

## PUBLIC UTILITIES COMMISSION

Office of Governmental Affairs

770 L Street, Suite 1230  
Sacramento, CA 95814  
(916) 327-3277

June 17, 2009

The Honorable Alex Padilla, Chair  
Senate Energy, Utilities & Communications Committee  
State Capitol, Room 4038  
Sacramento, CA 95814

**RE: AB 636 (Jones) – As Amended April 13, 2009 – Support**  
**Status: Senate EU&C Hearing – June 30, 2009**

Dear Senator Padilla:

On May 7, 2009, 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,

A handwritten signature in cursive script that reads "Michael Poë".

MICHAEL POE  
Legislative Liaison

Attachment

cc: The Honorable Dave Jones, Member, California State Assembly  
Members, Senate Energy, Utilities and Communications Committee  
Melissa Macias, Senate Energy, Utilities and Communications Committee  
Wade Teasdale, Senate Republican Caucus/Policy  
John Moffatt, Chief Deputy Legislative Secretary, Office of Governor Arnold Schwarzenegger