

AMENDED IN SENATE JANUARY 26, 2016

AMENDED IN SENATE JANUARY 4, 2016

AMENDED IN SENATE JULY 16, 2015

AMENDED IN SENATE APRIL 7, 2015

**SENATE BILL**

**No. 247**

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**Introduced by Senator Lara**

February 18, 2015

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An act to add Section ~~5384.3 to the Public Utilities~~ 34505.8 to, and to add Article 3.6 (commencing with Section 27425) to Chapter 5 of Division 12 of, the Vehicle Code, relating to ~~transportation:~~ *transportation safety.*

LEGISLATIVE COUNSEL'S DIGEST

SB 247, as amended, Lara. Charter bus transportation: safety improvements.

The Passenger Charter-party Carriers' Act, with certain exceptions, prohibits a charter-party carrier of passengers from engaging in transportation services subject to regulation by the Public Utilities Commission without obtaining a specified certificate or permit, as appropriate, from the commission, and imposes various other *Act imposes various* requirements on charter-party carriers of passengers. ~~The act~~ *passengers, and* provides for the safety regulation of charter-party carriers of passengers engaged in charter bus ~~transportation transportation, as defined, by the commission. A violation of the act is a crime.~~ *Public Utilities Commission.*

*Under existing law, the Department of the California Highway Patrol is responsible for specified vehicle safety and equipment regulation.*

*Unless otherwise specified, a violation of these vehicle safety and equipment provisions is an infraction.*

~~This bill~~ *bill, in addition to the above-referenced act, would require a charter-party carrier of passengers engaged in charter bus transportation to ensure that the driver of a charter bus provides oral and written instructions to all passengers on the safety equipment and emergency exits on the vehicle prior to the beginning of any trip and that the charter bus is equipped with specified safety equipment. The bill would also require those vehicles manufactured after July 1, 2017, to be equipped with a secondary door for use as an additional emergency exit. The bill would require the Department of the California Highway Patrol department to adopt, no later than July 1, 2017, standards and criteria for the implementation of these equipment and safety requirements. The bill would also make related findings and declarations.*

Because a violation of these provisions would be ~~a crime~~, *an infraction*, this bill would impose a state-mandated local program.

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 no reimbursement is required by this act for a specified reason.

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The safety of passengers traveling in charter buses in
- 4 California is of the utmost importance. According to the Federal
- 5 Motor Carrier Safety Administration, between 1975 and 2013,
- 6 there were over 11,000 fatal crashes involving charter buses,
- 7 including 1,615 occupant fatalities. Improved safety standards and
- 8 practices are necessary to better protect passengers in the event of
- 9 a charter bus crash.
- 10 (b) On April 10, 2014, in Orland, California, eight passengers
- 11 traveling on a charter bus, along with the driver, were tragically
- 12 killed in a freeway collision. In a report released in 2015, the
- 13 National Transportation Safety Board examined the crash and

1 made recommendations for safety improvements, including fire  
2 performance standards for interior materials, requiring pretrip  
3 safety briefings for passengers, improvements in vehicle design  
4 to facilitate evacuation, and the installation of event data recorder  
5 (EDR) technology for crash reconstruction and safety  
6 improvements.

7 (c) These improvements would significantly increase passenger  
8 safety and would reduce or prevent future deaths in traffic  
9 collisions involving charter buses.

10 *SEC. 2. Article 3.6 (commencing with Section 27425) is added*  
11 *to Chapter 5 of Division 12 of the Vehicle Code, to read:*

12

13 *Article 3.6. Charter-Party Carrier Safety Equipment*

14

15 *27425. (a) A charter-party carrier of passengers engaged in*  
16 *charter bus transportation shall ensure that a vehicle as described*  
17 *in paragraph (1) of subdivision (b) of Section 5363 of the Public*  
18 *Utilities Code is equipped with all of the following:*

19 *(1) Burn-resistant materials for occupant compartments.*

20 *(2) Emergency lighting fixtures with self-contained, independent*  
21 *power sources that will turn on in the event of an impact or*  
22 *collision.*

23 *(3) Interior and exterior luminescent or retroreflective*  
24 *emergency signage.*

25 *(4) An event data recorder capable of recording vehicle-related*  
26 *data in the event of sudden deceleration or hard braking.*

27 *(5) Windows that can be easily opened and remain open during*  
28 *an emergency.*

29 *(b) A vehicle as specified in subdivision (a), manufactured on*  
30 *or after July 1, 2017, shall also be equipped with a secondary door*  
31 *for use as an additional emergency exit.*

32 *27426. The department shall adopt, no later than July 1, 2017,*  
33 *standards and criteria for the implementation of the safety*  
34 *equipment requirements specified in Section 27425.*

35 *27427. This act does not alter or affect the requirements of the*  
36 *Passenger Charter-party Carriers' Act (Chapter 8 (commencing*  
37 *with Section 5351) of Division 2 of the Public Utilities Code).*

38 *SEC. 3. Section 34505.8 is added to the Vehicle Code, to read:*

39 *34505.8. (a) A charter-party carrier of passengers engaged*  
40 *in charter bus transportation shall ensure that the driver of a*

1 vehicle as described in paragraph (1) of subdivision (b) of Section  
2 5363 of the Public Utilities Code shall instruct all passengers on  
3 the safety equipment and emergency exits on the vehicle prior to  
4 the beginning of any trip and provide each passenger with written  
5 instructions that include, at a minimum, a demonstration of the  
6 location and operation of all exits, including emergency exits, and  
7 the importance of wearing a seatbelt, if available.

8 (b) Notwithstanding any other law, the department shall adopt,  
9 no later than July 1, 2017, standards and criteria for the  
10 implementation of the safety requirements specified in this section.

11 (c) This section does not alter or affect the requirements of the  
12 Passenger Charter-party Carriers' Act (Chapter 8 (commencing  
13 with Section 5351) of Division 2 of the Public Utilities Code).

14 ~~SEC. 2.— Section 5384.3 is added to the Public Utilities Code,~~  
15 ~~to read:~~

16 ~~5384.3.— (a) A charter-party carrier of passengers engaged in~~  
17 ~~charter bus transportation shall ensure that a vehicle as described~~  
18 ~~in paragraph (1) of subdivision (b) of Section 5363 is operated in~~  
19 ~~compliance with both of the following:~~

20 ~~(1) The driver of the vehicle shall instruct all passengers on the~~  
21 ~~safety equipment and emergency exits on the vehicle prior to the~~  
22 ~~beginning of any trip and provide each passenger with written~~  
23 ~~instructions that include, at a minimum, a demonstration of the~~  
24 ~~location and operation of all exits, including emergency exits, and~~  
25 ~~the importance of wearing a seatbelt, if available.~~

26 ~~(2) The vehicle shall be equipped with all of the following:~~

27 ~~(A) Burn-resistant materials for occupant compartments.~~

28 ~~(B) Emergency lighting fixtures with self-contained independent~~  
29 ~~power sources that will turn on in the event of an impact or~~  
30 ~~collision.~~

31 ~~(C) Interior and exterior luminescent or retroreflective~~  
32 ~~emergency signage.~~

33 ~~(D) An event data recorder capable of recording certain~~  
34 ~~vehicle-related data in the event of sudden deceleration or hard~~  
35 ~~braking.~~

36 ~~(E) Windows that can be easily opened and remain open during~~  
37 ~~an emergency.~~

38 ~~(b) A vehicle as specified in subdivision (a), manufactured on~~  
39 ~~or after July 1, 2017, shall also be equipped with a secondary door~~  
40 ~~for use as an additional emergency exit.~~

1 ~~(e) The Department of the California Highway Patrol shall~~  
2 ~~adopt, no later than July 1, 2017, standards and criteria for the~~  
3 ~~implementation of the safety requirements specified in paragraph~~  
4 ~~(2) of subdivision (a).~~

5 ~~SEC. 3.~~

6 *SEC. 4.* No reimbursement is required by this act pursuant to  
7 Section 6 of Article XIII B of the California Constitution because  
8 the only costs that may be incurred by a local agency or school  
9 district will be incurred because this act creates a new crime or  
10 infraction, eliminates a crime or infraction, or changes the penalty  
11 for a crime or infraction, within the meaning of Section 17556 of  
12 the Government Code, or changes the definition of a crime within  
13 the meaning of Section 6 of Article XIII B of the California  
14 Constitution.