

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 828

Introduced by Assembly Members Low and Chang
(Coauthor: Assembly Member Bonilla)

February 26, 2015

An act to amend Section 260 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 828, as amended, Low. Vehicles: transportation network companies.

Existing law defines “commercial vehicle,” for the purposes of the Vehicle Code, as a motor vehicle of a type required to be registered under that code that is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. Existing law, the Passenger Charter-party Carriers’ Act, provides for the regulation of transportation network companies by the Public Utilities Commission. Existing law defines a “transportation network company” to mean an organization, including, but not limited to, a corporation, limited liability company, partnership, sole proprietor, or any other entity, operating in California that provides prearranged transportation services for compensation using an online-enabled application or platform to connect passengers with drivers using a personal vehicle.

This bill would exclude from the definition of “commercial vehicle,” for purposes of the Vehicle Code, any motor vehicle operated in connection with a transportation network ~~company~~. *company, if specified conditions are satisfied.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 260 of the Vehicle Code is amended to
 2 read:
 3 260. (a) A “commercial vehicle” is a motor vehicle of a type
 4 required to be registered under this code used or maintained for
 5 the transportation of persons for hire, compensation, or profit or
 6 designed, used, or maintained primarily for the transportation of
 7 property.
 8 (b) Passenger vehicles and house cars that are not used for the
 9 transportation of persons for hire, compensation, or profit are not
 10 commercial vehicles. This subdivision does not apply to Chapter
 11 4 (commencing with Section 6700) of Division 3.
 12 (c) A vanpool vehicle is not a commercial vehicle.
 13 (d) (1) A motor vehicle operated in connection with a
 14 transportation network company, as defined in Section 5431 of
 15 the Public Utilities Code, is not a commercial ~~vehicle.~~ *vehicle if*
 16 *all of the following conditions are satisfied:*
 17 (A) *The vehicle is operated for passenger service only and is a*
 18 *passenger vehicle limited to seven passengers, not including the*
 19 *driver.*
 20 (B) *The vehicle is operated exclusively by the person to whom*
 21 *the vehicle is registered or insured.*
 22 (C) *The vehicle is not a paratransit vehicle.*
 23 (D) *The vehicle is not operated for public transit services.*
 24 (E) *The vehicle is not operated for school bus services.*
 25 (2) *This subdivision does not change the insurance requirements*
 26 *established under Section 5433 of the Public Utilities Code for a*
 27 *transportation network company and any participating driver.*
 28 *This subdivision does not change the insurance limitations set*
 29 *forth in Section 5434 of the Public Utilities Code.*
 30 (e) The definition of a commercial vehicle in this section does
 31 not apply to Chapter 7 (commencing with Section 15200) of
 32 Division 6.

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