

**PUBLIC UTILITIES COMMISSION**

Office of Governmental Affairs  
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Sacramento, CA 95814  
(916) 327-3277



May 15, 2009

The Honorable Dave Jones  
State Capitol, Room 6005  
Sacramento, CA 95814

**RE: AB 636 (Jones) – As Amended April 13, 2009 – Support**  
**Status: Senate Rules Committee**

Dear Assemblyman Jones:

On May 7, the California Public Utilities Commission (Commission) voted unanimously to support AB 636. The revocation of a carrier's operating authority for knowingly employing an unqualified driver might appear as overly harsh for a first-time offender. However, the tragic Colusa bus accident demonstrates that additional safeguards need to be in place to prevent unqualified drivers from operating buses. This bill would provide significant sanctions for charter-party carriers and their drivers who jeopardize public safety.

The Commission supports the direction of this bill. However, we would like to suggest some amendments for your consideration as follows: 1) remove the requirement that the Commission revoke the authority of a carrier found to be operating without a permit (since no permit exists to revoke) and 2) remove the requirement that a carrier which has its vehicle impounded shall have a right to an expedited hearing by the Commission. These impounded vehicles should be treated the same as vehicles impounded by public agencies. Thus, the CHP which is the impounding agency per Vehicle Code Sections 14602.6(b) and 22852(a), would be the appropriate agency for hearing recourse.

Please see the attached analysis for a more detailed explanation of the Commission's position.

If you have any questions or wish to discuss this matter further, please do not hesitate to call me at (916) 327-7788.

Sincerely,

MICHAEL POE  
Legislative Liaison

Attachment

cc: Members, Assembly Utilities & Commerce Committee  
Gina Adams, Assembly Utilities & Commerce Committee  
Daryl Thomas, Assembly Republican Caucus/Policy  
John Moffatt, Chief Deputy Legislative Secretary, Office of Governor Arnold Schwarzenegger