



CONSUMER NEWS

SAN DIEGO CITY ATTORNEY'S OFFICE

Party Buses

July 2011

Young adults and teenagers often hire buses for special events. These vehicles, known as “party buses,” have increased in popularity across the country.

There are very few laws that regulate party bus operators. This newsletter explains these laws and the activities that are and are not regulated.

WHAT IS A PARTY BUS?

A party bus is a school or charter bus with a renovated interior. The buses typically have seating for large groups and come equipped with features like stripper poles, dance floors, upgraded sound systems, fog machines, lasers and strobe lights.

These vehicles are used for purely recreational purposes, and are usually hired to chauffeur prom-goers, wedding parties, or groups of friends to and from events, or simply take passengers on “booze-cruise” excursions in which the driver spends the evening shuttling passengers to several bars and clubs.

SAFETY CONCERNS:

The biggest concerns regarding party buses stem from passengers drinking alcohol while on board the vehicles. Bus drivers are under no legal obligation to check the age of passengers. Passengers usually supply their own alcohol on the buses and there is no law that precludes drinking alcohol on a bus.

There have been incidents where passengers on party buses have become unruly and have hurt one another. In Los Angeles, passengers on a party bus shot one another. The LAPD notes the rise of assaults, public drunkenness and conflicts between unruly party bus passengers.

Passengers who drink on a party bus may drive their own vehicles home after the bus ride, impaired and posing a danger to others on the road. In February 2010, a 19 year-old teenager from Northern California died when he crashed his car after celebrating his friend's twenty-first birthday on a party bus. His blood alcohol level was more than three times the legal limit.

Party buses are often booked to transport young people to high school dances or other large social events like festivals and concerts. These buses often do not have parent chaperones. Last month, charges were filed against a 17 year-old high school student in Massachusetts after a 16 year-old classmate accused him of sexually assaulting her on the bus and raping her in the parking lot. The victim believes she was drugged from an alcoholic drink handed to her on the party bus, which was en route to a concert. The concert-goers on the party bus were all high school students.

CALIFORNIA LAW:

Party bus operators must have a charter bus license issued by the California Public Utilities Commission (CPUC). The desired distance of transportation from the company's home terminal determines the type of license requested, and the filing fees range from \$500 to \$1,500. In addition to the license application, the operators must provide evidence of liability insurance and workers'

compensation insurance, participate in the Dept. of Motor Vehicles Employer-Pull-Notice System and the CPUC's drug and alcohol testing program, and undergo a California Highway Patrol safety inspection.

Once hired, the driver of a party bus must have a waybill that includes the following information:

- Name of carrier and TCP number
- Vehicle license plate number
- Driver's name
- Name and address of person arranging the charter
- Time and date when charter was arranged
- Whether the transportation was arranged by telephone or written contract
- Number of persons in the charter group
- Name of at least one passenger in the traveling party, or identifying information of the traveling party's affiliation
- Points of origin and destination.

Violations of these laws occurring within the City of San Diego are prosecuted by the City Attorney's Consumer & Environmental Protection Unit.

Currently, a party bus owner or driver has no duty to prevent underage drinking on board the vehicle. California law holds limousine companies responsible for underage drinking on board their vehicles, but party buses are not classified as limousines.

Proposed legislation (California Assembly Bill 45) would expand the existing Public Utility Code section regulating limousine companies to include party bus

companies. If passed, the law would require party bus drivers to check identification of all passengers, read a statement to inform passengers that underage drinking is unlawful, and obtain signatures from all underage passengers. Also, upon discovery of alcoholic consumption by an underage passenger, the driver would be obligated to drop off the offending passengers at the customer's home, nearest police station, or any other point mutually agreed to by both parties, or risk facing fines of \$2,000, license suspension, revocation, and misdemeanor charges.

TIPS FOR PARENTS:

- Discuss the importance of drinking responsibly with your children.
- If your underage son or daughter requests a party bus or has plans to go on a party bus excursion, make it clear that alcohol is not allowed.
- Arrange rides to and from the point of origin to prevent your son or daughter from driving under the influence of alcohol.
- Familiarize yourself with your son's or daughter's friends who will ride on the party bus.
- Talk to the party bus company and driver to ensure that they will not tolerate underage drinking.
- Check the vehicle for the charter-party carrier number displayed to ensure that they are licensed by the CPUC.
- The CPUC website (<http://www.cpuc.ca.gov>) provides a list of licensed limo and party bus companies.

- If you are planning to hire a party bus, call the California Public Utilities Commission at 1-800-894-9444 to check if the business is licensed and insured, and whether consumers have filed any complaints against the company.

COMPLAINTS ABOUT PARTY BUS EXPERIENCES:

Complaints against party bus companies may be filed by contacting the CPUC. Email CIU_intake@cpuc.ca.gov, call 1-800-894-9444, or writing the, CPUC Consumer Protection and Safety Division, 505 Van Ness Avenue, San Francisco, CA 94102. Complaint forms can be found on the CPUC website: <http://www.cpuc.ca.gov/static/forms/complaints/psg+complaint+form.pdf>

**San Diego
City Attorney's Office
Consumer and Environmental
Protection Unit
(619) 533-5600**

Newsletter written by Legal Intern Jennifer Bautista

.....
Sources: Los Angeles Times, The Sun Chronicle, California Assembly Bill 45 and Public Utilities Code Section 5384.1

The information provided in this newsletter is intended to convey general information and is not intended to be relied upon as legal advice.

To report violations of consumer protection laws, call the City Attorney's Hotline at **(619) 533-5600**.