

FINAL BILL REPORT

SSB 5362

C 233 L 15
Synopsis as Enacted

Brief Description: Concerning the regulation of passenger charter and excursion carriers.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators King and Liias; by request of Utilities & Transportation Commission).

Senate Committee on Transportation
House Committee on Transportation

Background: Under current law, the Utilities and Transportation Commission (UTC) regulates various transportation industries, including passenger charter and excursion carriers. A charter party carrier is a service engaged in the transportation of a group of persons who under a single contract have acquired the use of a motor bus to travel together to a specified destination or for a particular itinerary. An excursion service carrier is a service, which may be regularly scheduled, engaged in the transportation of persons for compensation from points of origin to any other locations within the state of Washington and returning to that origin.

Current law does not specifically state that a service providing transportation of persons by party bus, in which food, beverages, or entertainment may be provided, is legally engaged in the business of a charter party carrier or excursion service carrier.

The following are not subject to charter and excursion carrier regulations: (1) persons operating motor vehicles wholly within the limits of incorporated cities; (2) persons operating taxicabs, hotel buses, or school buses; (3) passenger vehicles carrying passengers on a noncommercial basis; or (4) limousine charter party carriers.

Summary: Transporting persons by party bus over any public highway is specifically considered in law as engaging in the business of a charter party carrier or excursion service carrier, subject to UTC regulation.

The following provisions relating to the consumption of alcohol aboard charter and excursion carriers are specified:

- If alcoholic beverages are served or consumed aboard a party bus, the holder of the alcohol permit must (1) be on the party bus or reasonably proximate and available to the vehicle during the transportation service, (2) monitor and control party activities

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- to prevent driver distraction, and (3) assume responsibility for compliance with the alcohol permit;
- If the carrier operating the party bus is the permit holder, then the carrier must have a person other than the driver satisfy the alcohol permit holder requirements;
- If at any time the carrier operating the party bus believes that the conditions aboard the vehicle are unsafe due to party activities involving alcohol, the carrier must remove all alcoholic beverages and lock them in the trunk or other locked compartment; and
- Any carrier in violation of the alcohol-related provisions is subject to a penalty of up to \$5,000 per violation.

A carrier may not knowingly allow any passenger to smoke aboard a carrier's vehicle. Smoke is defined as the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

The exemption from UTC regulations for persons operating motor vehicles wholly within the limits of incorporated cities is removed.

Engaging in the business of a charter party carrier or excursion service carrier is clarified to include certain advertising activities. Engaging in the carrier business without a valid UTC certificate subjects the violator to a penalty of up to \$5,000 per violation.

Votes on Final Passage:

Senate	42	6	
House	97	0	(House amended)
Senate	44	2	

Effective: July 24, 2015