

PANE & PANE ASSOCIATES, INC.

February 1, 2012

MEMO TO: CALIFORNIA BUS ASSOCIATION

FROM: Josh Pane and Donna Wetterer Pane
pane@cwo.com (916) 835-3036 or (916) 447-8982

RE: Legislative Update: Week of January 30, 2012

Now that the January 31st deadline to pass bills out of their “house of Origin” has passed, we have eliminated all those bills from the previous update that failed to meet that deadline. As you can see there are only two bills left from 2011 that remain active. All three meal period bills failed: SB 316 (Emmerson); SB 319 (Wyland) and SB 389 (Dutton) but there will be new ones introduced in the next few weeks before the February 24th deadline to introduce bills for the 2012 session. We anticipate that there will be another 1,500 bills introduced prior to that deadline, most in the last few days. As always, please don’t hesitate to contact us if you have any questions or need additional information at (916) 447-8982 or pane@cwo.com.

2011 Legislation Carried Over to 2012

AB 45 (Hill-D)) Charter-party carriers of passengers: alcoholic beverages: open containers. (A-6/14/2010) Sponsor: Author Staff: Graceila Castillo (916) 319-2019

Summary: This is the charter-party carrier bill that makes the driver the “police” for alcohol for underage persons that we have been trying to amend in order to remove CBA opposition. The June 14th amendments did nothing to improve this bill and, in fact, made it more confusing. Specifically, the bill would expand the application of those alcoholic beverage provisions that currently apply to limousines concerning passengers under 21 years of age by applying those requirements to the driver of any vehicle providing charter bus transportation for hire operated by a permitted or certificated carrier when the driver knows, or has reasonable reason to believe, that alcoholic beverages will be transported on the bus and accessible to passengers. The bill would also authorize a driver that terminates a contract of hire because of a minor's consumption of alcohol, rather than dropping off the offending passengers and their party at the point of origin of the ride, to drop the offending passengers and their party off at the customer's home, nearest police station, or any other point mutually agreed to by both parties, as long as the conditions are safe for the driver. The bill would subject the driver providing charter bus transportation to existing open container prohibitions and make the 3rd or subsequent violation of a specified open container prohibition by a driver of any vehicle used in the transportation of passengers for hire operating under a valid certificate or permit a misdemeanor.

STATUS: Passed Senate Utilities, Commerce and Communications on June 21st but double-referred to Senate Public Safety (AMENDMENTS FROM AUTHOR’S OFFICE ATTACHED FOR REVIEW)
CBA Position: OPPOSE

AB 1099 (Lowenthal-D) Commercial motor vehicles: emissions standards (A-7/12/11)

Summary: This bill would require the Department of Motor Vehicles to refuse registration for any commercial motor vehicle subject to registration that is of a 1996 or older model year with a gross vehicle weight rating of more than 26,000 pounds, except for any construction truck that is subject to an extension pursuant regulations adopted by the board as determined by the department. The bill would also exempt from this requirement a commercial motor vehicle registered in California prior to January 1, 2012, if the commercial motor vehicle is continuously registered, as specified, or is certified nonoperational after January 1, 2012.

STATUS: Senate Appropriations Suspense File

#