago, Weber, Wood, McCarty	

SUMMARY: Imposes additional requirements on the inspection of tour buses. Specifically, **this bill:**

- 1) Requires the Department of the California Highway Patrol (CHP), to the extent possible, to conduct inspections of tour bus operations without prior notice, including tour bus operations that have a history of non-compliance with safety laws or regulations, that have received unsatisfactory inspection ratings, or that have had buses ordered out of service for safety violations.
- 2) Requires CHP to immediately order out of service any tour bus that is determined to have multiple safety violations during a terminal inspection or at any other time, and prohibits the tour bus from being operated with passengers until all safety violations have been corrected and the tour bus is re-inspected by CHP.
- 3) Extends the deadline by which every modified limousine that has been modified prior to July 1, 2015, must comply with the requirement to be equipped with two rear push-out windows from January 1, 2017, to January 1, 2018.

EXISTING LAW:

- 1) Defines a "bus" as a vehicle designed, used, or maintained for carrying more than 10 persons, including the driver, which is used to transport persons for compensation or profit, or is used by any non-profit organization or group, and defines a "tour bus" as a bus operated by or for a charter-party carrier of passengers (CPC) or a passenger stage corporation (PSC).
- 2) Requires CHP to regulate the equipment, maintenance, and safe operation of tour buses.

- 3) Requires CHP to inspect every maintenance facility or terminal of any person who operates any bus, including any vehicle in that terminal, at least once every 13 months, with inspections of terminals housing more than 100 buses occurring without prior notice, and prohibits a person from operating a bus without this inspection having been conducted.
- 4) Requires the California Public Utilities Commission (CPUC), upon the recommendation of CHP, to suspend the permit or certificate of a PSC or CPC for failure to maintain any vehicle used in transportation for compensation in a safe operating condition if that failure is either a consistent failure or presents an imminent danger to public safety.
- 5) Defines “modified limousine,” as specified, and requires every modified limousine that has been modified prior to July 1, 2015, to be equipped with two rear push out windows, as specified, by January 1, 2017.
- 6) Requires CHP to establish, by regulation, standards to ensure that window exits are operable and sufficient in emergency situations for limousine passengers, as specified.

FISCAL EFFECT: According to the Assembly Appropriations Committee, any costs to CHP should be minor and absorbable.

COMMENTS: Tour buses operated by CPCs and PSCs are required to be inspected every 13 months by CHP and additionally every 45 days by the tour bus operator. The findings of the inspections carried out by CHP are reported to CPUC, and tour buses may not legally operate unless the bus operator's terminal and maintenance facilities have been inspected. Terminal inspections typically include inspections of a vehicle's registration, the driver's licensure, and the condition of the vehicle itself. As not every vehicle is inspected in a terminal inspection, and an inspection can still result in a satisfactory rating even if some vehicles exhibit minor violations, recent events suggest current inspections may not subject carriers to sufficient scrutiny.

The author cites a 2015 tour bus crash in San Francisco as the impetus for this bill. While the crash was found to be the result of driver error, according to the author, the vehicle had never been inspected by CHP and was not properly registered with CPUC. A subsequent surprise inspection of the carrier's fleet resulted in the discovery of numerous safety violations that had not been discovered in previous, scheduled inspections.

This bill would require additional inspections of tour bus operations to occur without prior notice, and would require CHP to immediately order out of service any non-compliant tour bus, until the bus's safety violations are corrected and verified in a subsequent CHP inspection. The author believes that restructuring CHP's terminal inspection program will improve the safety and oversight of tour buses operating in California.

Additionally, this bill extends the deadline by which modified limousines must comply with the requirement to be equipped with two rear push-out windows until January 1, 2018, as the standards pertaining to those windows have not yet been established by CHP regulation.

Please see the policy committee analysis for full discussion of this bill.

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