

AMENDED IN SENATE AUGUST 19, 2016  
AMENDED IN SENATE AUGUST 15, 2016  
AMENDED IN SENATE AUGUST 2, 2016  
AMENDED IN SENATE JUNE 23, 2016  
AMENDED IN SENATE MAY 27, 2016  
AMENDED IN SENATE APRIL 14, 2016  
AMENDED IN SENATE SEPTEMBER 4, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 650**

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**Introduced by Assembly Member Low**  
*(Coauthor: Assembly Member Santiago)*

February 24, 2015

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An act to amend, repeal, and add Section 85 of the Code of Civil Procedure, to amend and repeal Sections 53075.6, 53075.61, 53075.7, 53075.8, and 53075.9 of, and to amend, repeal, and add Section 53075.5 of, the Government Code, to amend Section 830.7 of the Penal Code, to amend Section 5353 of, to amend, repeal, and add Sections 5411.5, 5412.2, 5413.5, and 120269 of, ~~to add Section 23 to,~~ and to add Chapter 8.5 (commencing with Section 5451) to Division 2 of, the Public Utilities Code, and to amend, repeal, and add Sections 1808.1, 12523.6, 21100, 21100.4, and 27908 of the Vehicle Code, relating to transportation.

## LEGISLATIVE COUNSEL'S DIGEST

AB 650, as amended, Low. Public Utilities Commission: regulation of taxicabs.

Existing law provides for regulation of various types of passenger carriers by the Public Utilities Commission, including passenger stage corporations and charter-party carriers of passengers. Existing law, among other transportation services, provides for regulation of limousines and transportation network companies by the commission as charter-party carriers of passengers. Existing law requires every city and county to adopt an ordinance to regulate taxicab service within its jurisdiction, and exempts taxicab service from commission regulation.

This bill would enact the Taxicab Transportation Services Act and provide, effective ~~July 1, 2017~~, *January 1, 2018*, for the statewide regulation of taxicab transportation services by the commission, except taxicab transportation services originating in the City and County of ~~San Francisco and at the San Francisco International Airport~~ *Francisco*, which would continue to be locally regulated but would be subject to a requirement for taxicab carriers to monitor the driving records of taxicab drivers. The bill would provide for issuance of permits by the commission elsewhere in the state to taxicab carriers authorizing carriers to operate. The bill would specify the requirements that taxicab drivers in commission jurisdiction must meet. The bill would enact various provisions relating to insurance, vehicle inspections, monitoring of taxicab drivers, and other matters relating to taxicab carriers in commission jurisdiction. The bill would require the commission to require the disclosure of fares, fees and rates, as specified. The bill would prohibit entities from providing taxicab transportation services in commission jurisdiction without the required permit, and would provide for the commission to investigate and take action against unlicensed activity. The bill would require the commission to adopt a general order pertaining to taxicab carriers, and would authorize peace officers to enforce the provisions of the bill and the general order. The bill would specify certain fees to be imposed by the commission on taxicab carriers.

The bill would repeal provisions providing for city and county regulation of taxicab services *on January 1, 2018*, but would authorize cities and counties, at their option, to elect to issue curbside operation permits to taxicab carriers under commission jurisdiction as of ~~July 1, 2017~~, *that date*, granting exclusive authority to provide certain types

of taxicab transportation services within their respective jurisdictions, including responding to street hails, sitting at taxi stands, and picking up at airports. The bill would authorize cities and counties issuing curbside operation permits to limit the number of taxicabs that may operate under that authority, would limit the local regulatory fees that those cities and counties may charge to \$50 per taxicab, and would prohibit the imposition of taxicab carrier *and taxicab driver fees, requirements, and standards* beyond those required by the commission. The bill would also authorize airports to continue to regulate the provision of taxicab transportation services to and from airports. The bill would require cities and counties that license taxicab services as of ~~June 30, 2017, December 31, 2017~~, excluding the City and County of San Francisco, to forward to the commission licensure information for each licensee, as specified, and would thereby impose a state-mandated local program. The bill also would make conforming changes to other related provisions.

~~The bill would also authorize the Public Utilities Commission to collect trip data for the purposes of transportation and environmental planning from any entity regulated by the commission that provides any form of for-hire passenger transportation, as specified.~~

A violation of the Taxicab Transportation Services Act would be a crime and in certain cases would also be subject to a civil penalty. The bill would also require applications for taxicab carrier permits to be verified under oath, and would require certain statements by taxicab carriers relative to workers' compensation to be submitted to the commission under penalty of perjury. The bill would thereby impose a state-mandated local program by creating new crimes.

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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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.** *It is the intent of the Legislature that all of the*  
 2 *following shall apply:*

3     (a) *When the state reorganizes the regulation of for-hire*  
 4 *passenger transportation services, taxi transportation services*  
 5 *should be included within that reorganization.*

6     (b) *The state agency that is selected to regulate other models*  
 7 *of for-hire passenger transportation services should also regulate*  
 8 *taxicab transportation services.*

9     (c) *The jurisdiction of the state agency referenced in subdivision*  
 10 *(b) should extend to all aspects of regulation of taxicab*  
 11 *transportation services, including permitting of taxicab carriers,*  
 12 *regulation of taxicab drivers, vehicle inspections, insurance, trade*  
 13 *dress, naming rights, and enforcement.*

14     ~~SECTION 1.~~

15     **SEC. 2.** Section 85 of the Code of Civil Procedure is amended  
 16 to read:

17     85. An action or special proceeding shall be treated as a limited  
 18 civil case if all of the following conditions are satisfied, and,  
 19 notwithstanding any statute that classifies an action or special  
 20 proceeding as a limited civil case, an action or special proceeding  
 21 shall not be treated as a limited civil case unless all of the following  
 22 conditions are satisfied:

23     (a) The amount in controversy does not exceed twenty-five  
 24 thousand dollars (\$25,000). As used in this section, “amount in  
 25 controversy” means the amount of the demand, or the recovery  
 26 sought, or the value of the property, or the amount of the lien, that  
 27 is in controversy in the action, exclusive of attorneys’ fees, interest,  
 28 and costs.

29     (b) The relief sought is a type that may be granted in a limited  
 30 civil case.

31     (c) The relief sought, whether in the complaint, a  
 32 cross-complaint, or otherwise, is exclusively of a type described  
 33 in one or more statutes that classify an action or special proceeding  
 34 as a limited civil case or that provide that an action or special  
 35 proceeding is within the original jurisdiction of the municipal  
 36 court, including, but not limited to, the following provisions:

37     (1) Section 798.61 or 798.88 of the Civil Code.

38     (2) Section 1719 of the Civil Code.

- 1 (3) Section 3342.5 of the Civil Code.
- 2 (4) Section 86.
- 3 (5) Section 86.1.
- 4 (6) Section 1710.20.
- 5 (7) Section 7581 of the Food and Agricultural Code.
- 6 (8) Section 12647 of the Food and Agricultural Code.
- 7 (9) Section 27601 of the Food and Agricultural Code.
- 8 (10) Section 31503 of the Food and Agricultural Code.
- 9 (11) Section 31621 of the Food and Agricultural Code.
- 10 (12) Section 52514 of the Food and Agricultural Code.
- 11 (13) Section 53564 of the Food and Agricultural Code.
- 12 (14) Section 53069.4 of the Government Code.
- 13 (15) Section 53075.6 of the Government Code.
- 14 (16) Section 53075.61 of the Government Code.
- 15 (17) Section 5411.5 of the Public Utilities Code.
- 16 (18) Section 9872.1 of the Vehicle Code.
- 17 (19) Section 10751 of the Vehicle Code.
- 18 (20) Section 14607.6 of the Vehicle Code.
- 19 (21) Section 40230 of the Vehicle Code.
- 20 (22) Section 40256 of the Vehicle Code.

21 ~~(d) This section shall become inoperative on July 1, 2017, and,~~  
 22 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
 23 ~~that becomes operative on or before January 1, 2018, deletes or~~  
 24 ~~extends the dates on which it becomes inoperative and is repealed.~~

25 *(d) This section shall remain in effect only until January 1, 2018,*  
 26 *and as of that date is repealed, unless a later enacted statute, that*  
 27 *is enacted before January 1, 2018, deletes or extends that date.*

28 ~~SEC. 2.~~

29 *SEC. 3.* Section 85 is added to the Code of Civil Procedure, to  
 30 read:

31 85. An action or special proceeding shall be treated as a limited  
 32 civil case if all of the following conditions are satisfied, and,  
 33 notwithstanding any statute that classifies an action or special  
 34 proceeding as a limited civil case, an action or special proceeding  
 35 shall not be treated as a limited civil case unless all of the following  
 36 conditions are satisfied:

37 (a) The amount in controversy does not exceed twenty-five  
 38 thousand dollars (\$25,000). As used in this section, “amount in  
 39 controversy” means the amount of the demand, or the recovery  
 40 sought, or the value of the property, or the amount of the lien, that

1 is in controversy in the action, exclusive of attorneys’ fees, interest,  
 2 and costs.

3 (b) The relief sought is a type that may be granted in a limited  
 4 civil case.

5 (c) The relief sought, whether in the complaint, a  
 6 cross-complaint, or otherwise, is exclusively of a type described  
 7 in one or more statutes that classify an action or special proceeding  
 8 as a limited civil case or that provide that an action or special  
 9 proceeding is within the original jurisdiction of the municipal  
 10 court, including, but not limited to, the following provisions:

- 11 (1) Section 798.61 or 798.88 of the Civil Code.
- 12 (2) Section 1719 of the Civil Code.
- 13 (3) Section 3342.5 of the Civil Code.
- 14 (4) Section 86.
- 15 (5) Section 86.1.
- 16 (6) Section 1710.20.
- 17 (7) Section 7581 of the Food and Agricultural Code.
- 18 (8) Section 12647 of the Food and Agricultural Code.
- 19 (9) Section 27601 of the Food and Agricultural Code.
- 20 (10) Section 31503 of the Food and Agricultural Code.
- 21 (11) Section 31621 of the Food and Agricultural Code.
- 22 (12) Section 52514 of the Food and Agricultural Code.
- 23 (13) Section 53564 of the Food and Agricultural Code.
- 24 (14) Section 53069.4 of the Government Code.
- 25 (15) Section 5411.5 of the Public Utilities Code.
- 26 (16) Section 5460.12 of the Public Utilities Code.
- 27 (17) Section 9872.1 of the Vehicle Code.
- 28 (18) Section 10751 of the Vehicle Code.
- 29 (19) Section 14607.6 of the Vehicle Code.
- 30 (20) Section 40230 of the Vehicle Code.
- 31 (21) Section 40256 of the Vehicle Code.

32 (d) This section shall become operative on ~~July 1, 2017.~~ *January*  
 33 *1, 2018.*

34 ~~SEC. 3.~~

35 *SEC. 4.* Section 53075.5 of the Government Code is amended  
 36 to read:

37 53075.5. (a) Notwithstanding Chapter 8 (commencing with  
 38 Section 5351) of Division 2 of the Public Utilities Code, every  
 39 city or county shall protect the public health, safety, and welfare  
 40 by adopting an ordinance or resolution in regard to taxicab

1 transportation service rendered in vehicles designed for carrying  
2 not more than eight persons, excluding the driver, which is operated  
3 within the jurisdiction of the city or county.

4 (b) Each city or county shall provide for, but is not limited to  
5 providing for, the following:

6 (1) A policy for entry into the business of providing taxicab  
7 transportation service. The policy shall include, but need not be  
8 limited to, all of the following provisions:

9 (A) Employment, or an offer of employment, as a taxicab driver  
10 in the jurisdiction, including compliance with all of the  
11 requirements of the program adopted pursuant to paragraph (3),  
12 shall be a condition of issuance of a driver's permit.

13 (B) The driver's permit shall become void upon termination of  
14 employment.

15 (C) The driver's permit shall state the name of the employer.

16 (D) The employer shall notify the city or county upon  
17 termination of employment.

18 (E) The driver shall return the permit to the city or county upon  
19 termination of employment.

20 (2) The establishment or registration of rates for the provision  
21 of taxicab transportation service.

22 (3) (A) A mandatory controlled substance and alcohol testing  
23 certification program. The program shall include, but need not be  
24 limited to, all of the following requirements:

25 (i) Drivers shall test negative for each of the controlled  
26 substances specified in Part 40 (commencing with Section 40.1)  
27 of Title 49 of the Code of Federal Regulations, before employment.  
28 Drivers shall test negative for these controlled substances and for  
29 alcohol as a condition of permit renewal or, if no periodic permit  
30 renewals are required, at such other times as the city or county  
31 shall designate. As used in this section, a negative test for alcohol  
32 means an alcohol screening test showing a breath alcohol  
33 concentration of less than 0.02 percent.

34 (ii) Procedures shall be substantially as in Part 40 (commencing  
35 with Section 40.1) of Title 49 of the Code of Federal Regulations,  
36 except that the driver shall show a valid California driver's license  
37 at the time and place of testing, and except as provided otherwise  
38 in this section. Requirements for rehabilitation and for  
39 return-to-duty and followup testing and other requirements, except  
40 as provided otherwise in this section, shall be substantially as in

1 Part 382 (commencing with Section 382.101) of Title 49 of the  
2 Code of Federal Regulations.

3 (iii) A test in one jurisdiction shall be accepted as meeting the  
4 same requirement in any other jurisdiction. Any negative test result  
5 shall be accepted for one year as meeting a requirement for periodic  
6 permit renewal testing or any other periodic testing in that  
7 jurisdiction or any other jurisdiction, if the driver has not tested  
8 positive subsequent to a negative result. However, an earlier  
9 negative result shall not be accepted as meeting the  
10 pre-employment testing requirement for any subsequent  
11 employment, or any testing requirements under the program other  
12 than periodic testing.

13 (iv) In the case of a self-employed independent driver, the test  
14 results shall be reported directly to the city or county, which shall  
15 notify the taxicab leasing company of record, if any, of positive  
16 results. In all other cases, the results shall be reported directly to  
17 the employing transportation operator, who may be required to  
18 notify the city or county of positive results.

19 (v) All test results are confidential and shall not be released  
20 without the consent of the driver, except as authorized or required  
21 by law.

22 (vi) Self-employed independent drivers shall be responsible for  
23 compliance with, and shall pay all costs of, this program with  
24 regard to themselves. Employing transportation operators shall be  
25 responsible for compliance with, and shall pay all costs of, this  
26 program with respect to their employees and potential employees,  
27 except that an operator may require employees who test positive  
28 to pay the costs of rehabilitation and of return-to-duty and followup  
29 testing.

30 (vii) Upon the request of a driver applying for a permit, the city  
31 or county shall give the driver a list of the consortia certified  
32 pursuant to Part 382 (commencing with Section 382.101) of Title  
33 49 of the Code of Federal Regulations that the city or county knows  
34 offer tests in or near the jurisdiction.

35 (B) No evidence derived from a positive test result pursuant to  
36 the program shall be admissible in a criminal prosecution  
37 concerning unlawful possession, sale or distribution of controlled  
38 substances.

39 (c) Each city or county may levy service charges, fees, or  
40 assessments in an amount sufficient to pay for the costs of carrying

1 out an ordinance or resolution adopted in regard to taxicab  
2 transportation services pursuant to this section.

3 (d) Nothing in this section prohibits a city or county from  
4 adopting additional requirements for a taxicab to operate in its  
5 jurisdiction.

6 (e) For purposes of this section, “employment” includes  
7 self-employment as an independent driver.

8 ~~(f) This section shall become inoperative on July 1, 2017, and,  
9 as of January 1, 2018, is repealed, unless a later enacted statute,  
10 that becomes operative on or before January 1, 2018, deletes or  
11 extends the dates on which it becomes inoperative and is repealed.~~

12 *(f) This section shall remain in effect only until January 1, 2018,  
13 and as of that date is repealed, unless a later enacted statute, that  
14 is enacted before January 1, 2018, deletes or extends that date.*

15 ~~SEC. 4.~~

16 *SEC. 5.* Section 53075.5 is added to the Government Code, to  
17 read:

18 53075.5. (a) The Public Utilities Commission, pursuant to  
19 Chapter 8.5 (commencing with Section 5451) of Division 2 of the  
20 Public Utilities Code, shall issue permits to entities to operate  
21 taxicab transportation services as taxicab carriers. The statewide  
22 taxicab carrier permit issued by the commission pursuant to Section  
23 5452.2 of the Public Utilities Code authorizes a taxicab carrier to  
24 operate anywhere in the state, except as otherwise provided by  
25 Section 5451.3 of the Public Utilities Code with respect to taxicab  
26 transportation services originating in the jurisdiction of the City  
27 and County of San Francisco ~~or at the San Francisco International~~  
28 ~~Airport.~~ *Francisco.* The statewide permit authorizes the taxicab  
29 carrier to carry any dispatched fare, whether the order comes in  
30 through telephone dispatch, an Internet Web site, an online-enabled  
31 mobile application, or other online-enabled means.

32 (b) (1) Notwithstanding subdivision (a) or Chapter 8.5  
33 (commencing with Section 5451) of Division 2 of the Public  
34 Utilities Code, a city or county, other than the City and County of  
35 San Francisco, that regulates taxicab transportation services within  
36 its jurisdiction ~~as of June 30, 2017, December 31, 2017,~~ may grant  
37 exclusive authority to a taxicab carrier under commission  
38 jurisdiction ~~on and after July 1, 2017, January 1, 2018,~~ to provide  
39 certain types of taxicab transportation services, as specified in  
40 paragraph (2), within the jurisdiction of the city or county through

1 the issuance of a curbside operation permit. The city or county  
 2 may impose a cap on the total number of taxicabs that may be  
 3 operated by taxicab carriers pursuant to curbside operation permits.  
 4 However, a city or county shall not in any way limit or prohibit a  
 5 taxicab carrier with a statewide taxicab carrier permit, that has not  
 6 been issued a curbside operation permit, from carrying any  
 7 dispatched fare, whether the order comes in through telephone  
 8 dispatch, an Internet Web site, an online-enabled mobile  
 9 application, or other online-enabled means.

10 (2) A taxicab carrier that is issued a curbside operation permit  
 11 by a city or county pursuant to paragraph (1) may do all of the  
 12 following within the jurisdiction of the city or county:

- 13 (A) Respond to street hails.
- 14 (B) Sit at taxicab stands.
- 15 (C) Pick up passengers at airports.

16 (c) A taxicab carrier with a statewide taxicab carrier permit,  
 17 that has not been issued a curbside operation permit by a local  
 18 agency pursuant to paragraph (1) of subdivision (b), is prohibited  
 19 from providing the types of taxicab transportation services  
 20 described in paragraph (2) of subdivision (b) within the jurisdiction  
 21 of a city or county that issues curbside operation permits, but may  
 22 provide those specified taxicab transportation services at all other  
 23 locations covered by the statewide permit.

24 (d) A city or county that issues curbside operation permits  
 25 pursuant to subdivision (b) shall provide a window sticker for each  
 26 taxicab covered by the permit, which shall be affixed to each  
 27 covered taxicab. The city or county may charge a fee to cover its  
 28 regulatory costs related to issuance of the permit, not to exceed  
 29 fifty dollars (\$50) annually per taxicab covered by the permit.

30 (e) ~~Except as otherwise specifically authorized pursuant to~~  
 31 ~~this section, a city or county that issues curbside operation permits~~  
 32 ~~pursuant to subdivision (b) may not impose fees, requirements, or~~  
 33 ~~standards on taxicab carriers or taxicab drivers beyond the~~  
 34 ~~standards those required under Chapter 8.5 (commencing with~~  
 35 ~~Section 5451) of Division 2 of the Public Utilities Code.~~

36 (f) This section shall become operative on ~~July 1, 2017.~~ *January*  
 37 *1, 2018.*

38 ~~SEC. 5.~~

39 *SEC. 6.* Section 53075.6 of the Government Code is amended  
 40 to read:

1 53075.6. Whenever a peace officer or public officer or  
2 employee, when authorized by ordinance and as defined in Section  
3 836.5 of the Penal Code, arrests any person for operating as a  
4 taxicab without a valid taxicab certificate, license, or permit  
5 required by any ordinance, and the offense occurred at a public  
6 airport, within 100 feet of a public airport, or within two miles of  
7 the international border between the United States and Mexico,  
8 the officer or employee may impound and retain possession of any  
9 vehicle used in a violation of the ordinance.

10 If the vehicle is seized from a person who is not the owner of  
11 the vehicle, the impounding authority shall immediately give notice  
12 to the owner by first-class mail.

13 The vehicle shall immediately be returned to the owner without  
14 cost to the owner if the infraction or violation is not prosecuted or  
15 is dismissed, the owner is found not guilty of the offense, or it is  
16 determined that the vehicle was used in violation of the ordinance  
17 without the knowledge and consent of the owner. Otherwise, the  
18 vehicle shall be returned to the owner upon payment of any fine  
19 ordered by the court. After the expiration of six weeks from the  
20 final disposition of the criminal case, the impounding authority  
21 may deal with the vehicle as lost or abandoned property under  
22 Section 1411 of the Penal Code.

23 At any time, a person may make a motion in superior court for  
24 the immediate return of a vehicle on the ground that there was no  
25 probable cause to seize it or that there is some other good cause,  
26 as determined by the court, for the return of the vehicle. A  
27 proceeding under this paragraph is a limited civil case.

28 No officer or employee, however, shall impound any vehicle  
29 owned or operated by a nonprofit organization exempt from  
30 taxation pursuant to Section 501(c)(3) of the Internal Revenue  
31 Code which serves youth or senior citizens and provides  
32 transportation incidental to its programs or services.

33 ~~This section shall become inoperative on July 1, 2017, and, as~~  
34 ~~of January 1, 2018, is repealed, unless a later enacted statute, that~~  
35 ~~becomes operative on or before January 1, 2018, deletes or extends~~  
36 ~~the dates on which it becomes inoperative and is repealed.~~

37 *This section shall remain in effect only until January 1, 2018,*  
38 *and as of that date is repealed, unless a later enacted statute, that*  
39 *is enacted before January 1, 2018, deletes or extends that date.*

1     ~~SEC. 6.~~

2     ~~SEC. 7.~~ Section 53075.61 of the Government Code is amended  
3 to read:

4     53075.61. A transportation inspector, authorized by a local  
5 government to cite any person for operating as a taxicab without  
6 a valid taxicab certificate, license, or permit required by any  
7 ordinance, may impound and retain possession of any vehicle used  
8 in a violation of the ordinance.

9     If the vehicle is seized from a person who is not the owner of  
10 the vehicle, the impounding authority shall immediately give notice  
11 to the owner by first-class mail.

12     The vehicle shall immediately be returned to the owner without  
13 cost to the owner if the infraction or violation is not prosecuted or  
14 is dismissed, the owner is found not guilty of the offense, or it is  
15 determined that the vehicle was used in violation of the ordinance  
16 without the knowledge and consent of the owner. Otherwise, the  
17 vehicle shall be returned to the owner upon payment of any fine  
18 ordered by the court. After the expiration of six weeks from the  
19 final disposition of the criminal case, the impounding authority  
20 may deal with the vehicle as lost or abandoned property under  
21 Section 1411 of the Penal Code.

22     At any time, a person may make a motion in superior court for  
23 the immediate return of a vehicle on the ground that there was no  
24 probable cause to seize it or that there is some other good cause,  
25 as determined by the court, for the return of the vehicle. A  
26 proceeding under this paragraph is a limited civil case.

27     No officer or employee, however, shall impound any vehicle  
28 owned or operated by a nonprofit organization exempt from  
29 taxation pursuant to Section 501(c)(3) of the Internal Revenue  
30 Code which serves youth or senior citizens and provides  
31 transportation incidental to its programs or services.

32     ~~This section shall become inoperative on July 1, 2017, and, as~~  
33 ~~of January 1, 2018, is repealed, unless a later enacted statute, that~~  
34 ~~becomes operative on or before January 1, 2018, deletes or extends~~  
35 ~~the dates on which it becomes inoperative and is repealed.~~

36     *This section shall remain in effect only until January 1, 2018,*  
37 *and as of that date is repealed, unless a later enacted statute, that*  
38 *is enacted before January 1, 2018, deletes or extends that date.*

1 ~~SEC. 7.~~

2 *SEC. 8.* Section 53075.7 of the Government Code is amended  
3 to read:

4 53075.7. (a) Upon receipt of a complaint containing sufficient  
5 information to warrant conducting an investigation, the local  
6 agency shall investigate any business that advertises or operates  
7 taxicab transportation service for hire. The local agency shall, by  
8 ordinance, resolution, or other appropriate procedure, adopt criteria  
9 that establishes the type of information, if contained in a complaint,  
10 that is sufficient to warrant an investigation. Pursuant to this  
11 investigation, the local agency shall do all of the following:

12 (1) Determine which businesses, if any, are required to have in  
13 effect a valid taxicab certificate, license, or permit as required by  
14 ordinance, but do not have that valid authority to operate.

15 (2) Inform any business not having valid authority to operate  
16 that it is in violation of law.

17 (3) Within 60 days of informing the business pursuant to  
18 paragraph (2), institute civil or criminal proceedings, or both,  
19 pursuant to the governing municipal code or other authority of  
20 jurisdiction.

21 (b) For purposes of this section:

22 (1) "Advertises" means any action described in subdivision (b)  
23 of Section 53075.9.

24 (2) "Local agency" means the local entity responsible for the  
25 regulation, including, but not limited to, the certification, licensing,  
26 or permitting of, and enforcement of rules, regulations, or  
27 ordinances governing, taxicabs within the local jurisdiction.

28 ~~(e) This section shall become inoperative on July 1, 2017, and,~~  
29 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
30 ~~that becomes operative on or before January 1, 2018, deletes or~~  
31 ~~extends the dates on which it becomes inoperative and is repealed.~~

32 (c) *This section shall remain in effect only until January 1, 2018,*  
33 *and as of that date is repealed, unless a later enacted statute, that*  
34 *is enacted before January 1, 2018, deletes or extends that date.*

35 ~~SEC. 8.~~

36 *SEC. 9.* Section 53075.8 of the Government Code is amended  
37 to read:

38 53075.8. (a) The Legislature finds and declares that advertising  
39 and use of telephone service is essential for a taxicab transportation  
40 service to obtain business and conduct intrastate passenger

1 transportation services. Unlawful advertisements by taxicabs  
2 operating without a valid taxicab certificate, license, or permit  
3 required by any ordinance has resulted in properly certificated,  
4 licensed, and permitted taxicab operators competing with these  
5 taxicabs operating without a proper taxicab certificate, license, or  
6 permit using unfair business practices. Taxicabs operating without  
7 a proper taxicab certificate, license, or permit have also exposed  
8 passengers to unscrupulous persons who portray themselves as  
9 lawful operators. Many of these taxicabs operating without a proper  
10 taxicab certificate, license, or permit have been found to have also  
11 been operating without insurance, or in an unsafe manner, thereby  
12 placing their passengers at risk.

13 (b) (1) The Legislature further finds and declares that the  
14 termination of telephone service utilized by taxicabs operating  
15 without proper authority is essential to ensure the public safety  
16 and welfare. Therefore, local agencies should take enforcement  
17 action, as specified in this section, to disconnect telephone service  
18 of unauthorized taxicab operators who unlawfully advertise  
19 passenger transportation services in yellow page directories and  
20 other publications. The enforcement actions provided for by this  
21 section are consistent with the decision of the California Supreme  
22 Court in *Goldin v. Public Utilities Commission* (1979) 23 Cal. 3d  
23 638.

24 (2) For purposes of this section, a telephone corporation or  
25 telegraph corporation, or a corporation that holds a controlling  
26 interest in the telephone or telegraph corporation, or any business  
27 that is a subsidiary or affiliate of the telephone or telegraph  
28 corporation, that has the name and address of the subscriber to a  
29 telephone number being used by a unauthorized taxicab operator  
30 shall provide the local agency, or an authorized officer or employee  
31 of the local agency, upon demand, and the order of a magistrate,  
32 access to this information. A magistrate may only issue an order  
33 for the purposes of this subdivision, if the magistrate has made the  
34 findings required by paragraph (2) of subdivision (f).

35 (c) (1) In addition to any other remedies that may be available  
36 by law, if a local agency determines that a taxicab transportation  
37 service has operated within the local agency's jurisdiction in  
38 violation of the local agency's ordinance adopted under Section  
39 53075.5, the local agency may notify the taxicab operator that the  
40 local agency intends to seek termination of the operator's telephone

1 service. The notice shall be sent by certified mail to the operator  
2 at the operator's last known mailing address. If the local agency  
3 is unable to determine the operator's mailing address, the local  
4 agency shall post the notice for at least 10 calendar days.

5 (2) The notice shall contain sufficient information to identify  
6 the taxicab transportation service, to inform the taxicab operator  
7 of the alleged violations of the local agency's ordinance, and the  
8 procedures for protesting the allegations contained in the notice.

9 (d) The taxicab operator, within 10 calendar days of the date of  
10 the notice, may contest the allegations contained in the notice by  
11 filing a written protest with the local agency. The local agency  
12 shall schedule a hearing on the protest within 21 calendar days of  
13 receiving the protest.

14 (e) The governing body of the local agency, or any person or  
15 persons as may be designated by the governing body, shall hear  
16 the protest. The local agency shall have both the burden of  
17 providing that the use made, or to be made, of the telephone service  
18 is to hold out to the public to perform, or to assist in performing,  
19 services as a taxicab transportation service, and that the telephone  
20 service is being, or is to be, used as an instrumentality, directly or  
21 indirectly, to violate, or assist in violating, the local agency's  
22 applicable ordinance. The taxicab operator, or his or her designated  
23 representative, shall be allowed to present evidence to answer or  
24 refute any allegations presented to the hearing body by the local  
25 agency. The hearing body may continue the hearing from time to  
26 time. Within 10 calendar days of the close of the hearing, the  
27 hearing body shall issue a written decision to uphold or reject, in  
28 whole or in part, the allegations contained in the notice. If the  
29 hearing body upholds the allegations in whole or in part, the written  
30 decision shall state either that the allegations are sufficient to justify  
31 seeking termination of the taxicab operator's telephone service,  
32 or that the allegations are not sufficient.

33 (f) (1) If the local agency does not receive a timely protest, or,  
34 after a protest hearing held pursuant to subdivision (d), the hearing  
35 body has determined that the allegations are sufficient to justify  
36 seeking termination of the telephone operator's telephone service,  
37 the local agency may seek termination of the taxicab operator's  
38 telephone service as provided in this section.

39 (2) A telephone or telegraph corporation shall refuse telephone  
40 service to a new subscriber and shall disconnect telephone service

1 of an existing subscriber only after it is shown that other available  
2 enforcement remedies of the local agency have failed to terminate  
3 unlawful activities detrimental to the public welfare and safety,  
4 and upon receipt from any authorized officer or employee of the  
5 local agency of a writing, signed by a magistrate, as defined by  
6 Sections 807 and 808 of the Penal Code, finding that probable  
7 cause exists to believe that the subscriber is advertising or holding  
8 out to the public to perform taxicab transportation services in  
9 violation of the local agency's applicable ordinance, or that the  
10 telephone service otherwise is being used or is to be used as an  
11 instrumentality, directly or indirectly, to violate or assist in  
12 violation of the laws requiring a taxicab operator to have valid  
13 operating authority. Included in the writing of the magistrate shall  
14 be a finding that there is probable cause to believe that the subject  
15 telephone facilities have been, or are to be, used in the commission  
16 or facilitation of holding out to the public to perform taxicab  
17 transportation services in violation of the local agency's applicable  
18 ordinance.

19 (g) The telephone or telegraph corporation, immediately upon  
20 refusal or disconnection of service in accordance with paragraph  
21 (2) of subdivision (f), shall notify the subscriber in writing that the  
22 refusal or disconnection of telephone service has been made  
23 pursuant to a request of a local agency and the writing of a  
24 magistrate, and shall include a copy of this section, a copy of the  
25 writing of the magistrate, and a statement that the customer of the  
26 subscriber may request information from the local agency  
27 concerning any provision of this section and the manner in which  
28 a complaint may be filed.

29 (h) The provisions of this section are an implied term of every  
30 contract for telephone service and a part of any application for  
31 telephone service. Applicants for, and subscribers and customers  
32 of, telephone service, have, as a matter of law, consented to the  
33 provisions of this section as a consideration for the furnishing of  
34 the telephone service.

35 (i) As used in this section, the terms "person," "customer," and  
36 "subscriber" include the subscriber to telephone service, any person  
37 using the telephone service of a subscriber, an applicant for  
38 telephone service, a corporation, a limited liability company, a  
39 partnership, an association, and includes their lessees and assigns.

1 (j) As used in this section, the following terms have the  
2 following meanings:

3 (1) “Authorized officer or employee of the local agency”  
4 includes any employee of the local agency designated by the local  
5 agency’s governing body.

6 (2) “Local agency” has the same meaning as specified in  
7 subdivision (b) of Section 53075.7.

8 (3) “Telegraph corporation” has the same meaning as specified  
9 in Section 236 of the Public Utilities Code.

10 (4) “Telephone corporation” has the same meaning as specified  
11 in Section 234 of the Public Utilities Code.

12 ~~(k) This section shall become inoperative on July 1, 2017, and,~~  
13 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
14 ~~that becomes operative on or before January 1, 2018, deletes or~~  
15 ~~extends the dates on which it becomes inoperative and is repealed.~~

16 *(k) This section shall remain in effect only until January 1, 2018,*  
17 *and as of that date is repealed, unless a later enacted statute, that*  
18 *is enacted before January 1, 2018, deletes or extends that date.*

19 ~~SEC. 9.~~

20 *SEC. 10.* Section 53075.9 of the Government Code is amended  
21 to read:

22 53075.9. (a) Every taxicab transportation service shall include  
23 the number of its certificate, license, or permit in every written or  
24 oral advertisement of the services it offers.

25 (b) For purposes of this subdivision, “advertisement” includes,  
26 but is not limited to, the issuance of any card, sign, or device to  
27 any person, the causing, permitting, or allowing the placement of  
28 any sign or marking on or in any building or structure, or in any  
29 media form, including newspaper, magazine, radiowave, satellite  
30 signal, or any electronic transmission, or in any directory soliciting  
31 taxicab transportation services subject to this chapter.

32 (c) Whenever the local agency, after a hearing, finds that any  
33 person or corporation is operating as a taxicab transportation  
34 service without a valid certificate, license, or permit or fails to  
35 include in any written or oral advertisement the number required  
36 by subdivision (a), the local agency may impose a fine of not more  
37 than five thousand dollars (\$5,000) for each violation. The local  
38 agency may assess the person or corporation an amount sufficient  
39 to cover the reasonable expense of investigation incurred by the  
40 local agency. The local agency may assess interest on any fine or

1 assessment imposed, to commence on the day the payment of the  
2 fine or assessment becomes delinquent. All fines, assessments,  
3 and interest collected shall be deposited at least once each month  
4 in a fund established for the purpose of enforcing this section.

5 (d) For purposes of this section, “local agency” has the same  
6 meaning as specified in subdivision (b) of Section 53075.7.

7 ~~(e) This section shall become inoperative on July 1, 2017, and,  
8 as of January 1, 2018, is repealed, unless a later enacted statute,  
9 that becomes operative on or before January 1, 2018, deletes or  
10 extends the dates on which it becomes inoperative and is repealed.~~

11 *(e) This section shall remain in effect only until January 1, 2018,  
12 and as of that date is repealed, unless a later enacted statute, that  
13 is enacted before January 1, 2018, deletes or extends that date.*

14 ~~SEC. 10.~~

15 *SEC. 11.* Section 830.7 of the Penal Code is amended to read:

16 830.7. The following persons are not peace officers but may  
17 exercise the powers of arrest of a peace officer as specified in  
18 Section 836 during the course and within the scope of their  
19 employment, if they successfully complete a course in the exercise  
20 of those powers pursuant to Section 832:

21 (a) Persons designated by a cemetery authority pursuant to  
22 Section 8325 of the Health and Safety Code.

23 (b) Persons regularly employed as security officers for  
24 independent institutions of higher education, recognized under  
25 subdivision (b) of Section 66010 of the Education Code, if the  
26 institution has concluded a memorandum of understanding,  
27 permitting the exercise of that authority, with the sheriff or the  
28 chief of police within whose jurisdiction the institution lies.

29 (c) Persons regularly employed as security officers for health  
30 facilities, as defined in Section 1250 of the Health and Safety Code,  
31 that are owned and operated by cities, counties, and cities and  
32 counties, if the facility has concluded a memorandum of  
33 understanding, permitting the exercise of that authority, with the  
34 sheriff or the chief of police within whose jurisdiction the facility  
35 lies.

36 (d) Employees or classes of employees of the California  
37 Department of Forestry and Fire Protection designated by the  
38 Director of Forestry and Fire Protection, provided that the primary  
39 duty of the employee shall be the enforcement of the law as that  
40 duty is set forth in Section 4156 of the Public Resources Code.

1 (e) Persons regularly employed as inspectors, supervisors, or  
2 security officers for transit districts, as defined in Section 99213  
3 of the Public Utilities Code, if the district has concluded a  
4 memorandum of understanding permitting the exercise of that  
5 authority, with, as applicable, the sheriff, the chief of police, or  
6 the Department of the California Highway Patrol within whose  
7 jurisdiction the district lies. For the purposes of this subdivision,  
8 the exercise of peace officer authority may include the authority  
9 to remove a vehicle from a railroad right-of-way as set forth in  
10 Section 22656 of the Vehicle Code.

11 (f) Nonpeace officers regularly employed as county parole  
12 officers pursuant to Section 3089.

13 (g) Persons appointed by the Executive Director of the California  
14 Science Center pursuant to Section 4108 of the Food and  
15 Agricultural Code.

16 (h) Persons regularly employed as investigators by the  
17 Department of Transportation for the City of Los Angeles and  
18 designated by local ordinance as public officers, to the extent  
19 necessary to enforce laws related to public transportation, and  
20 authorized by a memorandum of understanding with the chief of  
21 police, permitting the exercise of that authority. For the purposes  
22 of this subdivision, “investigator” means an employee authorized  
23 by local ordinance to enforce laws related to public transportation.  
24 Transportation investigators authorized by this section shall not  
25 be deemed “peace officers” for purposes of Sections 241 and 243.

26 (i) Persons regularly employed by any department of the City  
27 of Los Angeles who are designated as security officers and  
28 authorized by local ordinance to enforce laws related to the  
29 preservation of peace in or about the properties owned, controlled,  
30 operated, or administered by any department of the City of Los  
31 Angeles and authorized by a memorandum of understanding with  
32 the Chief of Police of the City of Los Angeles permitting the  
33 exercise of that authority. Security officers authorized pursuant to  
34 this subdivision shall not be deemed peace officers for purposes  
35 of Sections 241 and 243.

36 (j) Illegal dumping enforcement officers or code enforcement  
37 officers, to the extent necessary to enforce laws related to illegal  
38 waste dumping or littering, and authorized by a memorandum of  
39 understanding with, as applicable, the sheriff or chief of police  
40 within whose jurisdiction the person is employed, permitting the

1 exercise of that authority. An “illegal dumping enforcement officer  
 2 or code enforcement officer” is defined, for purposes of this  
 3 section, as a person employed full time, part time, or as a volunteer  
 4 after completing training prescribed by law, by a city, county, or  
 5 city and county, whose duties include illegal dumping enforcement  
 6 and who is designated by local ordinance as a public officer. An  
 7 illegal dumping enforcement officer or code enforcement officer  
 8 may also be a person who is not regularly employed by a city,  
 9 county, or city and county, but who has met all training  
 10 requirements and is directly supervised by a regularly employed  
 11 illegal dumping enforcement officer or code enforcement officer  
 12 conducting illegal dumping enforcement. This person shall not  
 13 have the power of arrest or access to summary criminal history  
 14 information pursuant to this section. No person may be appointed  
 15 as an illegal dumping enforcement officer or code enforcement  
 16 officer if that person is disqualified pursuant to the criteria set forth  
 17 in Section 1029 of the Government Code. Persons regularly  
 18 employed by a city, county, or city and county designated pursuant  
 19 to this subdivision may be furnished state summary criminal history  
 20 information upon a showing of compelling need pursuant to  
 21 subdivision (c) of Section 11105.

22 ~~SEC. 11. Section 23 is added to the Public Utilities Code, to~~  
 23 ~~read:~~

24 ~~23. (a) The commission may collect trip data for the purposes~~  
 25 ~~of transportation and environmental planning from any entity~~  
 26 ~~regulated by the commission that provides any form of for-hire~~  
 27 ~~passenger transportation.~~

28 ~~(b) The commission shall commence a proceeding to determine~~  
 29 ~~how data collected from providers of for-hire passenger~~  
 30 ~~transportation may best be shared with transportation planning~~  
 31 ~~agencies and other local agencies for the purposes of transportation~~  
 32 ~~and environmental planning.~~

33 ~~(c) Trade secrets, as defined in subdivision (d) of Section 3426.1~~  
 34 ~~of the Civil Code, that are contained in the information provided~~  
 35 ~~to the commission pursuant to this section shall be treated as~~  
 36 ~~confidential. The data contained in the information may only be~~  
 37 ~~disclosed by the commission upon the authorization of the entity~~  
 38 ~~providing the information to the commission, except that the~~  
 39 ~~commission may disclose data in aggregate form in a manner that~~  
 40 ~~does not violate the confidentiality of any trade secrets.~~

1 SEC. 12. Section 5353 of the Public Utilities Code is amended  
2 to read:

3 5353. This chapter does not apply to any of the following:

4 (a) Transportation service rendered wholly within the corporate  
5 limits of a single city or city and county and licensed or regulated  
6 by ordinance.

7 (b) Transportation of school pupils conducted by or under  
8 contract with the governing board of any school district entered  
9 into pursuant to the Education Code.

10 (c) Common carrier transportation services between fixed  
11 termini or over a regular route that are subject to authorization  
12 pursuant to Article 2 (commencing with Section 1031) of Chapter  
13 5 of Part 1 of Division 1.

14 (d) Transportation services occasionally afforded for farm  
15 employees moving to and from farms on which employed when  
16 the transportation is performed by the employer in an owned or  
17 leased vehicle, or by a nonprofit agricultural cooperative  
18 association organized and acting within the scope of its powers  
19 under Chapter 1 (commencing with Section 54001) of Division  
20 20 of the Food and Agricultural Code, and without any requirement  
21 for the payment of compensation therefor by the employees.

22 (e) Transportation service rendered by a publicly owned transit  
23 system.

24 (f) Passenger vehicles carrying passengers on a noncommercial  
25 enterprise basis.

26 (g) Taxicab transportation service licensed and regulated by a  
27 city or county, by ordinance or resolution, rendered in vehicles  
28 designed for carrying not more than eight persons excluding the  
29 driver or, on and after ~~July 1, 2017~~, *January 1, 2018*, taxicab  
30 transportation services subject to regulation pursuant to Chapter  
31 8.5 (commencing with Section 5451) or exempt from regulation  
32 under that chapter pursuant to Section 5451.3.

33 (h) Transportation of persons between home and work locations  
34 or of persons having a common work-related trip purpose in a  
35 vehicle having a seating capacity of 15 passengers or less, including  
36 the driver, which are used for the purpose of ridesharing, as defined  
37 in Section 522 of the Vehicle Code, when the ridesharing is  
38 incidental to another purpose of the driver. This exemption also  
39 applies to a vehicle having a seating capacity of more than 15  
40 passengers if the driver files with the commission evidence of

1 liability insurance protection in the same amount and in the same  
2 manner as required for a passenger stage corporation, and the  
3 vehicle undergoes and passes an annual safety inspection by the  
4 Department of the California Highway Patrol. The insurance filing  
5 shall be accompanied by a one-time filing fee of seventy-five  
6 dollars (\$75). This exemption does not apply if the primary purpose  
7 for the transportation of those persons is to make a profit. “Profit,”  
8 as used in this subdivision, does not include the recovery of the  
9 actual costs incurred in owning and operating a vanpool vehicle,  
10 as defined in Section 668 of the Vehicle Code.

11 (i) Vehicles used exclusively to provide medical transportation,  
12 including vehicles employed to transport developmentally disabled  
13 persons for regional centers established pursuant to Chapter 5  
14 (commencing with Section 4620) of Division 4.5 of the Welfare  
15 and Institutions Code.

16 (j) Transportation services rendered solely within the Lake  
17 Tahoe Basin, comprising that area included within the Tahoe  
18 Regional Planning Compact as set forth in Section 66801 of the  
19 Government Code, when the operator of the services has obtained  
20 any permit required from the Tahoe Basin Transportation Authority  
21 or the City of South Lake Tahoe, or both.

22 (k) Subject to Section 34507.6 of the Vehicle Code,  
23 transportation service provided by the operator of an automobile  
24 rental business in vehicles owned or leased by that operator,  
25 without charge other than as may be included in the automobile  
26 rental charges, to carry its customers to or from its office or facility  
27 where rental vehicles are furnished or returned after the rental  
28 period.

29 (l) Subject to Section 34507.6 of the Vehicle Code,  
30 transportation service provided by the operator of a hotel, motel,  
31 or other place of temporary lodging in vehicles owned or leased  
32 by that operator, without charge other than as may be included in  
33 the charges for lodging, between the lodging facility and an air,  
34 rail, water, or bus passenger terminal or between the lodging  
35 facility and any place of entertainment or commercial attraction,  
36 including, but not limited to, facilities providing snow skiing.  
37 Nothing in this subdivision authorizes the operator of a hotel,  
38 motel, or other place of temporary lodging to provide any round  
39 trip sightseeing service without a permit, as required by subdivision  
40 (c) of Section 5384.

1 (m) (1) Transportation of hot air balloon ride passengers in a  
2 balloon chase vehicle from the balloon landing site back to the  
3 original takeoff site, provided that the balloon ride was conducted  
4 by a balloonist who meets all of the following conditions:

5 (A) Does not fly more than a total of 30 passenger rides for  
6 compensation annually.

7 (B) Does not provide any preflight ground transportation  
8 services in their vehicles.

9 (C) In providing return transportation to the launch site from  
10 landing does not drive more than 300 miles annually.

11 (D) Files with the commission an exemption declaration and  
12 proof of vehicle insurance, as prescribed by the commission,  
13 certifying that the operator qualifies for the exemption and will  
14 maintain minimum insurance on each vehicle of one hundred  
15 thousand dollars (\$100,000) for injury or death of one person, three  
16 hundred thousand dollars (\$300,000) for injury or death of two or  
17 more persons and one hundred thousand dollars (\$100,000) for  
18 damage to property.

19 (2) Nothing in this subdivision authorizes the operator of a  
20 commercial balloon operation to provide any round trip sightseeing  
21 service without a permit, as required by subdivision (c) of Section  
22 5384.

23 (n) (1) Transportation services incidental to operation of a youth  
24 camp that are provided by either a nonprofit organization that  
25 qualifies for tax exemption under Section 501(c)(3) of the Internal  
26 Revenue Code or an organization that operates an organized camp,  
27 as defined in Section 18897 of the Health and Safety Code, serving  
28 youth 18 years of age or younger.

29 (2) Any transportation service described in paragraph (1) shall  
30 comply with all of the following requirements:

31 (A) Register as a private carrier with the commission pursuant  
32 to Section 4005.

33 (B) Participate in a pull notice system for employers of drivers  
34 as prescribed in Section 1808.1 of the Vehicle Code.

35 (C) Ensure compliance with the annual bus terminal inspection  
36 required by subdivision (c) of Section 34501 of the Vehicle Code.

37 (D) Obtain the following minimum amounts of general liability  
38 insurance coverage for vehicles that are used to transport youth:

39 (i) A minimum of five hundred thousand dollars (\$500,000)  
40 general liability insurance coverage for passenger vehicles designed

1 to carry up to eight passengers. For organized camps, as defined  
2 in Section 18897 of the Health and Safety Code, an additional two  
3 hundred fifty thousand dollars (\$250,000) general umbrella policy  
4 that covers vehicles.

5 (ii) A minimum of one million dollars (\$1,000,000) general  
6 liability insurance coverage for vehicles designed to carry up to  
7 15 passengers. For organized camps, as defined in Section 18897  
8 of the Health and Safety Code, an additional five hundred thousand  
9 dollars (\$500,000) general umbrella policy that covers vehicles.

10 (iii) A minimum of one million five hundred thousand dollars  
11 (\$1,500,000) general liability insurance coverage for vehicles  
12 designed to carry more than 15 passengers, and an additional three  
13 million five hundred thousand dollars (\$3,500,000) general  
14 umbrella liability insurance policy that covers vehicles.

15 SEC. 13. Section 5411.5 of the Public Utilities Code is  
16 amended to read:

17 5411.5. (a) Whenever a peace officer, as defined in Chapter  
18 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
19 Code, arrests a person for operation of a charter-party carrier of  
20 passengers without a valid certificate or permit, the peace officer  
21 may impound and retain possession of the vehicle.

22 (b) Whenever a peace officer, as defined in Chapter 4.5  
23 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
24 Code, arrests a person for operating a charter-party carrier of  
25 passengers as a taxicab in violation of an ordinance or resolution  
26 of a city, county, or city and county, the peace officer may impound  
27 and retain possession of the vehicle.

28 (c) If the vehicle is seized from a person who is not the owner  
29 of the vehicle, the impounding authority shall immediately give  
30 notice to the owner by first-class mail.

31 (d) The vehicle shall immediately be returned to the owner if  
32 the infraction or violation is not prosecuted or is dismissed, the  
33 owner is found not guilty of the offense, or it is determined that  
34 the vehicle was used in violation of Section 5411 without the  
35 knowledge and consent of the owner. The vehicle shall be returned  
36 to the owner upon payment of any fine ordered by the court. If the  
37 vehicle is seized due to a violation of a person other than the owner  
38 of the vehicle, the vehicle shall be returned to the owner after all  
39 impoundment fees are paid. After the expiration of six weeks from  
40 the final disposition of the criminal case, unless the owner is in

1 the process of making payments to the court, the impounding  
2 authority may deal with the vehicle as lost or abandoned property  
3 under Section 1411 of the Penal Code.

4 (e) At any time, a person may make a motion in superior court  
5 for the immediate return of the vehicle on the ground that there  
6 was no probable cause to seize it or that there is some other good  
7 cause, as determined by the court, for the return of the vehicle. A  
8 proceeding under this section is a limited civil case.

9 (f) No peace officer, however, may impound any vehicle owned  
10 or operated by a nonprofit organization exempt from taxation  
11 pursuant to Section 501(c)(3) of the Internal Revenue Code which  
12 serves youth or senior citizens and provides transportation  
13 incidental to its programs or services or a rented motor vehicle  
14 that is being operated by a hired driver of a charter-party carrier  
15 of passengers that is providing hired driver service.

16 ~~(g) This section shall become inoperative on July 1, 2017, and,  
17 as of January 1, 2018, is repealed, unless a later enacted statute,  
18 that becomes operative on or before January 1, 2018, deletes or  
19 extends the dates on which it becomes inoperative and is repealed.~~

20 *(g) This section shall remain in effect only until January 1, 2018,  
21 and as of that date is repealed, unless a later enacted statute, that  
22 is enacted before January 1, 2018, deletes or extends that date.*

23 SEC. 14. Section 5411.5 is added to the Public Utilities Code,  
24 to read:

25 5411.5. (a) Whenever a peace officer, as defined in Chapter  
26 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
27 Code, arrests a person for operation of a charter-party carrier of  
28 passengers without a valid certificate or permit, the peace officer  
29 may impound and retain possession of the vehicle.

30 (b) Whenever a peace officer, as defined in Chapter 4.5  
31 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
32 Code, arrests a person for operating a charter-party carrier of  
33 passengers as a taxicab in violation of Chapter 8.5 (commencing  
34 with Section 5451) or in violation of a local ordinance of the City  
35 and County of San Francisco or its airport authority, *Francisco*,  
36 the peace officer may impound and retain possession of the vehicle.

37 (c) If the vehicle is seized from a person who is not the owner  
38 of the vehicle, the impounding authority shall immediately give  
39 notice to the owner by first-class mail.

1 (d) The vehicle shall immediately be returned to the owner if  
 2 the infraction or violation is not prosecuted or is dismissed, the  
 3 owner is found not guilty of the offense, or it is determined that  
 4 the vehicle was used in violation of Section 5411 without the  
 5 knowledge and consent of the owner. The vehicle shall be returned  
 6 to the owner upon payment of any fine ordered by the court. If the  
 7 vehicle is seized due to a violation of a person other than the owner  
 8 of the vehicle, the vehicle shall be returned to the owner after all  
 9 impoundment fees are paid. After the expiration of six weeks from  
 10 the final disposition of the criminal case, unless the owner is in  
 11 the process of making payments to the court, the impounding  
 12 authority may deal with the vehicle as lost or abandoned property  
 13 under Section 1411 of the Penal Code.

14 (e) At any time, a person may make a motion in superior court  
 15 for the immediate return of the vehicle on the ground that there  
 16 was no probable cause to seize it or that there is some other good  
 17 cause, as determined by the court, for the return of the vehicle. A  
 18 proceeding under this section is a limited civil case.

19 (f) No peace officer, however, may impound any vehicle owned  
 20 or operated by a nonprofit organization exempt from taxation  
 21 pursuant to Section 501(c)(3) of the Internal Revenue Code which  
 22 serves youth or senior citizens and provides transportation  
 23 incidental to its programs or services or a rented motor vehicle  
 24 that is being operated by a hired driver of a charter-party carrier  
 25 of passengers that is providing hired driver service.

26 (g) This section shall become operative on ~~July 1, 2017~~. *January*  
 27 *1, 2018*.

28 SEC. 15. Section 5412.2 of the Public Utilities Code is  
 29 amended to read:

30 5412.2. (a) When a person is convicted of the offense of  
 31 operating a taxicab without a valid certificate or permit, in addition  
 32 to any other penalties provided by law, if the court determines the  
 33 operator has the ability to pay, the court shall impose a mandatory  
 34 fine not exceeding two thousand five hundred dollars (\$2,500) for  
 35 a first conviction or five thousand dollars (\$5,000) for a subsequent  
 36 conviction.

37 (b) When a person is convicted of the offense of operating a  
 38 charter-party carrier of passengers without a valid certificate or  
 39 permit, in addition to any other penalties provided by law, if the  
 40 court determines the operator has the ability to pay, the court shall

1 impose a mandatory fine not exceeding ten thousand dollars  
2 (\$10,000) for a first conviction or twenty-five thousand dollars  
3 (\$25,000) for a subsequent conviction.

4 (c) As used in this section, “taxicab” means a passenger vehicle  
5 designed for carrying not more than eight persons, excluding the  
6 driver, and used to carry passengers for hire. “Taxicab” shall not  
7 include a charter-party carrier of passengers within the meaning  
8 of this chapter.

9 ~~(d) This section shall become inoperative on July 1, 2017, and,  
10 as of January 1, 2018, is repealed, unless a later enacted statute,  
11 that becomes operative on or before January 1, 2018, deletes or  
12 extends the dates on which it becomes inoperative and is repealed.~~

13 *(d) This section shall remain in effect only until January 1, 2018,  
14 and as of that date is repealed, unless a later enacted statute, that  
15 is enacted before January 1, 2018, deletes or extends that date.*

16 SEC. 16. Section 5412.2 is added to the Public Utilities Code,  
17 to read:

18 5412.2. (a) When a person is convicted of the offense of  
19 operating a taxicab without a valid permit required pursuant to  
20 Chapter 8.5 (commencing with Section 5451) or pursuant to a local  
21 ordinance of the City and County of San Francisco or its airport  
22 authority, *Francisco*, in addition to any other penalties provided  
23 by law, if the court determines the operator has the ability to pay,  
24 the court shall impose a mandatory fine not exceeding two thousand  
25 five hundred dollars (\$2,500) for a first conviction or five thousand  
26 dollars (\$5,000) for a subsequent conviction.

27 (b) When a person is convicted of the offense of operating a  
28 charter-party carrier of passengers without a valid certificate or  
29 permit, in addition to any other penalties provided by law, if the  
30 court determines the operator has the ability to pay, the court shall  
31 impose a mandatory fine not exceeding ten thousand dollars  
32 (\$10,000) for a first conviction or twenty-five thousand dollars  
33 (\$25,000) for a subsequent conviction.

34 (c) As used in this section, “taxicab” shall have the meaning as  
35 defined in subdivision (d) of Section 5451.4. “Taxicab” shall not  
36 include a charter-party carrier of passengers within the meaning  
37 of this chapter.

38 (d) This section shall become operative on ~~July 1, 2017.~~ *January*  
39 *1, 2018.*

1 SEC. 17. Section 5413.5 of the Public Utilities Code is  
2 amended to read:

3 5413.5. (a) Whenever the commission, after hearing, finds  
4 that any person or corporation is operating as a charter-party carrier  
5 of passengers, including a charter-party carrier operating a  
6 limousine, without a valid certificate or permit, or fails to include  
7 in any written or oral advertisement the number of the certificate  
8 or permit required by Section 5386, the commission may impose  
9 a fine of not more than seven thousand five hundred dollars  
10 (\$7,500) for each violation. The commission may assess the person  
11 or corporation an amount sufficient to cover the reasonable expense  
12 of investigation incurred by the commission. The commission may  
13 assess interest on any fine or assessment imposed, to commence  
14 on the day the payment of the fine or assessment becomes  
15 delinquent. All fines, assessments, and interest collected shall be  
16 deposited at least once each month in the General Fund.

17 (b) Whenever the commission, after hearing, finds that any  
18 person or corporation is operating a charter-party carrier of  
19 passengers as a taxicab without a valid certificate or permit in  
20 violation of an ordinance or resolution of a city, county, or city  
21 and county, the commission may impose a fine of not more than  
22 five thousand dollars (\$5,000) for each violation. The commission  
23 may assess the person or corporation an amount sufficient to cover  
24 the reasonable expense of investigation incurred by the  
25 commission. The commission may assess interest on any fine or  
26 assessment imposed, to commence on the day the payment of the  
27 fine or assessment becomes delinquent. All fines, assessments,  
28 and interest collected shall be deposited at least once each month  
29 in the General Fund.

30 ~~(c) This section shall become inoperative on July 1, 2017, and,~~  
31 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
32 ~~that becomes operative on or before January 1, 2018, deletes or~~  
33 ~~extends the dates on which it becomes inoperative and is repealed.~~

34 *(c) This section shall remain in effect only until January 1, 2018,*  
35 *and as of that date is repealed, unless a later enacted statute, that*  
36 *is enacted before January 1, 2018, deletes or extends that date.*

37 SEC. 18. Section 5413.5 is added to the Public Utilities Code,  
38 to read:

39 5413.5. (a) Whenever the commission, after hearing, finds  
40 that any person or corporation is operating as a charter-party carrier

1 of passengers, including a charter-party carrier operating a  
2 limousine, without a valid certificate or permit, or fails to include  
3 in any written or oral advertisement the number of the certificate  
4 or permit required by Section 5386, the commission may impose  
5 a fine of not more than seven thousand five hundred dollars  
6 (\$7,500) for each violation. The commission may assess the person  
7 or corporation an amount sufficient to cover the reasonable expense  
8 of investigation incurred by the commission. The commission may  
9 assess interest on any fine or assessment imposed, to commence  
10 on the day the payment of the fine or assessment becomes  
11 delinquent. All fines, assessments, and interest collected shall be  
12 deposited at least once each month in the General Fund.

13 (b) Whenever the commission, after hearing, finds that any  
14 person or corporation is operating a charter-party carrier of  
15 passengers as a taxicab without a valid permit in violation of  
16 Chapter 8.5 (commencing with Section 5451) or a local ordinance  
17 of the City and County of San Francisco or its airport authority,  
18 *Francisco*, the commission may impose a fine of not more than  
19 five thousand dollars (\$5,000) for each violation. The commission  
20 may assess the person or corporation an amount sufficient to cover  
21 the reasonable expense of investigation incurred by the  
22 commission. The commission may assess interest on any fine or  
23 assessment imposed, to commence on the day the payment of the  
24 fine or assessment becomes delinquent. All fines, assessments,  
25 and interest collected shall be deposited at least once each month  
26 in the General Fund.

27 (c) This section shall become operative on ~~July 1, 2017~~. *January*  
28 *1, 2018*.

29 SEC. 19. Chapter 8.5 (commencing with Section 5451) is added  
30 to Division 2 of the Public Utilities Code, to read:

31

32 CHAPTER 8.5. TAXICAB TRANSPORTATION SERVICES ACT

33

34 Article 1. General Provisions and Definitions

35

36 5451. This chapter shall be known, and may be cited, as the  
37 Taxicab Transportation Services Act.

38 5451.1. The commission may delegate to its executive director  
39 or designee of the executive director the authority to issue, renew,

1 or authorize the transfer of taxicab carrier permits under this  
2 chapter and to otherwise implement this chapter.

3 5451.2. Notwithstanding any other provision of law, and except  
4 as otherwise provided in Section 5451.3, this chapter shall apply  
5 to taxicab transportation services provided throughout the state.  
6 The commission shall regulate taxicab transportation services and  
7 enforce the requirements of this chapter, and may adopt regulations  
8 to further the objectives of this chapter.

9 5451.3. This chapter shall not apply to taxicab transportation  
10 services originating in the jurisdiction of the City and County of  
11 ~~San Francisco or at the San Francisco International Airport,~~  
12 ~~Francisco~~, including taxicab carriers associated with those services.  
13 Those taxicab transportation services shall remain under the  
14 regulation of the City and County of San ~~Francisco or its airport~~  
15 ~~authority, as the case may be.~~ *Francisco*.

16 5451.4. For the purposes of this chapter, the following terms  
17 have the following meanings:

18 (a) “Entity” includes a corporation, company, association, joint  
19 stock association, firm, partnership, individual, or any other form  
20 of business organization.

21 (b) “Public highway” includes every public street, road, or  
22 highway in this state.

23 (c) “Motor vehicle” means a vehicle used on public highways  
24 that is self-propelled.

25 (d) “Taxicab” means a passenger motor vehicle designed for  
26 carrying not more than eight passengers, excluding the driver, and  
27 used to carry passengers for hire as part of taxicab transportation  
28 services.

29 (e) “Taxicab carrier” means an entity that is a permitted provider  
30 of taxicab transportation services to passengers under this chapter.

31 (f) “Taxicab driver” means an individual who is a licensed driver  
32 of a taxicab under this chapter.

33 (g) “Taxicab transportation services” means the provision of  
34 transportation services for compensation using motor vehicles  
35 designed for carrying not more than eight passengers, excluding  
36 the driver, and that are permitted to serve passengers via street  
37 hail, including curbside pickups, but excludes transportation  
38 services provided by a charter-party carrier of passengers regulated  
39 by Chapter 8 (commencing with Section 5351).

1 (h) With respect to a motor vehicle used in taxicab transportation  
2 services by a taxicab carrier, “owner” means the entity that is  
3 registered with the Department of Motor Vehicles as the owner of  
4 the motor vehicle, or that has a legal right to possession of the  
5 motor vehicle pursuant to a lease or rental agreement.

6 5451.6. The commission shall issue permits pursuant to this  
7 chapter authorizing taxicab carriers to operate.

8 5451.7. This chapter shall become operative on ~~July 1, 2017.~~  
9 *January 1, 2018.*

10  
11 Article 2. Authorization to Operate as a Taxicab Carrier  
12

13 5452. An entity shall not engage in taxicab transportation  
14 services subject to regulation under this chapter without first having  
15 obtained a taxicab carrier permit issued by the commission pursuant  
16 to this chapter.

17 5452.2. The commission ~~shall~~ *may* issue permits to entities to  
18 operate taxicab transportation services as a taxicab carrier if  
19 otherwise qualified under this chapter.

20 5452.6. A taxicab carrier shall include the number of its permit  
21 in every written, oral, or electronic advertisement of the services  
22 it offers and shall comply with the signing requirements of Section  
23 27908 of the Vehicle Code. For the purposes of this section,  
24 “advertisement” includes, but is not limited to, the issuance of any  
25 card, sign, or device to any person, the causing, permitting, or  
26 allowing of the placement of any sign or marking on or in any  
27 building or structure, or in any media form, including newspaper,  
28 magazine, radiowave, satellite signal, or any electronic  
29 transmission, or in any directory soliciting taxicab transportation  
30 services subject to this chapter.

31 5452.8. (a) Applications for taxicab carrier permits shall be  
32 in writing and verified under oath, and shall be in the form and  
33 contain the information required by the commission.

34 (b) An application for a taxicab carrier permit shall be  
35 accompanied by a filing fee as follows:

36 (1) Permits (new): One thousand five hundred dollars (\$1,500).

37 (2) Permits (renewal): One hundred dollars (\$100).

38 5452.10. (a) (1) Before a permit is issued or renewed, the  
39 commission shall require the applicant to establish reasonable  
40 fitness and financial responsibility to initiate and conduct or

1 continue to conduct the proposed or existing taxicab transportation  
 2 services. The commission shall not issue or renew a permit  
 3 pursuant to this chapter unless the applicant meets all of the  
 4 following requirements:

5 (A) It is financially and organizationally capable of conducting  
 6 an operation that complies with the rules and regulations of the  
 7 Department of the California Highway Patrol relating to the safe  
 8 operation of vehicles on the public highways.

9 (B) It is committed to observing the hours of service regulations  
 10 of state and, where applicable, federal law for all taxicab drivers,  
 11 whether employees or contractors.

12 (C) It has an inspection program in effect for its motor vehicles  
 13 used to provide taxicab transportation services that conforms to  
 14 Article 8 (commencing with Section 5458).

15 (D) It participates in the pull notice program pursuant to Section  
 16 1808.1 of the Vehicle Code to regularly check the driving records  
 17 of all taxicab drivers, whether employees or contractors.

18 (E) It has a safety education and training program in effect for  
 19 all taxicab drivers, whether employees or contractors.

20 (F) It has a disabled access education and training program to  
 21 instruct its taxicab drivers on compliance with the Americans with  
 22 Disabilities Act of 1990 and California’s disability rights laws,  
 23 including making clear that it is illegal to decline to serve a person  
 24 with a disability or who has a service animal.

25 (G) It will maintain its motor vehicles used in taxicab  
 26 transportation services in a safe operating condition and in  
 27 compliance with the Vehicle Code and with regulations contained  
 28 in Title 13 of the California Code of Regulations relative to motor  
 29 vehicle safety.

30 (H) It equips each motor vehicle used in taxicab transportation  
 31 services to accept credit cards for payment of taxicab fares.

32 (I) It has provided to the commission an address of an office or  
 33 terminal where documents supporting the factual matters specified  
 34 in the showing required by this subdivision may be inspected by  
 35 the commission or the Department of the California Highway  
 36 Patrol.

37 (J) It provides for a mandatory controlled substance and alcohol  
 38 testing certification program pursuant to Section 5457.4.

39 (2) With respect to subparagraphs (B) and (G) of paragraph (1),  
 40 the commission may base a finding on a certification by the

1 commission that an applicant has filed, with the commission, a  
2 sworn declaration of ability to comply and intent to comply.

3 (b) The commission, as a precondition to the issuance of a permit  
4 under this article, may require the procurement of a performance  
5 bond by the applicant sufficient to facilitate the collection of fines,  
6 penalties, and restitution related to enforcement actions that may  
7 be taken against the applicant.

8 (c) In addition to the requirements in subdivision (a), taxicab  
9 carriers shall meet all other state and, where applicable, federal  
10 regulations as prescribed.

11 5452.11. No taxicab carrier shall prejudice, disadvantage, or  
12 require different rates or provide different service to a person  
13 because of race, national origin, religion, color, ancestry, physical  
14 handicap, medical condition, occupation, marital status or change  
15 in marital status, sex, or any characteristic listed or defined in  
16 Section 11135 of the Government Code.

17 5452.12. (a) Every taxicab carrier shall furnish to the  
18 commission a list, prepared under oath, of all motor vehicles used  
19 by the carrier in taxicab transportation services during the period  
20 since the last inspection. The commission shall furnish a copy of  
21 the list to the taxicab carrier's insurer.

22 (b) If the taxicab carrier's insurer informs the commission that  
23 the carrier has failed to obtain insurance coverage for any vehicle  
24 reported on the list, the commission may, in addition to any other  
25 penalty provided in this chapter, for a first occurrence, suspend  
26 the carrier's permit or impose a fine, or both, and, for a second or  
27 subsequent occurrence, suspend or revoke the permit or impose a  
28 fine, or both.

29 5452.14. The commission may, with or without hearing, issue  
30 a permit under this chapter. If the commission finds that the  
31 applicant possesses satisfactory fitness and financial responsibility  
32 to initiate and conduct the proposed taxicab transportation services,  
33 and will faithfully comply with the rules and regulations adopted  
34 by the commission with respect thereto, it shall issue the permit.

35 5452.16. A permit, or renewal thereof, is effective for three  
36 years, unless suspended or revoked by the commission.

37 5452.18. No permit issued pursuant to this chapter, or rights  
38 to conduct any of the services authorized by the permit, shall be  
39 sold, leased, or assigned, or otherwise transferred or encumbered,  
40 unless authorized by the commission. A filing fee of one thousand

1 five hundred dollars (\$1,500) shall accompany all applications for  
2 that authorization.

3 5452.20. (a) *The commission shall, by rule or other*  
4 *appropriate procedure, require a taxicab carrier, while operating*  
5 *on a prearranged basis, to include on a waybill or trip report the*  
6 *following information:*

7 (1) *The point of origin and destination of the passenger.*

8 (2) *Information as to whether the transportation was arranged*  
9 *by telephone, written contract, or electronic communication.*

10 (b) *The waybill or trip report shall be kept in electronic format.*

11 (c) *The commission shall, by rule or other appropriate*  
12 *procedure, require a taxicab carrier, while operating on a demand*  
13 *basis, to retain electronically-collected GPS coordinates for each*  
14 *trip.*

15 (d) *Upon request of the commission pursuant to Section 5453.7,*  
16 *a taxicab carrier shall produce in its office an electronic record*  
17 *of any waybill or trip report, or electronically-collected GPS*  
18 *coordinates, as applicable.*

19 (e) *As used in this section, “prearranged basis” means that the*  
20 *transportation of the prospective passenger was arranged with*  
21 *the taxicab carrier by the passenger, or a representative of the*  
22 *passenger, either by telephone, written contract, or electronic*  
23 *communication. As used in this section, “demand basis” means*  
24 *that the transportation of the passenger resulted from other than*  
25 *a prearranged basis, such as a street hail.*

26  
27 Article 3. Enforcement  
28

29 5453. Upon receipt of a complaint containing sufficient  
30 information to warrant conducting an investigation, the commission  
31 shall investigate any entity that advertises or holds itself out as  
32 providing services that may be reasonably considered to be taxicab  
33 transportation services but that does not have a permit required by  
34 this chapter. The commission, in a rulemaking or other appropriate  
35 procedure, shall adopt criteria that establish the type of information,  
36 if contained in a complaint, that is sufficient to warrant an  
37 investigation. Pursuant to this investigation, the commission shall  
38 do all of the following:

1 (a) Determine which entities, if any, are required to obtain a  
2 taxicab carrier permit pursuant to Article 2 (commencing with  
3 Section 5452) but that do not have the required permit.

4 (b) Inform any entity identified in subdivision (a) that the failure  
5 to obtain a permit is in violation of the law.

6 (c) Within 60 days of informing the entity pursuant to  
7 subdivision (b), institute civil or criminal proceedings, or both, if  
8 the entity continues to be in noncompliance with this chapter.

9 5453.2. The commission shall not issue, renew, or authorize  
10 the transfer of a taxicab carrier permit under this chapter to any  
11 entity against whom a final judgment has been entered and whose  
12 name has been transmitted to the commission pursuant to Section  
13 3716.4 of the Labor Code, unless that judgment has been satisfied  
14 or has been discharged in accordance with the bankruptcy laws of  
15 the United States.

16 5453.4. (a) The commission may cancel, suspend, or revoke  
17 a taxicab carrier permit issued pursuant to this chapter upon any  
18 of the following grounds:

19 (1) The violation by the permit holder of any of the provisions  
20 of this chapter, or of the terms of a permit issued under this chapter.

21 (2) The violation by the permit holder of any order, decision,  
22 rule, regulation, direction, demand, or requirement of the  
23 commission pursuant to this chapter.

24 (3) The conviction of a taxicab carrier of any misdemeanor  
25 under this chapter while holding a taxicab carrier permit issued by  
26 the commission or the conviction of the carrier or its officers of a  
27 felony while holding a permit issued by the commission, limited  
28 to robbery, burglary, larceny, fraud, or intentional dishonesty for  
29 personal gain.

30 (4) The rendition of a judgment against the taxicab carrier for  
31 any penalty imposed under this chapter.

32 (5) The failure of a taxicab carrier to pay any fee imposed on  
33 the carrier within the time required by the commission.

34 (6) On request of the taxicab carrier.

35 (7) The failure of a taxicab carrier to operate and perform  
36 reasonable service. That failure may include repeated violations  
37 of the Vehicle Code or of regulations contained in Title 13 of the  
38 California Code of Regulations relative to motor vehicle safety by  
39 employees of the taxicab carrier that support an inference of unsafe  
40 operation or willful neglect of the public safety by the carrier.

1 (8) Consistent failure of the taxicab carrier to maintain its  
 2 vehicles in a safe operating condition pursuant to Article 8  
 3 (commencing with Section 5458) and in compliance with the  
 4 Vehicle Code and with regulations contained in Title 13 of the  
 5 California Code of Regulations relative to motor vehicle safety,  
 6 as shown by the records of the commission, the Department of  
 7 Motor Vehicles, the Department of the California Highway Patrol,  
 8 or the carrier.

9 (9) Failure of a taxicab carrier, or of any of its employees, to  
 10 follow any order, decision, rule, regulation, direction, demand,  
 11 ordinance, or other requirement established by the governing body  
 12 of an airport, including solicitation practices, providing the  
 13 requirements are consistent with subdivision (b) of Section 5459.

14 (b) The commission may levy a civil penalty of up to seven  
 15 thousand five hundred dollars (\$7,500) upon a taxicab carrier for  
 16 any of the violations specified in subdivision (a), as an alternative  
 17 to canceling, revoking, or suspending the carrier’s permit. The  
 18 commission may also levy interest upon the civil penalty, which  
 19 shall be calculated as of the date on which the civil penalty is  
 20 unpaid and delinquent. The commission shall deposit at least  
 21 monthly all civil penalties and interest collected pursuant to this  
 22 section into the General Fund.

23 5453.6. (a) A taxicab carrier shall ~~have and shall make~~  
 24 ~~available for inspection by the commission, upon request, file with~~  
 25 *the commission* one of the following:

26 (1) A certificate of workers’ compensation coverage for its  
 27 employees issued by an admitted insurer.

28 (2) A certification of consent to self-insure issued by the Director  
 29 of Industrial Relations.

30 (3) A statement under penalty of perjury, stating that, in its  
 31 operations as a taxicab carrier, it does not employ any person in  
 32 any manner so as to become subject to the workers’ compensation  
 33 laws of this state.

34 (b) The workers’ compensation coverage certified to under  
 35 paragraph (1) of subdivision (a) shall be in the form of a policy  
 36 that remains effective until canceled. Cancellation of the policy  
 37 shall require 30 days’ advance notice.

38 (c) If, after filing the statement described in paragraph (3) of  
 39 subdivision (a), the carrier becomes subject to the workers’  
 40 compensation laws of this state, the carrier shall promptly notify

1 the commission that the carrier is withdrawing its statement under  
2 paragraph (3) of subdivision (a), and shall simultaneously file *with*  
3 *the commission* the certificate described in either paragraph (1) or  
4 (2) of subdivision (a).

5 5453.7. (a) The commission may at any time have access to  
6 the land, buildings, or equipment of a taxicab carrier in connection  
7 with the operation of the carrier's business and may inspect the  
8 accounts, books, papers, and documents of the carrier. Any  
9 inspection by the commission may include reproduction of  
10 documents either at the premises of the carrier or the offices of the  
11 commission, at the option of the carrier. The commission shall  
12 reimburse the carrier for any reproduction expenses incurred by  
13 the carrier at the direction of the commission.

14 (b) Subdivision (a) also applies to access to property and  
15 inspections of accounts, books, papers, and documents of any  
16 entity that is a subsidiary or affiliate of, or that holds a controlling  
17 interest in, a taxicab carrier with respect to any transaction between  
18 the carrier and the other entity.

19 (c) Subdivisions (a) and (b) also apply to any entity engaged in  
20 the transportation of persons by motor vehicle for compensation  
21 upon a determination by the commission that the entity is  
22 advertising or holding itself out as providing services that may  
23 reasonably be considered to be taxicab transportation services.

24 5453.8. The commission may, on a complaint alleging that an  
25 entity is operating taxicab transportation services without a valid  
26 taxicab carrier permit in violation of this chapter, or on its own  
27 motion without a complaint, with or without notice of a hearing,  
28 order the entity so operating to cease and desist from that operation  
29 until the commission makes and files its decision in the matter or  
30 until further order of the commission.

31 5453.10. (a) The Legislature finds and declares that advertising  
32 and use of telephone service is essential for a an entity providing  
33 taxicab transportation services to obtain business. Unlawful  
34 advertisements by unlicensed taxicabs have resulted in  
35 properly-permitted taxicab carriers competing with unlicensed  
36 taxicabs using unfair business practices. Unlicensed taxicabs have  
37 also exposed residents of the state to unscrupulous persons who  
38 portray themselves as properly licensed, qualified, and insured  
39 taxicabs. Many of these unlicensed taxicabs have been found to

1 have operated their vehicles without insurance, or in an unsafe  
2 manner, placing residents of the state at risk.

3 (b) (1) The Legislature further finds and declares that the  
4 termination of telephone service utilized by unlicensed taxicabs  
5 is essential to ensure the public safety and welfare. Therefore, the  
6 commission should take enforcement action as specified in this  
7 section to disconnect telephone service of entities operating  
8 unlicensed taxicab transportation services who unlawfully advertise  
9 passenger transportation services in yellow page directories and  
10 other publications. The enforcement actions provided for by this  
11 section are consistent with the decision of the California Supreme  
12 Court in *Goldin v. Public Utilities Commission* (1979) 23 Cal. 3d  
13 638.

14 (2) For purposes of this section, a telephone corporation or  
15 telegraph corporation, or a corporation that holds a controlling  
16 interest in the telephone or telegraph corporation, or any business  
17 that is a subsidiary or affiliate of the telephone or telegraph  
18 corporation, that has the name and address of the subscriber to a  
19 telephone number being used by an unlicensed operator of taxicab  
20 transportation services shall provide the commission, upon the  
21 order of a magistrate and the demand of the commission, access  
22 to this information. A magistrate may only issue an order for the  
23 purposes of this subdivision if the magistrate has made the findings  
24 required by subdivision (c).

25 (c) A telephone or telegraph corporation shall refuse telephone  
26 service to a new subscriber and shall disconnect telephone service  
27 of an existing subscriber under this section only after it is shown  
28 that other available enforcement remedies of the commission have  
29 failed to terminate unlawful activities detrimental to the public  
30 welfare and safety, and upon receipt from the commission of a  
31 writing, signed by a magistrate, as defined by Sections 807 and  
32 808 of the Penal Code, finding that probable cause exists to believe  
33 that the subscriber is advertising, or holding itself out to the public  
34 to perform, taxicab transportation services without a permit of the  
35 commission, or that the telephone service otherwise is being used  
36 or is to be used as an instrumentality, directly or indirectly, to  
37 violate or assist in violation of the laws requiring a taxicab carrier  
38 to have a permit from the commission. Included in the writing of  
39 the magistrate shall be a finding that there is probable cause to  
40 believe that the applicable telephone facilities have been, or are

1 to be, used in the commission or facilitation of holding out to the  
2 public to perform or in performing taxicab transportation services  
3 in violation of this chapter and that, in the absence of immediate  
4 and summary action, a danger to the public welfare and safety will  
5 result.

6 (d) Any person aggrieved by any action taken pursuant to this  
7 section shall have the right to file a complaint with the commission  
8 and may include in the complaint a request for interim relief. The  
9 commission shall schedule a public hearing on the complaint to  
10 be held within 21 calendar days of the filing and assignment of a  
11 docket number to the complaint. The remedy provided by this  
12 section shall be exclusive. No other action at law or in equity shall  
13 accrue against any telephone or telegraph corporation because of,  
14 or as a result of, any matter or thing done or threatened to be done  
15 pursuant to this section.

16 (e) At any hearing held on a complaint filed with the commission  
17 pursuant to subdivision (d), the commission staff shall have the  
18 right to participate, including the right to present evidence and  
19 argument and to present and cross-examine witnesses. The  
20 commission staff shall have both the burden of proving that the  
21 use made or to be made of the telephone service is to hold out to  
22 the public to perform, or to assist in performing, taxicab  
23 transportation services, or that the telephone service is being or is  
24 to be used as an instrumentality, directly or indirectly, to violate  
25 or to assist in violation of the permitting requirements applicable  
26 to taxicab carriers and that the character of the acts are such that,  
27 absent immediate and summary action, a danger to public welfare  
28 or safety will result, and the burden of persuading the commission  
29 that the telephone services should be refused or should not be  
30 restored.

31 (f) The telephone or telegraph corporation, immediately upon  
32 refusal or disconnection of service in accordance with subdivision  
33 (c), shall notify the subscriber in writing that the refusal or  
34 disconnection of telephone service has been made pursuant to a  
35 request of the commission and the writing of a magistrate, and  
36 shall include with the notice a copy of this section, a copy of the  
37 writing of the magistrate, and a statement that the customer or  
38 subscriber may request information from the commission at its  
39 San Francisco or Los Angeles office concerning any provision of  
40 this section and the manner in which a complaint may be filed.

1 (g) The provisions of this section are an implied term of every  
 2 contract for telephone service. The provisions of this section are  
 3 a part of any application for telephone service. Applicants for, and  
 4 subscribers and customers of, telephone service have, as a matter  
 5 of law, consented to the provisions of this section as a consideration  
 6 for the furnishing of the telephone service.

7 (h) As used in this section, the terms “person,” “customer,” and  
 8 “subscriber” include a subscriber to telephone service, any person  
 9 using the telephone service of a subscriber, an applicant for  
 10 telephone service, a corporation, as defined in Section 204, a  
 11 “person” as defined in Section 205, a limited liability company, a  
 12 partnership, an association, and includes their lessees and assigns.

13 (i) (1) As used in this section, “telephone corporation” is defined  
 14 as provided in Section 234.

15 (2) As used in this section, “telegraph corporation” is defined  
 16 as provided in Section 236.

17 (j) As used in this section, “commission” includes the employees  
 18 of the commission as provided in Section 5451.1, unless the context  
 19 otherwise requires.

20 5453.12. In order to facilitate enforcement by peace officers  
 21 of taxicab laws pursuant to this chapter and associated regulations  
 22 adopted by the commission, both of the following shall apply:

23 (a) The commission shall adopt a general order containing its  
 24 rules pertaining to taxicab carriers.

25 (b) Peace officers may enforce this chapter and the commission’s  
 26 rules in the general order pertaining to taxicab carriers.

#### 27 28 Article 4. Trade Dress

29  
30 5454. A taxicab carrier subject to regulation under this chapter  
 31 shall not operate a motor vehicle on a public highway unless there  
 32 is displayed on the vehicle a distinctive identifying symbol in the  
 33 form prescribed by the commission. The identifying symbol shall  
 34 not be displayed on any vehicle until a permit under this chapter  
 35 has been issued to the carrier.

36 5454.2. The commission shall assign both trade name and trade  
 37 dress for taxicab transportation services. In doing so, the  
 38 commission shall take into account taxicab carriers operating on  
 39 ~~June 30, December 31, 2017~~, and shall minimize public confusion

1 to consumers of taxicab transportation services in awarding trade  
2 name and trade dress.

3 5454.4. A taxicab carrier shall remove all markings required  
4 by the commission from a motor vehicle when the motor vehicle  
5 is permanently withdrawn from service as a taxicab.

6 5454.6. The commission shall award initial trade name and  
7 trade dress as soon as practicable on or after ~~July 1, 2017~~ *January*  
8 *1, 2018*. In doing so, the commission shall consider all of the  
9 following:

10 (a) Historic trade name and trade dress granted to licensees by  
11 cities, counties, cities and counties, or any subdivision thereof as  
12 submitted to the commission pursuant to Section 5454.8.

13 (b) The geographic service boundaries of the provision of  
14 taxicab services before ~~July 1, 2017~~ *January 1, 2018*.

15 (c) The cost to taxicab carriers of changing trade name or trade  
16 dress in accordance with the commission's order.

17 5454.8. Any city or county, or any subdivision thereof, that  
18 regulates or oversees the licensure of taxicab transportation services  
19 within its jurisdiction on ~~June 30, December 31, 2017~~, shall  
20 forward to the commission licensure information for each taxicab  
21 transportation service licensee within its jurisdiction. This section  
22 shall not apply to the taxicab transportation services exempted  
23 from this chapter pursuant to Section 5451.3. The information  
24 shall include, but need not be limited to, the following:

25 (a) The name of the licensee, including the approved "doing  
26 business as" name granted to a licensee.

27 (b) Information related to trade dress or exterior markings  
28 granted to each licensee within the jurisdiction.

29 (c) The geographical boundaries, if any, granted to a licensee  
30 in the provision of taxicab transportation services.

31 (d) Any other information the commission may require to carry  
32 out the purposes of this chapter.

33

#### 34 Article 5. Insurance

35

36 5455. The commission, in granting a permit to a taxicab carrier  
37 pursuant to this chapter, shall require the taxicab carrier to procure,  
38 and to continue in effect during the life of the permit, insurance  
39 against liability imposed by law upon the taxicab carrier for the  
40 payment of damages for personal bodily injuries, including death

1 resulting therefrom, insurance against a total liability of the taxicab  
 2 carrier on account of bodily injuries to, or death of, more than one  
 3 person as a result of any one accident, and insurance against  
 4 damage or destruction of property. The insurance requirements  
 5 shall be satisfied through commercial liability insurance coverage  
 6 applicable 24 hours per day and seven days per week that is no  
 7 less than one hundred thousand dollars (\$100,000) for death and  
 8 personal injury per person, three hundred thousand dollars  
 9 (\$300,000) for death and personal injury per incident, and fifty  
 10 thousand dollars (\$50,000) for property damage. The commission  
 11 may require higher amounts of insurance coverage.

12 5455.2. The insurance coverage required under Section 5455  
 13 shall cover each motor vehicle used or to be used under a taxicab  
 14 carrier’s permit. The policy of insurance shall be issued by a  
 15 company licensed to write insurance in this state, or by nonadmitted  
 16 insurers subject to Section 1763 of the Insurance Code, if the  
 17 policies meet the rules promulgated therefor by the commission.

18 5455.4. No entity holding a valid taxicab carrier permit issued  
 19 by the commission pursuant to this chapter shall be required by a  
 20 city, county, city and county, or any other local agency to provide  
 21 insurance in a manner different from that required by this article.

22 5455.8. The insurance policy shall be filed with the  
 23 commission. With the consent of the commission, a copy of an  
 24 insurance policy, certified by the company issuing it to be a true  
 25 copy of the original policy, or a photocopy thereof, or an electronic  
 26 copy thereof, or an abstract of the provisions of the policy, or a  
 27 certificate of insurance issued by the company issuing the policy,  
 28 may be filed with the commission in lieu of the original or a  
 29 duplicate or counterpart of the policy.

30

31 Article 6. Pricing and GPS Metering

32

33 5456. The commission shall not regulate the type of device  
 34 used by taxicab carriers to calculate fares, including the use of  
 35 global positioning system metering as a form of calculating fares.

36 5456.2. The commission shall adopt rules requiring taxicab  
 37 carriers to disclose fares, fees, or rates to the customer before the  
 38 customer accepts the ride so that the customer can make a  
 39 knowledgeable decision. Any rules shall allow a taxicab carrier to

1 disclose fares, fees, or rates on its Internet Web site or cellular  
2 telephone application.

3

4

Article 7. Taxicab Drivers

5

6 5457. While providing taxicab transportation services, a taxicab  
7 driver shall have in his or her immediate possession, and shall  
8 present, upon request, to a law enforcement officer, a representative  
9 of the commission, or a customer, all of the following:

10 (a) Evidence of, at a minimum, a valid Class C California  
11 driver's license.

12 (b) A valid permit issued by the commission to a taxicab carrier.

13 (c) Evidence of the taxicab carrier's liability insurance in  
14 compliance with Article 5 (commencing with Section 5455).

15 5457.2. A taxicab driver shall not drive a taxicab while his or  
16 her driver's license is expired, suspended, or revoked.

17 5457.4. (a) A taxicab carrier shall do all of the following:

18 (1) Participate in a pull-notice system pursuant to Section 1808.1  
19 of the Vehicle Code to regularly check the driving records of all  
20 taxicab drivers employed or contracted by the carrier.

21 (2) Provide for a mandatory controlled substance and alcohol  
22 testing certification program for taxicab drivers employed or  
23 contracted by the carrier, as required by the commission. The  
24 program shall not be more strict than the program adopted by the  
25 commission pursuant to Section 1032.1 for transportation network  
26 company drivers.

27 (3) Ensure that a taxicab driver employed or contracted by the  
28 carrier meets all of the following requirements:

29 (A) Is a minimum of 18 years of age.

30 (B) ~~Possesses~~*Possesses, at a minimum,* a valid Class C  
31 California driver's license.

32 (C) Is not afflicted with either a physical or mental incapacity  
33 that would preclude the individual from safely operating a taxicab  
34 and performing the duties normally associated with the profession.

35 ~~(D) Passes a background check through the Department of~~  
36 ~~Justice's live scan system. The Department of Justice, with respect~~  
37 ~~to each background check for a potential taxicab driver submitted~~  
38 ~~by a taxicab carrier, shall provide the results of the background~~  
39 ~~check to the commission, and the commission shall notify the~~

1 taxicab carrier as to whether the person is eligible to be employed  
 2 or contracted as a taxicab driver.

3 (4) Provide each taxicab driver employed or contracted by the  
 4 taxicab carrier with documentation necessary for the driver to  
 5 comply with subdivisions (b) and (c) of Section 5457.

6 (b) A taxicab carrier may require a taxicab driver to submit a  
 7 medical report and obtain a valid medical certificate if the carrier  
 8 believes that the driver has a physical or mental affliction.

9 (c) Taxicab drivers hired or contracted by a taxicab carrier on  
 10 or after ~~July 1, 2017~~, *January 1, 2018*, shall be subject to  
 11 mandatory drug and alcohol testing prior to employment or  
 12 contracting. Drivers hired or contracted by a taxicab carrier before  
 13 ~~July 1, 2017~~, *January 1, 2018*, shall complete a drug and alcohol  
 14 test before ~~July 1, 2018~~: *January 1, 2019*.

15 5457.6. (a) A taxicab carrier regulated pursuant to this chapter  
 16 shall not employ, or contract with, any of the following persons  
 17 as a taxicab driver:

18 (1) A person convicted, during the preceding seven years, of  
 19 any offense relating to the use, sale, possession, or transportation  
 20 of narcotics, controlled substances, or addictive or dangerous drugs,  
 21 or of any act involving force, violence, threat, or intimidation  
 22 against persons, or of any sexual offense, or of any act involving  
 23 moral turpitude, including fraud or intentional dishonesty for  
 24 personal gain, or of any felony offense, or of any offense involving  
 25 the possession of a firearm or dangerous weapon, or of any offense  
 26 involving the solicitation or agreement to engage in or engagement  
 27 in any act of prostitution, or of any act of resisting, delaying, or  
 28 obstructing a peace officer, public officer, or emergency medical  
 29 technician, or of theft in either degree. For the purposes of this  
 30 paragraph, a subsequent change of plea or vacation of verdict and  
 31 dismissal of charges pursuant to Section 1203.4 of the Penal Code  
 32 does not release the applicant from the penalties and disabilities  
 33 resulting from the offense of which he or she has been convicted.

34 (2) A person required to register as a sex offender under Section  
 35 290 of the Penal Code or a person convicted of a felony involving  
 36 any type of sexual offense; the manufacture, possession for sale,  
 37 transportation, or distribution of narcotics, controlled substances,  
 38 or addictive or dangerous drugs; force, violence, threat, or  
 39 intimidation against persons; kidnaping; forgery, fraud, larceny,  
 40 extortion, burglary, robbery, or theft; credit card fraud; possession

1 of a firearm or dangerous weapon; resisting or obstructing a peace  
2 officer, public officer, or emergency medical technician; or use of  
3 a vehicle for hire in the commission of a felony.

4 (3) A person convicted of any violation of Section 20001, 20003,  
5 20004, 23104, or 23153 of the Vehicle Code.

6 (b) For purposes of subdivision (a), out-of-state convictions for  
7 equivalent violations shall be given the same effect as in-state  
8 convictions.

9  
10 Article 8. Vehicle Inspection

11  
12 5458. Upon initial placement into service and annually  
13 thereafter, a taxicab carrier shall have each vehicle inspected at a  
14 facility licensed by the Bureau of Automotive Repair, and shall  
15 maintain complete documentation of each inspection. The  
16 inspection shall cover all of the following components, and each  
17 component shall, at a minimum, be in satisfactory condition before  
18 a vehicle may be used in providing taxicab transportation services:

- 19 (a) Foot brakes.
- 20 (b) Emergency brakes.
- 21 (c) Steering mechanism.
- 22 (d) Windshield.
- 23 (e) Rear window and other glass.
- 24 (f) Windshield wipers.
- 25 (g) Headlights.
- 26 (h) Tail lights.
- 27 (i) Turn indicator lights.
- 28 (j) Stop lights.
- 29 (k) Front seat adjustment mechanism.
- 30 (l) Doors, including opening, closing, and locking.
- 31 (m) Horn.
- 32 (n) Speedometer.
- 33 (o) Bumpers.
- 34 (p) Muffler and exhaust system.
- 35 (q) Tires.
- 36 (r) Interior and exterior rear-view mirrors.
- 37 (s) Safety belts for the driver and passengers.

Article 9. Local Agencies and Airports

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5459. (a) Except as otherwise specifically provided in this article, in Section 5451.3, and in Section 53075.5 of the Government Code, and notwithstanding any other provision of law, this chapter constitutes the exclusive regulation of taxicab carriers and taxicab transportation services in this state. In that regard, a local agency may not otherwise require a license, or otherwise impose a tax or fee, for the conduct of taxicab transportation services subject to regulation under this chapter.

(b) Nothing in this chapter shall be construed to prevent a local agency from designating taxicab stands on public highways under its jurisdiction pursuant to Section 21112 of the Vehicle Code for use by taxicabs, or from designating other locations for taxicabs to stop pursuant to Section 22500 of the Vehicle Code.

(c) Nothing in this chapter shall be construed to prevent the governing body of an airport from adopting and enforcing reasonable and nondiscriminatory local airport rules, regulations, and ordinances pertaining to access, use of highways, parking, traffic control, passenger transfers and occupancy, passenger solicitation practices, and the use of buildings and facilities, that are applicable to taxicab carriers operating on airport property. In that regard, the governing body of an airport may require a taxicab carrier to obtain an airport permit in order to operate taxicab transportation services to or from the airport.

(d) Nothing in this chapter shall be construed to prohibit any agreement entered into between a taxicab carrier and the governing board of an airport pursuant to Article 4.5 (commencing with Section 21690.5) of Chapter 4 of Part 1 of Division 9.

Article 10. Violations

5460. Every taxicab carrier and every officer, director, agent, employee, or contractor of any taxicab carrier who violates or fails to comply with, or who procures, aids, or abets any violation of, any provision of this chapter, or who fails to obey, observe, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or with any permit issued under this chapter, or who procures, aids, or abets any taxicab carrier in its failure to comply with the order, decision,

1 rule, regulation, direction, demand, requirement, or permit, is guilty  
2 of a misdemeanor and is punishable by a fine of not less than one  
3 thousand dollars (\$1,000) and not more than five thousand dollars  
4 (\$5,000) or by imprisonment in a county jail for not more than  
5 three months, or by both that fine and imprisonment.

6 5460.2. Every person other than a taxicab carrier who  
7 knowingly and willfully, either individually, or acting as an officer,  
8 agent, or employee of a person other than a taxicab carrier, who  
9 violates any provision of this chapter, or who fails to obey, observe,  
10 or comply with any order, decision, rule, regulation, direction,  
11 demand, or requirement of the commission, or who procures, aids,  
12 or abets any taxicab carrier in its violation of this chapter, or in its  
13 failure to obey, observe, or comply with any order, decision, rule,  
14 regulation, direction, demand, or requirement, is guilty of a  
15 misdemeanor and is punishable by a fine of not less than one  
16 thousand dollars (\$1,000) and not more than five thousand dollars  
17 (\$5,000) or by imprisonment in a county jail for not more than  
18 three months, or by both that fine and imprisonment.

19 5460.4. Every taxicab carrier and every officer, director, agent,  
20 employee, or contractor of any taxicab carrier who violates or fails  
21 to comply with, or who procures, aids, or abets any violation by  
22 any taxicab carrier of, any provision of this chapter, or who fails  
23 to obey, observe, or comply with any order, decision, rule,  
24 regulation, direction, demand, or requirement of the commission,  
25 or with any permit issued under this chapter, or who procures,  
26 aids, or abets any taxicab carrier in its failure to comply with the  
27 order, decision, rule, regulation, direction, demand, requirement,  
28 or permit, is subject to a civil penalty of not more than two  
29 thousand dollars (\$2,000) for each offense.

30 5460.6. Every person other than a taxicab carrier who  
31 knowingly and willfully, either individually, or acting as an officer,  
32 agent, or employee of a person other than a taxicab carrier, who  
33 violates any provision of this chapter, or who fails to obey, observe,  
34 or comply with any order, decision, rule, regulation, direction,  
35 demand, or requirement of the commission, or who procures, aids,  
36 or abets any taxicab carrier in its violation of this chapter, or in its  
37 failure to obey, observe, or comply with any order, decision, rule,  
38 regulation, direction, demand, or requirement, is subject to a civil  
39 penalty of not more than two thousand dollars (\$2,000) for each  
40 offense.

1 5460.8. Every person who drives a taxicab in conjunction with  
2 providing taxicab transportation services subject to regulation  
3 under this chapter and who is in violation of Section 5457 or 5457.2  
4 is guilty of a misdemeanor and is punishable by a fine of not less  
5 than one thousand dollars (\$1,000) and not more than five thousand  
6 dollars (\$5,000) or by imprisonment in a county jail for not more  
7 than six months, or by both that fine and imprisonment.

8 5460.10. Every violation of this chapter or of any order,  
9 decision, rule, regulation, direction, demand, or requirement of  
10 the commission by any person is a separate and distinct offense  
11 and, in case of a continuing violation, each day's continuance  
12 thereof is a separate and distinct offense.

13 5460.12. (a) Whenever a peace officer, as defined in Chapter  
14 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
15 Code, arrests a person for the operation of a taxicab without a valid  
16 taxicab carrier permit, the peace officer may impound and retain  
17 possession of the vehicle.

18 (b) If the vehicle is seized from a person who is not the owner  
19 of the vehicle, the impounding authority shall immediately give  
20 notice to the owner by first-class mail.

21 (c) The vehicle shall immediately be returned to the owner if  
22 the violation is not prosecuted or is dismissed, the owner is found  
23 not guilty of the offense, or it is determined that the vehicle was  
24 used in violation of Section 5460.8 without the knowledge and  
25 consent of the owner. The vehicle shall be returned to the owner  
26 upon payment of any fine ordered by the court. If the vehicle is  
27 seized due to a violation of a person other than the owner of the  
28 vehicle, the vehicle shall be returned to the owner after all  
29 impoundment fees are paid. After the expiration of six weeks from  
30 the final disposition of the criminal case, unless the owner is in  
31 the process of making payments to the court, the impounding  
32 authority may deal with the vehicle as lost or abandoned property  
33 under Section 1411 of the Penal Code.

34 (d) At any time, a person may make a motion in superior court  
35 for the immediate return of the vehicle on the ground that there  
36 was no probable cause to seize it or that there is some other good  
37 cause, as determined by the court, for the return of the vehicle. A  
38 proceeding under this section is a limited civil case.

39 5460.14. When a person is convicted of the offense of operating  
40 a taxicab without a valid taxicab carrier permit, in addition to any

1 other penalties provided by law, if the court determines the person  
2 has the ability to pay, the court shall impose a mandatory fine not  
3 exceeding two thousand five hundred dollars (\$2,500) for a first  
4 conviction or five thousand dollars (\$5,000) for a subsequent  
5 conviction.

6 5460.16. Whenever the commission, after hearing, finds that  
7 any entity is operating as a taxicab carrier without a valid permit  
8 in violation of this chapter, the commission may impose a fine of  
9 not more than five thousand dollars (\$5,000) for each violation.  
10 The commission may assess the entity an amount sufficient to  
11 cover the reasonable expense of investigation incurred by the  
12 commission. The commission may assess interest on any fine or  
13 assessment imposed, to commence on the day the payment of the  
14 fine or assessment becomes delinquent. All fines, assessments,  
15 and interest collected shall be deposited at least once each month  
16 in the General Fund.

17 SEC. 20. Section 120269 of the Public Utilities Code is  
18 amended to read:

19 120269. (a) If the board licenses or regulates any transportation  
20 service, pursuant to Section 120266, or any passenger jitney  
21 service, pursuant to Section 120267, and the licensed or regulated  
22 service employs, or contracts with, any driver who (1) is not  
23 required to be tested for controlled substances and alcohol pursuant  
24 to Part 382 (commencing with Section 382.101) of Title 49 of the  
25 Code of Federal Regulations, paragraph (3) of subdivision (b) of  
26 Section 53075.5 of the Government Code, Section 1032.1 of this  
27 code, or Section 34520 of the Vehicle Code, and (2) is not  
28 exempted under Section 34520 of the Vehicle Code, the board  
29 shall adopt, by ordinance or resolution, a mandatory controlled  
30 substance and alcohol testing certification program for those  
31 drivers.

32 (b) The program adopted pursuant to subdivision (a) shall meet  
33 substantially the requirements set forth in paragraph (3) of  
34 subdivision (b) of Section 53075.5 of the Government Code.

35 (c) Evidence derived from a positive test result collected  
36 pursuant to the program adopted under subdivision (a) shall not  
37 be admissible in a criminal prosecution concerning unlawful  
38 possession, sale, or distribution of controlled substances.

39 ~~(d) This section shall become inoperative on July 1, 2017, and,~~  
40 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~

1 ~~that becomes operative on or before January 1, 2018, deletes or~~  
2 ~~extends the dates on which it becomes inoperative and is repealed.~~

3 *(d) This section shall remain in effect only until January 1, 2018,*  
4 *and as of that date is repealed, unless a later enacted statute, that*  
5 *is enacted before January 1, 2018, deletes or extends that date.*

6 SEC. 21. Section 120269 is added to the Public Utilities Code,  
7 to read:

8 120269. (a) If the board licenses or regulates any transportation  
9 service, pursuant to Section 120266, or any passenger jitney  
10 service, pursuant to Section 120267, and the licensed or regulated  
11 service employs, or contracts with, any driver who (1) is not  
12 required to be tested for controlled substances and alcohol pursuant  
13 to Part 382 (commencing with Section 382.101) of Title 49 of the  
14 Code of Federal Regulations, Section 1032.1 or 5457.4 of this  
15 code, or Section 34520 of the Vehicle Code and (2) is not exempted  
16 under Section 34520 of the Vehicle Code, the board shall adopt,  
17 by ordinance or resolution, a mandatory controlled substance and  
18 alcohol testing certification program for those drivers.

19 (b) The program adopted pursuant to subdivision (a) shall meet  
20 substantially the requirements set forth in paragraph (3) of  
21 subdivision (b) of Section 53075.5 of the Government Code, as  
22 that paragraph read on ~~June 30, 2017.~~ *December 31, 2017.*

23 (c) Evidence derived from a positive test result collected  
24 pursuant to the program adopted under subdivision (a) shall not  
25 be admissible in a criminal prosecution concerning unlawful  
26 possession, sale, or distribution of controlled substances.

27 (d) This section shall become operative on ~~July 1, 2017.~~ *January*  
28 *1, 2018.*

29 SEC. 22. Section 1808.1 of the Vehicle Code is amended to  
30 read:

31 1808.1. (a) The prospective employer of a driver who drives  
32 a vehicle specified in subdivision (k) shall obtain a report showing  
33 the driver's current public record as recorded by the department.  
34 For purposes of this subdivision, a report is current if it was issued  
35 less than 30 days prior to the date the employer employs the driver.  
36 The report shall be reviewed, signed, and dated by the employer  
37 and maintained at the employer's place of business until receipt  
38 of the pull-notice system report pursuant to subdivisions (b) and  
39 (c). These reports shall be presented upon request to an authorized

1 representative of the Department of the California Highway Patrol  
2 during regular business hours.

3 (b) The employer of a driver who drives a vehicle specified in  
4 subdivision (k) shall participate in a pull-notice system, which is  
5 a process for the purpose of providing the employer with a report  
6 showing the driver's current public record as recorded by the  
7 department, and any subsequent convictions, failures to appear,  
8 accidents, driver's license suspensions, driver's license revocations,  
9 or any other actions taken against the driving privilege or  
10 certificate, added to the driver's record while the employer's  
11 notification request remains valid and uncanceled. As used in this  
12 section, participation in the pull-notice system means obtaining a  
13 requester code and enrolling all employed drivers who drive a  
14 vehicle specified in subdivision (k) under that requester code.

15 (c) The employer of a driver of a vehicle specified in subdivision  
16 (k) shall, additionally, obtain a periodic report from the department  
17 at least every 12 months. The employer shall verify that each  
18 employee's driver's license has not been suspended or revoked,  
19 the employee's traffic violation point count, and whether the  
20 employee has been convicted of a violation of Section 23152 or  
21 23153. The report shall be signed and dated by the employer and  
22 maintained at the employer's principal place of business. The  
23 report shall be presented upon demand to an authorized  
24 representative of the Department of the California Highway Patrol  
25 during regular business hours.

26 (d) Upon the termination of a driver's employment, the employer  
27 shall notify the department to discontinue the driver's enrollment  
28 in the pull-notice system.

29 (e) For the purposes of the pull-notice system and periodic report  
30 process required by subdivisions (b) and (c), an owner, other than  
31 an owner-operator as defined in Section 34624, and an employer  
32 who drives a vehicle described in subdivision (k) shall be enrolled  
33 as if he or she were an employee. A family member and a volunteer  
34 driver who drives a vehicle described in subdivision (k) shall also  
35 be enrolled as if he or she were an employee.

36 (f) An employer who, after receiving a driving record pursuant  
37 to this section, employs or continues to employ as a driver a person  
38 against whom a disqualifying action has been taken regarding his  
39 or her driving privilege or required driver's certificate, is guilty of  
40 a public offense, and upon conviction thereof, shall be punished

1 by confinement in a county jail for not more than six months, by  
2 a fine of not more than one thousand dollars (\$1,000), or by both  
3 that confinement and fine.

4 (g) As part of its inspection of bus maintenance facilities and  
5 terminals required at least once every 13 months pursuant to  
6 subdivision (c) of Section 34501, the Department of the California  
7 Highway Patrol shall determine whether each transit operator, as  
8 defined in Section 99210 of the Public Utilities Code, is then in  
9 compliance with this section and Section 12804.6, and shall certify  
10 each operator found to be in compliance. Funds shall not be  
11 allocated pursuant to Chapter 4 (commencing with Section 99200)  
12 of Part 11 of Division 10 of the Public Utilities Code to a transit  
13 operator that the Department of the California Highway Patrol has  
14 not certified pursuant to this section.

15 (h) (1) A request to participate in the pull-notice system  
16 established by this section shall be accompanied by a fee  
17 determined by the department to be sufficient to defray the entire  
18 actual cost to the department for the notification service. For the  
19 receipt of subsequent reports, the employer shall also be charged  
20 a fee established by the department pursuant to Section 1811. An  
21 employer who qualifies pursuant to Section 1812 shall be exempt  
22 from any fee required pursuant to this section. Failure to pay the  
23 fee shall result in automatic cancellation of the employer's  
24 participation in the notification services.

25 (2) A regularly organized fire department, having official  
26 recognition of the city, county, city and county, or district in which  
27 the department is located, shall participate in the pull-notice  
28 program and shall not be subject to the fee established pursuant  
29 to this subdivision.

30 (3) The Board of Pilot Commissioners for Monterey Bay and  
31 the Bays of San Francisco, San Pablo, and Suisun, and its port  
32 agent shall participate in the pull-notice system established by this  
33 section, subject to Section 1178.5 of the Harbors and Navigation  
34 Code, and shall not be subject to the fees established pursuant to  
35 this subdivision.

36 (i) The department, as soon as feasible, may establish an  
37 automatic procedure to provide the periodic reports to an employer  
38 by mail or via an electronic delivery method, as required by  
39 subdivision (c), on a regular basis without the need for individual  
40 requests.

1 (j) (1) The employer of a driver who is employed as a casual  
2 driver is not required to enter that driver's name in the pull-notice  
3 system, as otherwise required by subdivision (a). However, the  
4 employer of a casual driver shall be in possession of a report of  
5 the driver's current public record as recorded by the department,  
6 prior to allowing a casual driver to drive a vehicle specified in  
7 subdivision (k). A report is current if it was issued less than six  
8 months prior to the date the employer employs the driver.

9 (2) For the purposes of this subdivision, a driver is employed  
10 as a casual driver when the employer has employed the driver less  
11 than 30 days during the preceding six months. "Casual driver"  
12 does not include a driver who operates a vehicle that requires a  
13 passenger transportation endorsement.

14 (k) This section applies to a vehicle for the operation of which  
15 the driver is required to have a class A or class B driver's license,  
16 a class C license with any endorsement issued pursuant to Section  
17 15278, a class C license issued pursuant to Section 12814.7, or a  
18 certificate issued pursuant to Section 12517, 12519, 12520, 12523,  
19 12523.5, or 12527, or a passenger vehicle having a seating capacity  
20 of not more than 10 persons, including the driver, operated for  
21 compensation by a charter-party carrier of passengers or passenger  
22 stage corporation pursuant to a certificate of public convenience  
23 and necessity or a permit issued by the Public Utilities  
24 Commission.

25 (l) This section shall not be construed to change the definition  
26 of "employer," "employee," or "independent contractor" for any  
27 purpose.

28 (m) A motor carrier who contracts with a person to drive a  
29 vehicle described in subdivision (k) that is owned by, or leased to,  
30 that motor carrier, shall be subject to subdivisions (a), (b), (c), (d),  
31 (f), (j), (k), and (l) and the employer obligations in those  
32 subdivisions.

33 (n) Reports issued pursuant to this section, but only those for a  
34 driver of a taxicab engaged in transportation services as described  
35 in subdivision (a) of Section 53075.5 of the Government Code,  
36 shall be presented upon request, during regular business hours, to  
37 an authorized representative of the administrative agency  
38 responsible for issuing permits to taxicab transportation services  
39 pursuant to Section 53075.5 of the Government Code.

1 ~~(e) This section shall become inoperative on July 1, 2017, and,~~  
 2 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
 3 ~~that becomes operative on or before January 1, 2018, deletes or~~  
 4 ~~extends the dates on which it becomes inoperative and is repealed.~~

5 *(o) This section shall remain in effect only until January 1, 2018,*  
 6 *and as of that date is repealed, unless a later enacted statute, that*  
 7 *is enacted before January 1, 2018, deletes or extends that date.*

8 SEC. 23. Section 1808.1 is added to the Vehicle Code, to read:

9 1808.1. (a) The prospective employer of a driver who drives  
 10 a vehicle specified in subdivision (k) shall obtain a report showing  
 11 the driver's current public record as recorded by the department.  
 12 For purposes of this subdivision, a report is current if it was issued  
 13 less than 30 days prior to the date the employer employs the driver.  
 14 The report shall be reviewed, signed, and dated by the employer  
 15 and maintained at the employer's place of business until receipt  
 16 of the pull-notice system report pursuant to subdivisions (b) and  
 17 (c). These reports shall be presented upon request to an authorized  
 18 representative of the Department of the California Highway Patrol  
 19 during regular business hours.

20 (b) The employer of a driver who drives a vehicle specified in  
 21 subdivision (k) shall participate in a pull-notice system, which is  
 22 a process for the purpose of providing the employer with a report  
 23 showing the driver's current public record as recorded by the  
 24 department, and any subsequent convictions, failures to appear,  
 25 accidents, driver's license suspensions, driver's license revocations,  
 26 or any other actions taken against the driving privilege or  
 27 certificate, added to the driver's record while the employer's  
 28 notification request remains valid and uncanceled. As used in this  
 29 section, participation in the pull-notice system means obtaining a  
 30 requester code and enrolling all employed drivers who drive a  
 31 vehicle specified in subdivision (k) under that requester code.

32 (c) The employer of a driver of a vehicle specified in subdivision  
 33 (k) shall, additionally, obtain a periodic report from the department  
 34 at least every 12 months. The employer shall verify that each  
 35 employee's driver's license has not been suspended or revoked,  
 36 the employee's traffic violation point count, and whether the  
 37 employee has been convicted of a violation of Section 23152 or  
 38 23153. The report shall be signed and dated by the employer and  
 39 maintained at the employer's principal place of business. The  
 40 report shall be presented upon demand to an authorized

1 representative of the Department of the California Highway Patrol  
2 during regular business hours.

3 (d) Upon the termination of a driver's employment, the employer  
4 shall notify the department to discontinue the driver's enrollment  
5 in the pull-notice system.

6 (e) For the purposes of the pull-notice system and periodic report  
7 process required by subdivisions (b) and (c), an owner, other than  
8 an owner-operator as defined in Section 34624, and an employer  
9 who drives a vehicle described in subdivision (k) shall be enrolled  
10 as if he or she were an employee. A family member and a volunteer  
11 driver who drives a vehicle described in subdivision (k) shall also  
12 be enrolled as if he or she were an employee.

13 (f) An employer who, after receiving a driving record pursuant  
14 to this section, employs or continues to employ as a driver a person  
15 against whom a disqualifying action has been taken regarding his  
16 or her driving privilege or required driver's certificate, is guilty of  
17 a public offense, and upon conviction thereof, shall be punished  
18 by confinement in a county jail for not more than six months, by  
19 a fine of not more than one thousand dollars (\$1,000), or by both  
20 that confinement and fine.

21 (g) As part of its inspection of bus maintenance facilities and  
22 terminals required at least once every 13 months pursuant to  
23 subdivision (c) of Section 34501, the Department of the California  
24 Highway Patrol shall determine whether each transit operator, as  
25 defined in Section 99210 of the Public Utilities Code, is then in  
26 compliance with this section and Section 12804.6, and shall certify  
27 each operator found to be in compliance. Funds shall not be  
28 allocated pursuant to Chapter 4 (commencing with Section 99200)  
29 of Part 11 of Division 10 of the Public Utilities Code to a transit  
30 operator that the Department of the California Highway Patrol has  
31 not certified pursuant to this section.

32 (h) (1) A request to participate in the pull-notice system  
33 established by this section shall be accompanied by a fee  
34 determined by the department to be sufficient to defray the entire  
35 actual cost to the department for the notification service. For the  
36 receipt of subsequent reports, the employer shall also be charged  
37 a fee established by the department pursuant to Section 1811. An  
38 employer who qualifies pursuant to Section 1812 shall be exempt  
39 from any fee required pursuant to this section. Failure to pay the

1 fee shall result in automatic cancellation of the employer's  
2 participation in the notification services.

3 (2) A regularly organized fire department, having official  
4 recognition of the city, county, city and county, or district in which  
5 the department is located, shall participate in the pull-notice  
6 program and shall not be subject to the fee established pursuant  
7 to this subdivision.

8 (3) The Board of Pilot Commissioners for Monterey Bay and  
9 the Bays of San Francisco, San Pablo, and Suisun, and its port  
10 agent shall participate in the pull-notice system established by this  
11 section, subject to Section 1178.5 of the Harbors and Navigation  
12 Code, and shall not be subject to the fees established pursuant to  
13 this subdivision.

14 (i) The department, as soon as feasible, may establish an  
15 automatic procedure to provide the periodic reports to an employer  
16 by mail or via an electronic delivery method, as required by  
17 subdivision (c), on a regular basis without the need for individual  
18 requests.

19 (j) (1) The employer of a driver who is employed as a casual  
20 driver is not required to enter that driver's name in the pull-notice  
21 system, as otherwise required by subdivision (a). However, the  
22 employer of a casual driver shall be in possession of a report of  
23 the driver's current public record as recorded by the department,  
24 prior to allowing a casual driver to drive a vehicle specified in  
25 subdivision (k). A report is current if it was issued less than six  
26 months prior to the date the employer employs the driver.

27 (2) For the purposes of this subdivision, a driver is employed  
28 as a casual driver when the employer has employed the driver less  
29 than 30 days during the preceding six months. "Casual driver"  
30 does not include a driver who operates a vehicle that requires a  
31 passenger transportation endorsement.

32 (k) This section applies to a vehicle for the operation of which  
33 the driver is required to have a class A or class B driver's license,  
34 a class C driver's license with any endorsement issued pursuant  
35 to Section 15278, a class C driver's license issued pursuant to  
36 Section 12814.7, a certificate issued pursuant to Section 12517,  
37 12519, 12520, 12523, 12523.5, or 12527, a passenger vehicle  
38 having a seating capacity of not more than 10 persons, including  
39 the driver, operated for compensation by a charter-party carrier of  
40 passengers or passenger stage corporation pursuant to a certificate

1 of public convenience and necessity or a permit issued by the  
2 Public Utilities Commission, or a taxicab as defined in subdivision  
3 (b) of Section 27908.

4 (l) This section shall not be construed to change the definition  
5 of “employer,” “employee,” or “independent contractor” for any  
6 purpose.

7 (m) A motor carrier who contracts with a person to drive a  
8 vehicle described in subdivision (k) that is owned by, or leased to,  
9 that motor carrier, shall be subject to subdivisions (a), (b), (c), (d),  
10 (f), (j), (k), and (l) and the employer obligations in those  
11 subdivisions.

12 (n) This section shall become operative on ~~July 1, 2017~~. *January*  
13 *1, 2018*.

14 SEC. 24. Section 12523.6 of the Vehicle Code is amended to  
15 read:

16 12523.6. (a) (1) On and after March 1, 1998, no person who  
17 is employed primarily as a driver of a motor vehicle that is used  
18 for the transportation of persons with developmental disabilities,  
19 as defined in subdivision (a) of Section 4512 of the Welfare and  
20 Institutions Code, shall operate that motor vehicle unless that  
21 person has in his or her possession a valid driver’s license of the  
22 appropriate class and a valid special driver certificate issued by  
23 the department.

24 (2) This subdivision only applies to a person who is employed  
25 by a business, a nonprofit organization, or a state or local public  
26 agency.

27 (b) The special driver certificate shall be issued only to an  
28 applicant who has cleared a criminal history background check by  
29 the Department of Justice and, if applicable, by the Federal Bureau  
30 of Investigation.

31 (1) In order to determine the applicant’s suitability as the driver  
32 of a vehicle used for the transportation of persons with  
33 developmental disabilities, the Department of the California  
34 Highway Patrol shall require the applicant to furnish to that  
35 department, on a form provided or approved by that department  
36 for submission to the Department of Justice, a full set of  
37 fingerprints sufficient to enable a criminal background  
38 investigation.

39 (2) Except as provided in paragraph (3), an applicant shall  
40 furnish to the Department of the California Highway Patrol

1 evidence of having resided in this state for seven consecutive years  
2 immediately prior to the date of application for the certificate.

3 (3) If an applicant is unable to furnish the evidence required  
4 under paragraph (2), the Department of the California Highway  
5 Patrol shall require the applicant to furnish an additional full set  
6 of fingerprints. That department shall submit those fingerprint  
7 cards to the Department of Justice. The Department of Justice  
8 shall, in turn, submit the additional full set of fingerprints required  
9 under this paragraph to the Federal Bureau of Investigation for a  
10 national criminal history record check.

11 (4) Applicant fingerprint forms shall be processed and returned  
12 to the area office of the Department of the California Highway  
13 Patrol from which they originated not later than 15 working days  
14 from the date on which the fingerprint forms were received by the  
15 Department of Justice, unless circumstances, other than the  
16 administrative duties of the Department of Justice, warrant further  
17 investigation. Upon implementation of an electronic fingerprinting  
18 system with terminals located statewide and managed by the  
19 Department of Justice, the Department of Justice shall ascertain  
20 the information required pursuant to this subdivision within three  
21 working days.

22 (5) The applicant shall pay, in addition to the fees authorized  
23 in Section 2427, a fee of twenty-five dollars (\$25) for an original  
24 certificate and twelve dollars (\$12) for the renewal of that  
25 certificate to the Department of the California Highway Patrol.

26 (c) A certificate issued under this section shall not be deemed  
27 a certification to operate a particular vehicle that otherwise requires  
28 a driver's license or endorsement for a particular class under this  
29 code.

30 (d) On or after March 1, 1998, no person who operates a  
31 business or a nonprofit organization or agency shall employ a  
32 person who is employed primarily as a driver of a motor vehicle  
33 for hire that is used for the transportation of persons with  
34 developmental disabilities unless the employed person operates  
35 the motor vehicle in compliance with subdivision (a).

36 (e) Nothing in this section precludes an employer of persons  
37 who are occasionally used as drivers of motor vehicles for the  
38 transportation of persons with developmental disabilities from  
39 requiring those persons, as a condition of employment, to obtain

1 a special driver certificate pursuant to this section or precludes any  
2 volunteer driver from applying for a special driver certificate.

3 (f) As used in this section, a person is employed primarily as  
4 driver if that person performs at least 50 percent of his or her time  
5 worked including, but not limited to, time spent assisting persons  
6 onto and out of the vehicle, or at least 20 hours a week, whichever  
7 is less, as a compensated driver of a motor vehicle for hire for the  
8 transportation of persons with developmental disabilities.

9 (g) This section does not apply to any person who has  
10 successfully completed a background investigation prescribed by  
11 law, including, but not limited to, health care transport vehicle  
12 operators, or to the operator of a taxicab regulated pursuant to  
13 Section 21100. This section does not apply to a person who holds  
14 a valid certificate, other than a farm labor vehicle driver certificate,  
15 issued under Section 12517.4 or 12527. This section does not apply  
16 to a driver who provides transportation on a noncommercial basis  
17 to persons with developmental disabilities.

18 ~~(h) This section shall become inoperative on July 1, 2017, and,~~  
19 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
20 ~~that becomes operative on or before January 1, 2018, deletes or~~  
21 ~~extends the dates on which it becomes inoperative and is repealed.~~

22 *(h) This section shall remain in effect only until January 1, 2018,*  
23 *and as of that date is repealed, unless a later enacted statute, that*  
24 *is enacted before January 1, 2018, deletes or extends that date.*

25 SEC. 25. Section 12523.6 is added to the Vehicle Code, to  
26 read:

27 12523.6. (a) (1) On and after March 1, 1998, no person who  
28 is employed primarily as a driver of a motor vehicle that is used  
29 for the transportation of persons with developmental disabilities,  
30 as defined in subdivision (a) of Section 4512 of the Welfare and  
31 Institutions Code, shall operate that motor vehicle unless that  
32 person has in his or her possession a valid driver's license of the  
33 appropriate class and a valid special driver certificate issued by  
34 the department.

35 (2) This subdivision only applies to a person who is employed  
36 by a business, a nonprofit organization, or a state or local public  
37 agency.

38 (b) The special driver certificate shall be issued only to an  
39 applicant who has cleared a criminal history background check by

1 the Department of Justice and, if applicable, by the Federal Bureau  
2 of Investigation.

3 (1) In order to determine the applicant's suitability as the driver  
4 of a vehicle used for the transportation of persons with  
5 developmental disabilities, the Department of the California  
6 Highway Patrol shall require the applicant to furnish to that  
7 department, on a form provided or approved by that department  
8 for submission to the Department of Justice, a full set of  
9 fingerprints sufficient to enable a criminal background  
10 investigation.

11 (2) Except as provided in paragraph (3), an applicant shall  
12 furnish to the Department of the California Highway Patrol  
13 evidence of having resided in this state for seven consecutive years  
14 immediately prior to the date of application for the certificate.

15 (3) If an applicant is unable to furnish the evidence required  
16 under paragraph (2), the Department of the California Highway  
17 Patrol shall require the applicant to furnish an additional full set  
18 of fingerprints. That department shall submit those fingerprint  
19 cards to the Department of Justice. The Department of Justice  
20 shall, in turn, submit the additional full set of fingerprints required  
21 under this paragraph to the Federal Bureau of Investigation for a  
22 national criminal history record check.

23 (4) Applicant fingerprint forms shall be processed and returned  
24 to the area office of the Department of the California Highway  
25 Patrol from which they originated not later than 15 working days  
26 from the date on which the fingerprint forms were received by the  
27 Department of Justice, unless circumstances, other than the  
28 administrative duties of the Department of Justice, warrant further  
29 investigation. Upon implementation of an electronic fingerprinting  
30 system with terminals located statewide and managed by the  
31 Department of Justice, the Department of Justice shall ascertain  
32 the information required pursuant to this subdivision within three  
33 working days.

34 (5) The applicant shall pay, in addition to the fees authorized  
35 in Section 2427, a fee of twenty-five dollars (\$25) for an original  
36 certificate and twelve dollars (\$12) for the renewal of that  
37 certificate to the Department of the California Highway Patrol.

38 (c) A certificate issued under this section shall not be deemed  
39 a certification to operate a particular vehicle that otherwise requires

1 a driver's license or endorsement for a particular class under this  
2 code.

3 (d) On or after March 1, 1998, no person who operates a  
4 business or a nonprofit organization or agency shall employ a  
5 person who is employed primarily as a driver of a motor vehicle  
6 for hire that is used for the transportation of persons with  
7 developmental disabilities unless the employed person operates  
8 the motor vehicle in compliance with subdivision (a).

9 (e) Nothing in this section precludes an employer of persons  
10 who are occasionally used as drivers of motor vehicles for the  
11 transportation of persons with developmental disabilities from  
12 requiring those persons, as a condition of employment, to obtain  
13 a special driver certificate pursuant to this section or precludes any  
14 volunteer driver from applying for a special driver certificate.

15 (f) As used in this section, a person is employed primarily as  
16 driver if that person performs at least 50 percent of his or her time  
17 worked including, but not limited to, time spent assisting persons  
18 onto and out of the vehicle, or at least 20 hours a week, whichever  
19 is less, as a compensated driver of a motor vehicle for hire for the  
20 transportation of persons with developmental disabilities.

21 (g) This section does not apply to any person who has  
22 successfully completed a background investigation prescribed by  
23 law, including, but not limited to, health care transport vehicle  
24 operators, or to the operator of a taxicab regulated pursuant to  
25 Chapter 8.5 (commencing with Section 5451) of Division 2 of the  
26 Public Utilities Code. This section does not apply to a person who  
27 holds a valid certificate, other than a farm labor vehicle driver  
28 certificate, issued under Section 12517.4 or 12527. This section  
29 does not apply to a driver who provides transportation on a  
30 noncommercial basis to persons with developmental disabilities.

31 (h) This section shall become operative on ~~July 1, 2017~~. *January*  
32 *1, 2018*.

33 SEC. 26. Section 21100 of the Vehicle Code is amended to  
34 read:

35 21100. Local authorities may adopt rules and regulations by  
36 ordinance or resolution regarding all of the following matters:

37 (a) Regulating or prohibiting processions or assemblages on the  
38 highways.

39 (b) Licensing and regulating the operation of vehicles for hire  
40 and drivers of passenger vehicles for hire.

1 (c) Regulating traffic by means of traffic officers.

2 (d) Regulating traffic by means of official traffic control devices  
3 meeting the requirements of Section 21400.

4 (e) (1) Regulating traffic by means of a person given temporary  
5 or permanent appointment for that duty by the local authority when  
6 official traffic control devices are disabled or otherwise inoperable,  
7 at the scenes of accidents or disasters, or at locations as may require  
8 traffic direction for orderly traffic flow.

9 (2) A person shall not be appointed pursuant to this subdivision  
10 unless and until the local authority has submitted to the  
11 commissioner or to the chief law enforcement officer exercising  
12 jurisdiction in the enforcement of traffic laws within the area in  
13 which the person is to perform the duty, for review, a proposed  
14 program of instruction for the training of a person for that duty,  
15 and unless and until the commissioner or other chief law  
16 enforcement officer approves the proposed program. The  
17 commissioner or other chief law enforcement officer shall approve  
18 a proposed program if he or she reasonably determines that the  
19 program will provide sufficient training for persons assigned to  
20 perform the duty described in this subdivision.

21 (f) Regulating traffic at the site of road or street construction or  
22 maintenance by persons authorized for that duty by the local  
23 authority.

24 (g) (1) Licensing and regulating the operation of tow truck  
25 service or tow truck drivers whose principal place of business or  
26 employment is within the jurisdiction of the local authority,  
27 excepting the operation and operators of any auto dismantlers' tow  
28 vehicle licensed under Section 11505 or any tow truck operated  
29 by a repossessing agency licensed under Chapter 11 (commencing  
30 with Section 7500) of Division 3 of the Business and Professions  
31 Code and its registered employees.

32 (2) The Legislature finds that the safety and welfare of the  
33 general public is promoted by permitting local authorities to  
34 regulate tow truck service companies and operators by requiring  
35 licensure, insurance, and proper training in the safe operation of  
36 towing equipment, thereby ensuring against towing mistakes that  
37 may lead to violent confrontation, stranding motorists in dangerous  
38 situations, impeding the expedited vehicle recovery, and wasting  
39 state and local law enforcement's limited resources.

1 (3) This subdivision does not limit the authority of a city or city  
2 and county pursuant to Section 12111.

3 (h) Operation of bicycles, and, as specified in Section 21114.5,  
4 electric carts by physically disabled persons, or persons 50 years  
5 of age or older, on public sidewalks.

6 (i) Providing for the appointment of nonstudent school crossing  
7 guards for the protection of persons who are crossing a street or  
8 highway in the vicinity of a school or while returning thereafter  
9 to a place of safety.

10 (j) Regulating the methods of deposit of garbage and refuse in  
11 streets and highways for collection by the local authority or by  
12 any person authorized by the local authority.

13 (k) (1) Regulating cruising.

14 (2) The ordinance or resolution adopted pursuant to this  
15 subdivision shall regulate cruising, which is the repetitive driving  
16 of a motor vehicle past a traffic control point in traffic that is  
17 congested at or near the traffic control point, as determined by the  
18 ranking peace officer on duty within the affected area, within a  
19 specified time period and after the vehicle operator has been given  
20 an adequate written notice that further driving past the control  
21 point will be a violation of the ordinance or resolution.

22 (3) A person is not in violation of an ordinance or resolution  
23 adopted pursuant to this subdivision unless both of the following  
24 apply:

25 (A) That person has been given the written notice on a previous  
26 driving trip past the control point and then again passes the control  
27 point in that same time interval.

28 (B) The beginning and end of the portion of the street subject  
29 to cruising controls are clearly identified by signs that briefly and  
30 clearly state the appropriate provisions of this subdivision and the  
31 local ordinance or resolution on cruising.

32 (l) Regulating or authorizing the removal by peace officers of  
33 vehicles unlawfully parked in a fire lane, as described in Section  
34 22500.1, on private property. A removal pursuant to this  
35 subdivision shall be consistent, to the extent possible, with the  
36 procedures for removal and storage set forth in Chapter 10  
37 (commencing with Section 22650).

38 (m) Regulating mobile billboard advertising displays, as defined  
39 in Section 395.5, including the establishment of penalties, which  
40 may include, but are not limited to, removal of the mobile billboard

1 advertising display, civil penalties, and misdemeanor criminal  
2 penalties, for a violation of the ordinance or resolution. The  
3 ordinance or resolution may establish a minimum distance that a  
4 mobile billboard advertising display shall be moved after a  
5 specified time period.

6 (n) Licensing and regulating the operation of pedicabs for hire,  
7 as defined in Section 467.5, and operators of pedicabs for hire,  
8 including requiring one or more of the following documents:

9 (1) A valid California driver's license.

10 (2) Proof of successful completion of a bicycle safety training  
11 course certified by the League of American Bicyclists or an  
12 equivalent organization as determined by the local authority.

13 (3) A valid California identification card and proof of successful  
14 completion of the written portion of the California driver's license  
15 examination administered by the department. The department shall  
16 administer, without charging a fee, the original driver's license  
17 written examination on traffic laws and signs to a person who  
18 states that he or she is, or intends to become, a pedicab operator,  
19 and who holds a valid California identification card or has  
20 successfully completed an application for a California identification  
21 card. If the person achieves a passing score on the examination,  
22 the department shall issue a certificate of successful completion  
23 of the examination, bearing the person's name and identification  
24 card number. The certificate shall not serve in lieu of successful  
25 completion of the required examination administered as part of  
26 any subsequent application for a driver's license. The department  
27 is not required to enter the results of the examination into the  
28 computerized record of the person's identification card or otherwise  
29 retain a record of the examination or results.

30 (o) (1) This section does not authorize a local authority to enact  
31 or enforce an ordinance or resolution that establishes a violation  
32 if a violation for the same or similar conduct is provided in this  
33 code, nor does it authorize a local authority to enact or enforce an  
34 ordinance or resolution that assesses a fine, penalty, assessment,  
35 or fee for a violation if a fine, penalty, assessment, or fee for a  
36 violation involving the same or similar conduct is provided in this  
37 code.

38 (2) This section does not preclude a local authority from enacting  
39 parking ordinances pursuant to existing authority in Chapter 9  
40 (commencing with Section 22500) of Division 11.

1 (p) (1) Regulating advertising signs on motor vehicles parked  
2 or left standing upon a public street. The ordinance or resolution  
3 may establish a minimum distance that the advertising sign shall  
4 be moved after a specified time period.

5 (2) Paragraph (1) does not apply to any of the following:

6 (A) Advertising signs that are permanently affixed to the body  
7 of, an integral part of, or a fixture of a motor vehicle for permanent  
8 decoration, identification, or display and that do not extend beyond  
9 the overall length, width, or height of the vehicle.

10 (B) If the license plate frame is installed in compliance with  
11 Section 5201, paper advertisements issued by a dealer contained  
12 within that license plate frame or any advertisements on that license  
13 plate frame.

14 (3) As used in paragraph (2), “permanently affixed” means any  
15 of the following:

16 (A) Painted directly on the body of a motor vehicle.

17 (B) Applied as a decal on the body of a motor vehicle.

18 (C) Placed in a location on the body of a motor vehicle that was  
19 specifically designed by a vehicle manufacturer as defined in  
20 Section 672 and licensed pursuant to Section 11701, in compliance  
21 with both state and federal law or guidelines, for the express  
22 purpose of containing an advertising sign.

23 ~~(q) This section shall become inoperative on July 1, 2017, and,~~  
24 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
25 ~~that becomes operative on or before January 1, 2018, deletes or~~  
26 ~~extends the dates on which it becomes inoperative and is repealed.~~

27 *(q) This section shall remain in effect only until January 1, 2018,*  
28 *and as of that date is repealed, unless a later enacted statute, that*  
29 *is enacted before January 1, 2018, deletes or extends that date.*

30 SEC. 27. Section 21100 is added to the Vehicle Code, to read:

31 21100. Local authorities may adopt rules and regulations by  
32 ordinance or resolution regarding all of the following matters:

33 (a) Regulating or prohibiting processions or assemblages on the  
34 highways.

35 (b) Regulating the operation of taxicabs through the issuance  
36 of a curbside operations permit, pursuant to Section 53075.5 of  
37 the Government Code, in a manner consistent with Chapter 8.5  
38 (commencing with Section 5451) of Division 2 of the Public  
39 Utilities Code, or licensing and regulating the operation of taxicabs  
40 originating in the City and County of San Francisco or at the San

1 ~~Francisco International Airport, *Francisco*~~, as provided in Section  
2 5451.3 of the Public Utilities Code.

3 (c) Regulating traffic by means of traffic officers.

4 (d) Regulating traffic by means of official traffic control devices  
5 meeting the requirements of Section 21400.

6 (e) (1) Regulating traffic by means of a person given temporary  
7 or permanent appointment for that duty by the local authority when  
8 official traffic control devices are disabled or otherwise inoperable,  
9 at the scenes of accidents or disasters, or at locations as may require  
10 traffic direction for orderly traffic flow.

11 (2) A person shall not be appointed pursuant to this subdivision  
12 unless and until the local authority has submitted to the  
13 commissioner or to the chief law enforcement officer exercising  
14 jurisdiction in the enforcement of traffic laws within the area in  
15 which the person is to perform the duty, for review, a proposed  
16 program of instruction for the training of a person for that duty,  
17 and unless and until the commissioner or other chief law  
18 enforcement officer approves the proposed program. The  
19 commissioner or other chief law enforcement officer shall approve  
20 a proposed program if he or she reasonably determines that the  
21 program will provide sufficient training for persons assigned to  
22 perform the duty described in this subdivision.

23 (f) Regulating traffic at the site of road or street construction or  
24 maintenance by persons authorized for that duty by the local  
25 authority.

26 (g) (1) Licensing and regulating the operation of tow truck  
27 service or tow truck drivers whose principal place of business or  
28 employment is within the jurisdiction of the local authority,  
29 excepting the operation and operators of any auto dismantlers' tow  
30 vehicle licensed under Section 11505 or any tow truck operated  
31 by a repossessing agency licensed under Chapter 11 (commencing  
32 with Section 7500) of Division 3 of the Business and Professions  
33 Code and its registered employees.

34 (2) The Legislature finds that the safety and welfare of the  
35 general public is promoted by permitting local authorities to  
36 regulate tow truck service companies and operators by requiring  
37 licensure, insurance, and proper training in the safe operation of  
38 towing equipment, thereby ensuring against towing mistakes that  
39 may lead to violent confrontation, stranding motorists in dangerous

1 situations, impeding the expedited vehicle recovery, and wasting  
2 state and local law enforcement's limited resources.

3 (3) This subdivision does not limit the authority of a city or city  
4 and county pursuant to Section 12111.

5 (h) Operation of bicycles, and, as specified in Section 21114.5,  
6 electric carts by physically disabled persons, or persons 50 years  
7 of age or older, on public sidewalks.

8 (i) Providing for the appointment of nonstudent school crossing  
9 guards for the protection of persons who are crossing a street or  
10 highway in the vicinity of a school or while returning thereafter  
11 to a place of safety.

12 (j) Regulating the methods of deposit of garbage and refuse in  
13 streets and highways for collection by the local authority or by  
14 any person authorized by the local authority.

15 (k) (1) Regulating cruising.

16 (2) The ordinance or resolution adopted pursuant to this  
17 subdivision shall regulate cruising, which is the repetitive driving  
18 of a motor vehicle past a traffic control point in traffic that is  
19 congested at or near the traffic control point, as determined by the  
20 ranking peace officer on duty within the affected area, within a  
21 specified time period and after the vehicle operator has been given  
22 an adequate written notice that further driving past the control  
23 point will be a violation of the ordinance or resolution.

24 (3) A person is not in violation of an ordinance or resolution  
25 adopted pursuant to this subdivision unless both of the following  
26 apply:

27 (A) That person has been given the written notice on a previous  
28 driving trip past the control point and then again passes the control  
29 point in that same time interval.

30 (B) The beginning and end of the portion of the street subject  
31 to cruising controls are clearly identified by signs that briefly and  
32 clearly state the appropriate provisions of this subdivision and the  
33 local ordinance or resolution on cruising.

34 (l) Regulating or authorizing the removal by peace officers of  
35 vehicles unlawfully parked in a fire lane, as described in Section  
36 22500.1, on private property. A removal pursuant to this  
37 subdivision shall be consistent, to the extent possible, with the  
38 procedures for removal and storage set forth in Chapter 10  
39 (commencing with Section 22650).

1 (m) Regulating mobile billboard advertising displays, as defined  
2 in Section 395.5, including the establishment of penalties, which  
3 may include, but are not limited to, removal of the mobile billboard  
4 advertising display, civil penalties, and misdemeanor criminal  
5 penalties, for a violation of the ordinance or resolution. The  
6 ordinance or resolution may establish a minimum distance that a  
7 mobile billboard advertising display shall be moved after a  
8 specified time period.

9 (n) Licensing and regulating the operation of pedicabs for hire,  
10 as defined in Section 467.5, and operators of pedicabs for hire,  
11 including requiring one or more of the following documents:

12 (1) A valid California driver's license.

13 (2) Proof of successful completion of a bicycle safety training  
14 course certified by the League of American Bicyclists or an  
15 equivalent organization as determined by the local authority.

16 (3) A valid California identification card and proof of successful  
17 completion of the written portion of the California driver's license  
18 examination administered by the department. The department shall  
19 administer, without charging a fee, the original driver's license  
20 written examination on traffic laws and signs to a person who  
21 states that he or she is, or intends to become, a pedicab operator,  
22 and who holds a valid California identification card or has  
23 successfully completed an application for a California identification  
24 card. If the person achieves a passing score on the examination,  
25 the department shall issue a certificate of successful completion  
26 of the examination, bearing the person's name and identification  
27 card number. The certificate shall not serve in lieu of successful  
28 completion of the required examination administered as part of  
29 any subsequent application for a driver's license. The department  
30 is not required to enter the results of the examination into the  
31 computerized record of the person's identification card or otherwise  
32 retain a record of the examination or results.

33 (o) (1) This section does not authorize a local authority to enact  
34 or enforce an ordinance or resolution that establishes a violation  
35 if a violation for the same or similar conduct is provided in this  
36 code, nor does it authorize a local authority to enact or enforce an  
37 ordinance or resolution that assesses a fine, penalty, assessment,  
38 or fee for a violation if a fine, penalty, assessment, or fee for a  
39 violation involving the same or similar conduct is provided in this  
40 code.

1 (2) This section does not preclude a local authority from enacting  
2 parking ordinances pursuant to existing authority in Chapter 9  
3 (commencing with Section 22500) of Division 11.

4 (p) (1) Regulating advertising signs on motor vehicles parked  
5 or left standing upon a public street. The ordinance or resolution  
6 may establish a minimum distance that the advertising sign shall  
7 be moved after a specified time period.

8 (2) Paragraph (1) does not apply to any of the following:

9 (A) Advertising signs that are permanently affixed to the body  
10 of, an integral part of, or a fixture of a motor vehicle for permanent  
11 decoration, identification, or display and that do not extend beyond  
12 the overall length, width, or height of the vehicle.

13 (B) If the license plate frame is installed in compliance with  
14 Section 5201, paper advertisements issued by a dealer contained  
15 within that license plate frame or any advertisements on that license  
16 plate frame.

17 (3) As used in paragraph (2), “permanently affixed” means any  
18 of the following:

19 (A) Painted directly on the body of a motor vehicle.

20 (B) Applied as a decal on the body of a motor vehicle.

21 (C) Placed in a location on the body of a motor vehicle that was  
22 specifically designed by a vehicle manufacturer as defined in  
23 Section 672 and licensed pursuant to Section 11701, in compliance  
24 with both state and federal law or guidelines, for the express  
25 purpose of containing an advertising sign.

26 (q) This section shall become operative on ~~July 1, 2017~~. *January*  
27 *1, 2018*.

28 SEC. 28. Section 21100.4 of the Vehicle Code is amended to  
29 read:

30 21100.4. (a) (1) A magistrate presented with the affidavit of  
31 a peace officer or a designated local transportation officer  
32 establishing reasonable cause to believe that a vehicle, described  
33 by vehicle type and license number, is being operated as a taxicab  
34 or other passenger vehicle for hire in violation of licensing  
35 requirements adopted by a local authority under subdivision (b)  
36 of Section 21100 shall issue a warrant or order authorizing the  
37 peace officer or designated local transportation officer to  
38 immediately seize and cause the removal of the vehicle. As used  
39 in this section, “designated local transportation officer” means any

1 local public officer employed by a local authority to investigate  
2 and enforce local taxicab and vehicle for hire laws and regulations.

3 (2) The warrant or court order may be entered into a  
4 computerized database.

5 (3) A vehicle so impounded may be impounded for a period not  
6 to exceed 30 days.

7 (4) The impounding agency, within two working days of  
8 impoundment, shall send a notice by certified mail, return receipt  
9 requested, to the legal owner of the vehicle, at an address obtained  
10 from the department, informing the owner that the vehicle has  
11 been impounded and providing the owner with a copy of the  
12 warrant or court order. Failure to notify the legal owner within  
13 two working days shall prohibit the impounding agency from  
14 charging for more than 15 days' impoundment when a legal owner  
15 redeems the impounded vehicle. The law enforcement agency shall  
16 be open to issue a release to the registered owner or legal owner,  
17 or the agent of either, whenever the agency is open to serve the  
18 public for regular, nonemergency business.

19 (b) (1) An impounding agency shall release a vehicle to the  
20 registered owner or his or her agent prior to the end of the  
21 impoundment period and without the permission of the magistrate  
22 authorizing the vehicle's seizure under any of the following  
23 circumstances:

- 24 (A) When the vehicle is a stolen vehicle.
- 25 (B) When the vehicle was seized under this section for an  
26 offense that does not authorize the seizure of the vehicle.
- 27 (C) When the vehicle is a rental car.

28 (2) A vehicle may not be released under this subdivision, except  
29 upon presentation of the registered owner's or agent's currently  
30 valid license to operate the vehicle under the licensing requirements  
31 adopted by the local authority under subdivision (b) of Section  
32 21100, and proof of current vehicle registration, or upon order of  
33 the court.

34 (c) (1) Whenever a vehicle is impounded under this section,  
35 the magistrate ordering the storage shall provide the vehicle's  
36 registered and legal owners of record, or their agents, with the  
37 opportunity for a poststorage hearing to determine the validity of  
38 the storage.

39 (2) A notice of the storage shall be mailed or personally  
40 delivered to the registered and legal owners within 48 hours after

1 issuance of the warrant or court order, excluding weekends and  
2 holidays, by the person or agency executing the warrant or court  
3 order, and shall include all of the following information:

4 (A) The name, address, and telephone number of the agency  
5 providing the notice.

6 (B) The location of the place of storage and a description of the  
7 vehicle, which shall include, if available, the name or make, the  
8 manufacturer, the license plate number, and the mileage of the  
9 vehicle.

10 (C) A copy of the warrant or court order and the peace officer's  
11 affidavit, as described in subdivision (a).

12 (D) A statement that, in order to receive their poststorage  
13 hearing, the owners, or their agents, are required to request the  
14 hearing from the magistrate issuing the warrant or court order in  
15 person, in writing, or by telephone, within 10 days of the date of  
16 the notice.

17 (3) The poststorage hearing shall be conducted within two court  
18 days after receipt of the request for the hearing.

19 (4) At the hearing, the magistrate may order the vehicle released  
20 if he or she finds any of the circumstances described in subdivision  
21 (b) or (e) that allow release of a vehicle by the impounding agency.

22 (5) Failure of either the registered or legal owner, or his or her  
23 agent, to request, or to attend, a scheduled hearing satisfies the  
24 poststorage hearing requirement.

25 (6) The agency employing the peace officer or designated local  
26 transportation officer who caused the magistrate to issue the  
27 warrant or court order shall be responsible for the costs incurred  
28 for towing and storage if it is determined in the poststorage hearing  
29 that reasonable grounds for the storage are not established.

30 (d) The registered owner or his or her agent is responsible for  
31 all towing and storage charges related to the impoundment, and  
32 any administrative charges authorized under Section 22850.5.

33 (e) A vehicle removed and seized under subdivision (a) shall  
34 be released to the legal owner of the vehicle or the legal owner's  
35 agent prior to the end of the impoundment period and without the  
36 permission of the magistrate authorizing the seizure of the vehicle  
37 if all of the following conditions are met:

38 (1) The legal owner is a motor vehicle dealer, bank, credit union,  
39 acceptance corporation, or other licensed financial institution

1 legally operating in this state or is another person, not the registered  
2 owner, holding a security interest in the vehicle.

3 (2) (A) The legal owner or the legal owner's agent pays all  
4 towing and storage fees related to the seizure of the vehicle. A lien  
5 sale processing fee shall not be charged to the legal owner who  
6 redeems the vehicle prior to the 15th day of impoundment. Neither  
7 the impounding authority nor any person having possession of the  
8 vehicle shall collect from the legal owner of the type specified in  
9 paragraph (1), or the legal owner's agent, any administrative  
10 charges imposed pursuant to Section 22850.5 unless the legal  
11 owner voluntarily requested a poststorage hearing.

12 (B) A person operating or in charge of a storage facility where  
13 vehicles are stored pursuant to this section shall accept a valid  
14 bank credit card or cash for payment of towing, storage, and related  
15 fees by a legal or registered owner or the owner's agent claiming  
16 the vehicle. A credit card shall be in the name of the person  
17 presenting the card. "Credit card" means "credit card" as defined  
18 in subdivision (a) of Section 1747.02 of the Civil Code, except,  
19 for the purposes of this section, credit card does not include a credit  
20 card issued by a retail seller.

21 (C) A person operating or in charge of a storage facility  
22 described in subparagraph (B) who violates subparagraph (B) shall  
23 be civilly liable to the owner of the vehicle or to the person who  
24 tendered the fees for four times the amount of the towing, storage,  
25 and related fees, but not to exceed five hundred dollars (\$500).

26 (D) A person operating or in charge of a storage facility  
27 described in subparagraph (B) shall have sufficient funds on the  
28 premises of the primary storage facility during normal business  
29 hours to accommodate, and make change in, a reasonable monetary  
30 transaction.

31 (E) Credit charges for towing and storage services shall comply  
32 with Section 1748.1 of the Civil Code. Law enforcement agencies  
33 may include the costs of providing for payment by credit when  
34 making agreements with towing companies on rates.

35 (3) (A) The legal owner or the legal owner's agent presents to  
36 the law enforcement agency or impounding agency, or any person  
37 acting on behalf of those agencies, a copy of the assignment, as  
38 defined in subdivision (b) of Section 7500.1 of the Business and  
39 Professions Code; a release from the one responsible governmental  
40 agency, only if required by the agency; a government-issued

1 photographic identification card; and any one of the following as  
2 determined by the legal owner or the legal owner's agent: a  
3 certificate of repossession for the vehicle, a security agreement  
4 for the vehicle, or title, whether paper or electronic, showing proof  
5 of legal ownership for the vehicle. The law enforcement agency,  
6 impounding agency, or any other governmental agency, or any  
7 person acting on behalf of those agencies, shall not require the  
8 presentation of any other documents.

9 (B) The legal owner or the legal owner's agent presents to the  
10 person in possession of the vehicle, or any person acting on behalf  
11 of the person in possession, a copy of the assignment, as defined  
12 in subdivision (b) of Section 7500.1 of the Business and  
13 Professions Code; a release from the one responsible governmental  
14 agency, only if required by the agency; a government-issued  
15 photographic identification card; and any one of the following as  
16 determined by the legal owner or the legal owner's agent: a  
17 certificate of repossession for the vehicle, a security agreement  
18 for the vehicle, or title, whether paper or electronic, showing proof  
19 of legal ownership for the vehicle. The person in possession of the  
20 vehicle, or any person acting on behalf of the person in possession,  
21 shall not require the presentation of any other documents.

22 (C) All presented documents may be originals, photocopies, or  
23 facsimile copies, or may be transmitted electronically. The law  
24 enforcement agency, impounding agency, or any person in  
25 possession of the vehicle, or anyone acting on behalf of them, shall  
26 not require any documents to be notarized. The law enforcement  
27 agency, impounding agency, or any person acting on behalf of  
28 those agencies, may require the agent of the legal owner to produce  
29 a photocopy or facsimile copy of its repossession agency license  
30 or registration issued pursuant to Chapter 11 (commencing with  
31 Section 7500) of Division 3 of the Business and Professions Code,  
32 or to demonstrate, to the satisfaction of the law enforcement  
33 agency, impounding agency, or any person in possession of the  
34 vehicle, or anyone acting on behalf of them, that the agent is  
35 exempt from licensure pursuant to Section 7500.2 or 7500.3 of the  
36 Business and Professions Code.

37 (D) An administrative cost authorized under subdivision (a) of  
38 Section 22850.5 shall not be charged to the legal owner of the type  
39 specified in paragraph (1) who redeems the vehicle unless the legal  
40 owner voluntarily requests a poststorage hearing. A city, county,

1 city and county, or state agency shall not require a legal owner or  
2 a legal owner's agent to request a poststorage hearing as a  
3 requirement for release of the vehicle to the legal owner or the  
4 legal owner's agent. The law enforcement agency, impounding  
5 agency, or any other governmental agency, or any person acting  
6 on behalf of those agencies, shall not require any documents other  
7 than those specified in this paragraph. The law enforcement agency,  
8 impounding agency, or other governmental agency, or any person  
9 acting on behalf of those agencies, may not require any documents  
10 to be notarized. The legal owner or the legal owner's agent shall  
11 be given a copy of any documents he or she is required to sign,  
12 except for a vehicle evidentiary hold logbook. The law enforcement  
13 agency, impounding agency, or any person acting on behalf of  
14 those agencies, or any person in possession of the vehicle, may  
15 photocopy and retain the copies of any documents presented by  
16 the legal owner or legal owner's agent.

17 (4) A failure by a storage facility to comply with any applicable  
18 conditions set forth in this subdivision shall not affect the right of  
19 the legal owner or the legal owner's agent to retrieve the vehicle,  
20 provided all conditions required of the legal owner or legal owner's  
21 agent under this subdivision are satisfied.

22 (f) (1) A legal owner or the legal owner's agent that obtains  
23 release of the vehicle pursuant to subdivision (e) shall not release  
24 the vehicle to the registered owner of the vehicle or the person  
25 who was listed as the registered owner when the vehicle was  
26 impounded or any agents of the registered owner until the  
27 termination of the impoundment period.

28 (2) The legal owner or the legal owner's agent shall not  
29 relinquish the vehicle to the registered owner or the person who  
30 was listed as the registered owner when the vehicle was impounded  
31 until the registered owner or that owner's agent presents his or her  
32 valid driver's license or valid temporary driver's license, and an  
33 operator's license that is in compliance with the licensing  
34 requirements adopted by the local authority under subdivision (b)  
35 of Section 21100, to the legal owner or the legal owner's agent.  
36 The legal owner or the legal owner's agent or the person in  
37 possession of the vehicle shall make every reasonable effort to  
38 ensure that the licenses presented are valid and possession of the  
39 vehicle will not be given to the driver who was involved in the

1 original impoundment proceeding until the expiration of the  
2 impoundment period.

3 (3) Prior to relinquishing the vehicle, the legal owner may  
4 require the registered owner to pay all towing and storage charges  
5 related to the impoundment and the administrative charges  
6 authorized under Section 22850.5 that were incurred by the legal  
7 owner in connection with obtaining the custody of the vehicle.

8 (4) Any legal owner who knowingly releases or causes the  
9 release of a vehicle to a registered owner or the person in  
10 possession of the vehicle at the time of the impoundment or any  
11 agent of the registered owner in violation of this subdivision shall  
12 be guilty of a misdemeanor and subject to a civil penalty in the  
13 amount of two thousand dollars (\$2,000).

14 (5) The legal owner, registered owner, or person in possession  
15 of the vehicle shall not change or attempt to change the name of  
16 the legal owner or the registered owner on the records of the  
17 department until the vehicle is released from the impoundment.

18 (g) Notwithstanding any other provision of this section, the  
19 registered owner and not the legal owner shall remain responsible  
20 for any towing and storage charges related to the impoundment  
21 and the administrative charges authorized under Section 22850.5  
22 and any parking fines, penalties, and administrative fees incurred  
23 by the registered owner.

24 (h) The law enforcement agency and the impounding agency,  
25 including any storage facility acting on behalf of the law  
26 enforcement agency or impounding agency, shall comply with this  
27 section and shall not be liable to the registered owner for the  
28 improper release of the vehicle to the legal owner or the legal  
29 owner's agent if the release complies with this section. The legal  
30 owner shall indemnify and hold harmless a storage facility from  
31 any claims arising out of the release of the vehicle to the legal  
32 owner or the legal owner's agent and from any damage to the  
33 vehicle after its release, including the reasonable costs associated  
34 with defending any such claims. A law enforcement agency shall  
35 not refuse to issue a release to a legal owner or the agent of a legal  
36 owner on the grounds that it previously issued a release.

37 ~~(i) This section shall become inoperative on July 1, 2017, and,~~  
38 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
39 ~~that becomes operative on or before January 1, 2018, deletes or~~  
40 ~~extends the dates on which it becomes inoperative and is repealed.~~

1 (i) *This section shall remain in effect only until January 1, 2018,*  
2 *and as of that date is repealed, unless a later enacted statute, that*  
3 *is enacted before January 1, 2018, deletes or extends that date.*

4 SEC. 29. Section 21100.4 is added to the Vehicle Code, to  
5 read:

6 21100.4. (a) (1) A magistrate presented with the affidavit of  
7 a peace officer establishing reasonable cause to believe that a  
8 vehicle, described by vehicle type and license number, is being  
9 operated as a taxicab or other passenger vehicle for hire in violation  
10 of Chapter 8.5 (commencing with Section 5451) of Division 2 of  
11 the Public Utilities Code or in violation of a local ordinance  
12 adopted by a local authority under subdivision (b) of Section 21100  
13 shall issue a warrant or order authorizing the peace officer to  
14 immediately seize and cause the removal of the vehicle.

15 (2) The warrant or court order may be entered into a  
16 computerized database.

17 (3) A vehicle so impounded may be impounded for a period not  
18 to exceed 30 days.

19 (4) The impounding agency, within two working days of  
20 impoundment, shall send a notice by certified mail, return receipt  
21 requested, to the legal owner of the vehicle, at an address obtained  
22 from the department, informing the owner that the vehicle has  
23 been impounded and providing the owner with a copy of the  
24 warrant or court order. Failure to notify the legal owner within  
25 two working days shall prohibit the impounding agency from  
26 charging for more than 15 days' impoundment when a legal owner  
27 redeems the impounded vehicle. The law enforcement agency shall  
28 be open to issue a release to the registered owner or legal owner,  
29 or the agent of either, whenever the agency is open to serve the  
30 public for regular, nonemergency business.

31 (b) (1) An impounding agency shall release a vehicle to the  
32 registered owner or his or her agent prior to the end of the  
33 impoundment period and without the permission of the magistrate  
34 authorizing the vehicle's seizure under any of the following  
35 circumstances:

36 (A) When the vehicle is a stolen vehicle.

37 (B) When the vehicle was seized under this section for an  
38 offense that does not authorize the seizure of the vehicle.

39 (C) When the vehicle is a rental car.

1 (2) A vehicle may not be released under this subdivision, except  
2 upon presentation of the registered owner's or agent's currently  
3 valid permit to operate the vehicle under the requirements of  
4 Chapter 8.5 (commencing with Section 5451) of Division 2 of the  
5 Public Utilities Code or an ordinance of the City and County of  
6 ~~San Francisco or its airport authority, and, as applicable, Francisco,~~  
7 presentation of a curbside operation permit issued by a local agency  
8 pursuant to Section 53075 of the Government Code, and proof of  
9 current vehicle registration, or upon order of the court.

10 (c) (1) Whenever a vehicle is impounded under this section,  
11 the magistrate ordering the storage shall provide the vehicle's  
12 registered and legal owners of record, or their agents, with the  
13 opportunity for a poststorage hearing to determine the validity of  
14 the storage.

15 (2) A notice of the storage shall be mailed or personally  
16 delivered to the registered and legal owners within 48 hours after  
17 issuance of the warrant or court order, excluding weekends and  
18 holidays, by the person or agency executing the warrant or court  
19 order, and shall include all of the following information:

20 (A) The name, address, and telephone number of the agency  
21 providing the notice.

22 (B) The location of the place of storage and a description of the  
23 vehicle, which shall include, if available, the name or make, the  
24 manufacturer, the license plate number, and the mileage of the  
25 vehicle.

26 (C) A copy of the warrant or court order and the peace officer's  
27 affidavit, as described in subdivision (a).

28 (D) A statement that, in order to receive their poststorage  
29 hearing, the owners, or their agents, are required to request the  
30 hearing from the magistrate issuing the warrant or court order in  
31 person, in writing, or by telephone, within 10 days of the date of  
32 the notice.

33 (3) The poststorage hearing shall be conducted within two court  
34 days after receipt of the request for the hearing.

35 (4) At the hearing, the magistrate may order the vehicle released  
36 if he or she finds any of the circumstances described in subdivision  
37 (b) or (e) that allow release of a vehicle by the impounding agency.

38 (5) Failure of either the registered or legal owner, or his or her  
39 agent, to request, or to attend, a scheduled hearing satisfies the  
40 poststorage hearing requirement.

1 (6) The agency employing the peace officer or designated local  
2 transportation officer who caused the magistrate to issue the  
3 warrant or court order shall be responsible for the costs incurred  
4 for towing and storage if it is determined in the poststorage hearing  
5 that reasonable grounds for the storage are not established.

6 (d) The registered owner or his or her agent is responsible for  
7 all towing and storage charges related to the impoundment, and  
8 any administrative charges authorized under Section 22850.5.

9 (e) A vehicle removed and seized under subdivision (a) shall  
10 be released to the legal owner of the vehicle or the legal owner's  
11 agent prior to the end of the impoundment period and without the  
12 permission of the magistrate authorizing the seizure of the vehicle  
13 if all of the following conditions are met:

14 (1) The legal owner is a motor vehicle dealer, bank, credit union,  
15 acceptance corporation, or other licensed financial institution  
16 legally operating in this state or is another person, not the registered  
17 owner, holding a security interest in the vehicle.

18 (2) (A) The legal owner or the legal owner's agent pays all  
19 towing and storage fees related to the seizure of the vehicle. A lien  
20 sale processing fee shall not be charged to the legal owner who  
21 redeems the vehicle prior to the 15th day of impoundment. Neither  
22 the impounding authority nor any person having possession of the  
23 vehicle shall collect from the legal owner of the type specified in  
24 paragraph (1), or the legal owner's agent, any administrative  
25 charges imposed pursuant to Section 22850.5 unless the legal  
26 owner voluntarily requested a poststorage hearing.

27 (B) A person operating or in charge of a storage facility where  
28 vehicles are stored pursuant to this section shall accept a valid  
29 bank credit card or cash for payment of towing, storage, and related  
30 fees by a legal or registered owner or the owner's agent claiming  
31 the vehicle. A credit card shall be in the name of the person  
32 presenting the card. "Credit card" means "credit card" as defined  
33 in subdivision (a) of Section 1747.02 of the Civil Code, except,  
34 for the purposes of this section, credit card does not include a credit  
35 card issued by a retail seller.

36 (C) A person operating or in charge of a storage facility  
37 described in subparagraph (B) who violates subparagraph (B) shall  
38 be civilly liable to the owner of the vehicle or to the person who  
39 tendered the fees for four times the amount of the towing, storage,  
40 and related fees, but not to exceed five hundred dollars (\$500).

1 (D) A person operating or in charge of a storage facility  
2 described in subparagraph (B) shall have sufficient funds on the  
3 premises of the primary storage facility during normal business  
4 hours to accommodate, and make change in, a reasonable monetary  
5 transaction.

6 (E) Credit charges for towing and storage services shall comply  
7 with Section 1748.1 of the Civil Code. Law enforcement agencies  
8 may include the costs of providing for payment by credit when  
9 making agreements with towing companies on rates.

10 (3) (A) The legal owner or the legal owner's agent presents to  
11 the law enforcement agency or impounding agency, or any person  
12 acting on behalf of those agencies, a copy of the assignment, as  
13 defined in subdivision (b) of Section 7500.1 of the Business and  
14 Professions Code; a release from the one responsible governmental  
15 agency, only if required by the agency; a government-issued  
16 photographic identification card; and any one of the following as  
17 determined by the legal owner or the legal owner's agent: a  
18 certificate of repossession for the vehicle, a security agreement  
19 for the vehicle, or title, whether paper or electronic, showing proof  
20 of legal ownership for the vehicle. The law enforcement agency,  
21 impounding agency, or any other governmental agency, or any  
22 person acting on behalf of those agencies, shall not require the  
23 presentation of any other documents.

24 (B) The legal owner or the legal owner's agent presents to the  
25 person in possession of the vehicle, or any person acting on behalf  
26 of the person in possession, a copy of the assignment, as defined  
27 in subdivision (b) of Section 7500.1 of the Business and  
28 Professions Code; a release from the one responsible governmental  
29 agency, only if required by the agency; a government-issued  
30 photographic identification card; and any one of the following as  
31 determined by the legal owner or the legal owner's agent: a  
32 certificate of repossession for the vehicle, a security agreement  
33 for the vehicle, or title, whether paper or electronic, showing proof  
34 of legal ownership for the vehicle. The person in possession of the  
35 vehicle, or any person acting on behalf of the person in possession,  
36 shall not require the presentation of any other documents.

37 (C) All presented documents may be originals, photocopies, or  
38 facsimile copies, or may be transmitted electronically. The law  
39 enforcement agency, impounding agency, or any person in  
40 possession of the vehicle, or anyone acting on behalf of them, shall

1 not require any documents to be notarized. The law enforcement  
2 agency, impounding agency, or any person acting on behalf of  
3 those agencies, may require the agent of the legal owner to produce  
4 a photocopy or facsimile copy of its repossession agency license  
5 or registration issued pursuant to Chapter 11 (commencing with  
6 Section 7500) of Division 3 of the Business and Professions Code,  
7 or to demonstrate, to the satisfaction of the law enforcement  
8 agency, impounding agency, or any person in possession of the  
9 vehicle, or anyone acting on behalf of them, that the agent is  
10 exempt from licensure pursuant to Section 7500.2 or 7500.3 of the  
11 Business and Professions Code.

12 (D) An administrative cost authorized under subdivision (a) of  
13 Section 22850.5 shall not be charged to the legal owner of the type  
14 specified in paragraph (1) who redeems the vehicle unless the legal  
15 owner voluntarily requests a poststorage hearing. A city, county,  
16 city and county, or state agency shall not require a legal owner or  
17 a legal owner's agent to request a poststorage hearing as a  
18 requirement for release of the vehicle to the legal owner or the  
19 legal owner's agent. The law enforcement agency, impounding  
20 agency, or any other governmental agency, or any person acting  
21 on behalf of those agencies, shall not require any documents other  
22 than those specified in this paragraph. The law enforcement agency,  
23 impounding agency, or other governmental agency, or any person  
24 acting on behalf of those agencies, may not require any documents  
25 to be notarized. The legal owner or the legal owner's agent shall  
26 be given a copy of any documents he or she is required to sign,  
27 except for a vehicle evidentiary hold logbook. The law enforcement  
28 agency, impounding agency, or any person acting on behalf of  
29 those agencies, or any person in possession of the vehicle, may  
30 photocopy and retain the copies of any documents presented by  
31 the legal owner or legal owner's agent.

32 (4) A failure by a storage facility to comply with any applicable  
33 conditions set forth in this subdivision shall not affect the right of  
34 the legal owner or the legal owner's agent to retrieve the vehicle,  
35 provided all conditions required of the legal owner or legal owner's  
36 agent under this subdivision are satisfied.

37 (f) (1) A legal owner or the legal owner's agent that obtains  
38 release of the vehicle pursuant to subdivision (e) shall not release  
39 the vehicle to the registered owner of the vehicle or the person  
40 who was listed as the registered owner when the vehicle was

1 impounded or any agents of the registered owner until the  
2 termination of the impoundment period.

3 (2) The legal owner or the legal owner's agent shall not  
4 relinquish the vehicle to the registered owner or the person who  
5 was listed as the registered owner when the vehicle was impounded  
6 until the registered owner or that owner's agent presents his or her  
7 valid driver's license or valid temporary driver's license, and an  
8 operator's permit that is in compliance with the requirements of  
9 Chapter 8.5 (commencing with Section 5451) of Division 2 of the  
10 Public Utilities Code or an ordinance of the City and County of  
11 ~~San Francisco or its airport authority~~, *Francisco*, to the legal owner  
12 or the legal owner's agent. The legal owner or the legal owner's  
13 agent or the person in possession of the vehicle shall make every  
14 reasonable effort to ensure that the license and permit presented  
15 are valid and possession of the vehicle will not be given to the  
16 driver who was involved in the original impoundment proceeding  
17 until the expiration of the impoundment period.

18 (3) Prior to relinquishing the vehicle, the legal owner may  
19 require the registered owner to pay all towing and storage charges  
20 related to the impoundment and the administrative charges  
21 authorized under Section 22850.5 that were incurred by the legal  
22 owner in connection with obtaining the custody of the vehicle.

23 (4) Any legal owner who knowingly releases or causes the  
24 release of a vehicle to a registered owner or the person in  
25 possession of the vehicle at the time of the impoundment or any  
26 agent of the registered owner in violation of this subdivision shall  
27 be guilty of a misdemeanor and subject to a civil penalty in the  
28 amount of two thousand dollars (\$2,000).

29 (5) The legal owner, registered owner, or person in possession  
30 of the vehicle shall not change or attempt to change the name of  
31 the legal owner or the registered owner on the records of the  
32 department until the vehicle is released from the impoundment.

33 (g) Notwithstanding any other provision of this section, the  
34 registered owner and not the legal owner shall remain responsible  
35 for any towing and storage charges related to the impoundment  
36 and the administrative charges authorized under Section 22850.5  
37 and any parking fines, penalties, and administrative fees incurred  
38 by the registered owner.

39 (h) The law enforcement agency and the impounding agency,  
40 including any storage facility acting on behalf of the law

1 enforcement agency or impounding agency, shall comply with this  
2 section and shall not be liable to the registered owner for the  
3 improper release of the vehicle to the legal owner or the legal  
4 owner's agent if the release complies with this section. The legal  
5 owner shall indemnify and hold harmless a storage facility from  
6 any claims arising out of the release of the vehicle to the legal  
7 owner or the legal owner's agent and from any damage to the  
8 vehicle after its release, including the reasonable costs associated  
9 with defending any such claims. A law enforcement agency shall  
10 not refuse to issue a release to a legal owner or the agent of a legal  
11 owner on the grounds that it previously issued a release.

12 (i) This section shall become operative on ~~July 1, 2017~~. *January*  
13 *1, 2018*.

14 SEC. 30. Section 27908 of the Vehicle Code is amended to  
15 read:

16 27908. (a) In every taxicab operated in this state there shall  
17 be a sign of heavy material, not smaller than 6 inches by 4 inches,  
18 or such other size as the agency regulating the operation of the  
19 taxicab provides for other notices or signs required to be in every  
20 taxicab, securely attached and clearly displayed in view of the  
21 passenger at all times, providing in letters as large as the size of  
22 the sign will reasonably allow, all of the following information:

23 (1) The name, address, and telephone number of the agency  
24 regulating the operation of the taxicab.

25 (2) The name, address, and telephone number of the firm  
26 licensed or controlled by the agency regulating the operation of  
27 the taxicab.

28 (b) In the event more than one local regulatory agency has  
29 jurisdiction over the operation of the taxicab, the notice required  
30 by paragraph (1) of subdivision (a) shall provide the name, address,  
31 and telephone number of the agency having jurisdiction in the area  
32 where the taxicab operator conducts its greatest volume of business;  
33 or, if this cannot readily be ascertained, the agency having  
34 jurisdiction in the area where the taxicab operator maintains its  
35 offices or primary place of business, provided that the operator  
36 conducts a substantial volume of business in such area; or, if neither  
37 of the foregoing provisions apply, any agency having jurisdiction  
38 of an area where the taxicab operator conducts a substantial volume  
39 of business.

1 (c) As used in this section, “taxicab” means a passenger vehicle  
2 designed for carrying not more than eight persons, excluding the  
3 driver, and used to carry passengers for hire. “Taxicab” shall not  
4 include a charter-party carrier of passengers within the meaning  
5 of the Passenger Charter-party Carriers’ Act, Chapter 8  
6 (commencing with Section 5351) of Division 2 of the Public  
7 Utilities Code.

8 ~~(d) This section shall become inoperative on July 1, 2017, and,~~  
9 ~~as of January 1, 2018, is repealed, unless a later enacted statute,~~  
10 ~~that becomes operative on or before January 1, 2018, deletes or~~  
11 ~~extends the dates on which it becomes inoperative and is repealed.~~

12 *(d) This section shall remain in effect only until January 1, 2018,*  
13 *and as of that date is repealed, unless a later enacted statute, that*  
14 *is enacted before January 1, 2018, deletes or extends that date.*

15 SEC. 31. Section 27908 is added to the Vehicle Code, to read:

16 27908. (a) In every taxicab operated in this state there shall  
17 be a sign of heavy material, not smaller than six inches by four  
18 inches, or such other size as the Public Utilities Commission, or  
19 other regulating agency pursuant to Section 5451.3 of the Public  
20 Utilities Code, provides for other notices or signs required to be  
21 in every taxicab, securely attached and clearly displayed in view  
22 of the passenger at all times, providing in letters as large as the  
23 size of the sign will reasonably allow, all of the following  
24 information:

25 (1) The name, address, and telephone number of the applicable  
26 unit of the Public Utilities Commission or other regulating agency  
27 that regulates the operation of the taxicab.

28 (2) The name, address, and telephone number of the taxicab  
29 carrier that has been issued a permit to provide taxicab  
30 transportation services by the Public Utilities Commission or other  
31 regulating agency.

32 (b) As used in this section, “taxicab” means a passenger motor  
33 vehicle designed for carrying not more than eight persons,  
34 excluding the driver, and used to carry passengers for hire as part  
35 of taxicab transportation services regulated pursuant to Chapter  
36 8.5 (commencing with Section 5451) of Division 2 of the Public  
37 Utilities Code or by another regulating agency pursuant to Section  
38 5451.3 of the Public Utilities Code. “Taxicab” shall not include a  
39 charter-party carrier of passengers within the meaning of the

1 Passenger Charter-party Carriers' Act (Chapter 8 (commencing  
2 with Section 5351) of Division 2 of the Public Utilities Code).

3 (c) This section shall become operative on ~~July 1, 2017~~. *January*  
4 *1, 2018*.

5 SEC. 32. No reimbursement is required by this act pursuant to  
6 Section 6 of Article XIII B of the California Constitution for certain  
7 costs that may be incurred by a local agency or school district  
8 because, in that regard, this act creates a new crime or infraction,  
9 eliminates a crime or infraction, or changes the penalty for a crime  
10 or infraction, within the meaning of Section 17556 of the  
11 Government Code, or changes the definition of a crime within the  
12 meaning of Section 6 of Article XIII B of the California  
13 Constitution.

14 However, if the Commission on State Mandates determines that  
15 this act contains other costs mandated by the state, reimbursement  
16 to local agencies and school districts for those costs shall be made  
17 pursuant to Part 7 (commencing with Section 17500) of Division  
18 4 of Title 2 of the Government Code.