

Date of Hearing: April 6, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 863 (Dodd) – As Amended March 26, 2015

SUBJECT: Modified limousines: passenger safety

SUMMARY: Makes several changes to emergency exit requirements for modified limousines. Specifically, **this bill:**

- 1) Clarifies that existing modified limousines in operation prior to July 1, 2015, are subject to push-out window requirements, as specified.
- 2) Extends the implementation date of the abovementioned requirement to January 1, 2017.
- 3) Makes technical, non-substantive changes

EXISTING LAW:

- 1) Establishes the "Passenger Charter-Party Carriers Act," which directs the state Public Utilities Commission (PUC) to issue permits or certificates to carriers, investigate complaints against carriers, and cancel, revoke, or suspend permits and certificates for specific violations.
- 2) Defines "charter-party carrier of passengers" as every person engaged in the transportation of persons by motor vehicle for compensation, whether in common or contract carriage, over any public highway in the state and includes any person, corporation, or other entity engaged in the provision of a hired driver service when a rented motor vehicle is being operated by a hired driver.
- 3) Defines a limousine as any sedan or sport utility vehicle, either standard or extended length, with a seating capacity of not more than ten passengers including the driver, that is used in the transportation of passengers for hire on a prearranged basis.
- 4) Defines a modified limousine as any vehicle that has been modified, altered, or extended in a manner that increases the overall wheelbase of the vehicle, as specified, in any amount sufficient to accommodate additional passengers with a seating capacity of not more than ten passengers including the driver, and is used in the transportation of passengers for hire.
- 5) Requires modified limousines, as defined, to have at least two push out windows or one rooftop push out window if specific conditions are met, and at least two rear side doors with at least one side door located near the driver's compartment, as specified.
- 6) Provides phased in implementation dates of the abovementioned requirements for new and existing modified limousines, as specified.

- 7) Prohibits a dealer from selling or offering for sale a vehicle that does not conform to federal vehicle safety standards. Additionally, prohibits a person from selling or offering for sale for use upon a vehicle an item of equipment that does not conform to federal vehicle safety standards.
- 8) Prohibits, at the federal level, states from imposing vehicle equipment standards that are inconsistent with or conflict with any related federal standard.

FISCAL EFFECT: Unknown

COMMENTS: On May 4, 2013, a limousine fire occurred on the San Mateo-Hayward bridge killing five passengers who were unable to escape the vehicle. Several of the other passengers were able to exit the limousine only after climbing through the partition window separating the passengers from the driver. Approximately one month later, on June 9, 2013, nine passengers successfully exited a limousine in Walnut Creek prior to the vehicle catching fire while idling.

In response to these incidents, several bills were introduced to provide additional safeguards and safety measures to the limousine industry. SB 109 (Corbett), Chapter 752, Statutes of 2013, included a number of safety requirements for modified limousines, including emergency pop out windows and specific door requirements. That same year, SB 338 (Hill) would have required modified limousines to be equipped with two fire extinguishers and directed the California Highway Patrol (CHP) to develop and implement a limousine inspection program. The Governor ultimately vetoed SB 338 and requested the Legislature to send him similar legislation with a provision authorizing CHP to charge a fee for the actual cost to perform the inspections.

In response, SB 611 (Hill), Chapter 860, Statutes of 2014, was introduced and ultimately enacted, which, in addition to establishing a limousine inspection program, made a number of other changes including providing clarification on the types of vehicles that are considered modified limousines and subject to CHP inspection. Consequentially, by making these clarifying changes, SB 611 unintentionally changed the emergency window and door requirements specified under SB 109.

This bill intends to make the necessary corrections resulting from the unintentional changes enacted under SB 611. The author asserts that this bill will correct previous inadvertent drafting errors and bring existing law in line with the intent of the original legislation. Additionally, in order to ensure existing modified limousines currently in operation have sufficient time to meet the emergency window requirements, this bill also extends the implementation date to January 1, 2017.

REGISTERED SUPPORT / OPPOSITION:

Support

Greater California Livery Association

Opposition

None on file

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