STATE OF CALIFORNIA GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

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Agenda ID #24644
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TO PARTIES OF RECORD IN RULEMAKING 12-12-011:

This is the proposed decision of Commissioner Matthew Baker. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's December 17, 2026, Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

/s/ MICHELLE COOKE
Michelle Cooke
Chief Administrative Law Judge

MLC:hma
Attachment

COM/MBK/hma **PROPOSED DECISION** **Agenda ID #24644**
Quasi-Legislative

Decision **PROPOSED DECISION OF COMMISSIONER BAKER**
(Mailed 11/13/2026)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online Enabled Transportation Services.	Rulemaking 12-12-011

DECISION ON UBER TECHNOLOGIES, INC. AND LYFT, INC.'S JOINT PETITION FOR MODIFICATION OF RESOLUTION TL-19129 ADOPTING GENERAL ORDER 157-E AND DECISION 16-04-041

Summary

This decision denies the request of the *Petition of Uber Technologies, Inc. and Lyft, Inc. for Modification of Resolution TL-19129 Adopting General Order 157-E and Decision 16-04-04* to amend Section 4.05 of General Order 157-E and Ordering Paragraphs 1 and 2 of Decision 16-04-041. Ordering Paragraphs 1 and 2 of Decision 16-04-041 require that all Transportation Network Companies ensure that vehicles on their respective platforms undergo a 19-point vehicle inspection by a facility licensed by the California Bureau of Automotive Repair prior to initial operation and upon accruing 50,000 miles, or every 12 months, whichever occurs first. We deny the Petitioners' request to trigger the 19-point vehicle inspection upon a vehicle accruing 40,000 while engaged on a Transportation Network Company's platform (in-app), or every 12 months, whichever occurs first, because Petitioners have unsuccessfully raised this argument previously

and have failed to set forth any new facts or changed circumstances as required by Rule 16.4 of the Commission's Rules of Practice and Procedure.

But the Commission does, on its own motion, modify the above vehicle inspection requirement for any vehicle engaged on a Transportation Network Company's platform to undergo the 19-point vehicle inspection by a facility licensed by the California Bureau of Automotive Repair prior to initial operation and on an annual basis, regardless of the number of, or manner of, miles accrued, after the vehicle has been introduced into service. This modification addresses Petitioners' claimed difficulty in trying to distinguish between a personal vehicle's in-app versus personal-use miles accumulated and promotes greater driver and passenger safety as it ensures certainty when the vehicle inspections will occur. Finally, and for the sake of consistency, the Commission also does, on its own motion, modify Part 4.05 of General Order-157 so this new annual vehicle inspection requirement applies to licensed Charter Party Carriers.

Rulemaking 12-12-011 remains open.

1. Factual and Procedural Background

On December 20, 2012, the Commission opened Rulemaking (R.) 12-12-011 to address new online-enabled forms of transportation.

On September 19, 2013, the Commission adopted Decision (D.) 13-09-045 which created a new category of charter-party carrier (TCP) of passengers, called Transportation Network Companies (TNCs) that utilize an "online-enabled app or platform to connect passengers with drivers using their personal vehicles."[1] D.13-09-045 set forth the various requirements that TNCs must comply with to

[1] *Decision Adopting Rules and Regulations to Protect Public Safety While Allowing New Entrants to the Transportation Industry.*

operate in California.[2] D.13-09-045, at Ordering Paragraph (OP) 9, also provided that there would be a Phase II in this proceeding.[3]

The Commission issued D.16-04-041, the Phase II decision, on April 26, 2016.[4] Among the issues that the decision addressed was "[s]hould the Commission require all TCPs, including TNCs, to inspect vehicles on a biennial, mileage or other basis, and to maintain and make available a record of each inspection?"[5] The decision held that all TCPs, including TNCs, must have their vehicles inspected every 12 months or 50,000 miles, whichever occurs first, after being introduced into service.[6]

In reaching this conclusion, the Commission rejected arguments Lyft, Inc. (Lyft) made in its opening comments in which it advocated against a mileage-based inspection requirement.[7] Lyft argued that because TNC drivers use their personal vehicles, it is not possible for TNCs to measure the vehicles' in-app versus personal-use mileage.[8] Because of this claimed inability, Lyft asserted that there was no way for Lyft to differentiate between mileage accumulated from personal and TNC uses.[9] In rejecting Lyft's argument, the decision explained:

> [w]hile annual inspections should be sufficient to ensure public safety and consumer protection in cases where a vehicle is driven for incidental or 'part time' TNC service, some vehicles may be driven frequently and should therefore

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[2] *Id*., Ordering Paragraph 1 and Section 2.2.4 of the decision.

[3] *Id*.

[4] *Decision on Phase II Issues and Reserving Additional Issues for Resolution in Phase III*.

[5] D.16-04-041 at 7.

[6] *Id.* at OP 1.

[7] *Opening Comments of Lyft on Assigned Commissioner and Administrative Law Judge's Ruling Amending the Scoping Memo and Ruling for Phase II of Proceeding* at 3–4.

[8] *Id.*

[9] *Id.* at 4.

> be subject to inspection based on their accumulated mileage. Lyft's distinction between miles driven for personal as opposed to commercial purposes does not support its position against a mileage-based inspection, as TNCs would not need to separately track miles driven based on purpose (i.e., personal vs. commercial); they would only need to track total mileage (i.e., for any purpose) starting from the vehicle's most recent inspection.[10]

On October 29, 2018, the Commission issued Resolution TL-19129 adopting General Order (GO) 157-E and D.16-04-041. Section 4.05 of GO 157-E states, in relevant part,

> [a]ll charter-party carriers, including TNCs, shall ensure that every vehicle utilized in its operations undergoes a 19-point vehicle inspection at a facility licensed by the California Bureau of Automotive Repair prior to initial operation and every 12 months or 50,000 miles thereafter.

On July 10, 2026, Lyft and Uber Technologies, Inc. (Uber) (together, Petitioners) filed *Petition of Uber Technologies, Inc. and Lyft, Inc. for Modification of Resolution TL-19129 Adopting General Order 157-E and Decision 16-04-041* (*Joint Petition for Modification*). Petitioners' proposed amendments would require TNCs to have their vehicles inspected after 40,000 miles accrued while engaged on a TNC's platform (in-app) or every 12 months, whichever occurs first, following the initial inspection.[11]

2. Submission Date

This matter was submitted on July 10, 2026, upon filing of Petitioners' *Joint Petition for Modification*.

[10] D.16-04-041 at 15.

[11] *Joint Petition for Modification* at 1–2.

3. Issues Before the Commission

The issue is whether the Commission should amend TL-19129 adopting General Order 157-E and D.16-04-041 in accordance with Uber and Lyft's *Joint Petition for Modification*.

4. Petition for Modification

4.1. Standard of Review

Pursuant to Rule 16.4 of the Commission's Rules of Practice and Procedure, a petition for modification asks the Commission to make changes to an issued decision.[12] Petitioners must state the justification for the requested relief, with the allegation of new or changed facts supported by an appropriate declaration or affidavit,[13] propose specific wording to carry out all requested modifications to the decision,[14] and file and serve the petition on all parties to the proceeding in which the decision proposed to be modified was made.[15] If the petition was filed more than a year after the decision's effective date, then petitioners must explain why the petition could not have been presented within one year.[16]

The Commission has considerable discretion when ruling on a petition for modification pursuant to its Public Utilities Code (Pub. Util. Code) Section 1708 authority.[17] In line with *res judicata* principles, Section 1708 authority to alter past decisions "must be exercised with great care and justified by extraordinary

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[12] Rule 16.4(a). Unless otherwise indicated, all subsequent Rule references are to the Rules of Practice and Procedure.

[13] Rule 16.4(b).

[14] *Id.*

[15] Rule 16.4(c).

[16] Rule 16.4(d).

[17] Rule 16.4; *see also PG&E Corp. v. Public Utilities Com.* (2004) 118 Cal.App.4th 1174, 1215 (Pub. Util. Code Section 1708, which authorizes the Commission to "rescind, alter, or amend any order or decision made by it," is permissive).

circumstances."[18] Accordingly, petitions for modification are granted only upon "a persuasive indication of significant new facts or a major change in material circumstances, which would create a strong expectation that we would make a different decision based on these facts or circumstances."[19] Petitioners bear the burden of "presenting sufficient information to indicate a substantial likelihood that further investigation would yield changed results."[20]

Petitions for Modification are not substitutes for Applications for Rehearing.[21] Petitions for Modification should be denied where petitioners exclusively raise issues which are re-litigation of issues that were decided in the decision to be modified.[22] Accordingly, the Commission will only consider issues raised in the petition if the petitioner has provided new facts or changed circumstances, properly supported by the appropriate declaration or affidavit.[23]

4.2. The Joint Petition Fails to Meet the Procedural and Substantive Standards for Modification of a Prior Decision

4.2.1. Procedural Standards

We deny the *Joint Petition for Modification* on timeliness grounds. If more than one year has elapsed from the effective date of the decision proposed to be modified, Rule 16.4(d) requires petitioners to explain why the petition could not have been presented within one year. Resolution TL-19129 was issued on October 29, 2018, and Petitioners fail to explain why the *Joint Petition for Modification* could not have been presented within the one-year deadline.

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[18] D.92058 at 14–15.

[19] *Id.* at 16.

[20] *Id.*

[21] D.11-10-034 at 5.

[22] *Id.*

[23] *Id.*

Instead, Petitioners try to satisfy the one-year deadline by tying their filing with Resolution TEB-001, an Administrative Consent Order and Agreement between the Commission's Consumer Protection and Enforcement Division (CPED) and Uber regarding the compliance with the 19-point vehicle inspection requirements, which was dated February 5, 2026, and issued on February 9, 2026. They admit that the vehicle inspection requirements "are not new,"[24] but assert that it wasn't until Resolution TEB-001 was issued that "TEB[25] made [it] clear that TNCs' substantial compliance efforts up until 2019 to 2022 are not sufficient."[26]

But Resolution TEB-001 neither changed nor adopted new vehicle inspection requirements to trigger a new one-year statute of limitations in which to file the instant *Petition for Modification*. Instead, Resolution TEB-001 memorialized the Consumer Protection and Enforcement Division's investigations into Uber's compliance with GO 157-E's vehicle inspection requirements over the three-year period from September 1, 2019, to August 31, 2022. Thus, Resolution TEB-001's conclusions did not alter the vehicle inspection requirements that had been in effect since they were codified into GO 157-E, at Section 4.05. Nor did Resolution TEB-001's findings regarding Uber's failure to comply with the vehicle inspection requirements represent, as Petitioners' claim, "a fundamental shift…from long-standing administrative norms [that] constitutes a material change in circumstances, necessitating this Petition[.]"[27]

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[24] *Joint Petition for Modification* at 4.

[25] TEB stands for Transportation Enforcement Branch, which is a subdivision of CPED and is responsible for ensuring that all TCPs and TNCs comply with the Commission's statutory and regulatory requirements for the provision of safe and reliable transportation to the public. (TEB-001 at 2.)

[26] *Joint Petition for Modification* at 4.

[27] *Id.*, at 5.

Since their codification over eight years ago, the vehicle inspection requirements were mandatory for every TNC vehicle operating in California.

4.2.2. Substantive Standards

Even if we were to consider the *Joint Petition for Modification* as timely filed, it must be denied on substantive grounds. Rule 16.4(b) requires that factual allegations must be supported with specific citations to the record in the proceeding or to matters that may be officially noticed. In the *Joint Petition for Modification*, Petitioners failed to set forth any new facts nor can they as they admit that the vehicle inspection requirements and their apparent challenges in complying with same "are not new."[28]

Moreover, the *Joint Petition for Modification* fails to set forth credible changed circumstances. Petitioners claim a changed circumstance in TEB's transition toward a "strict-compliance enforcement model with respect to vehicle inspection requirements."[29] Yet Petitioners' own assertions undermine this argument. Petitioners admit that industry practices have remained consistent for a decade.[30]

Nor do Petitioners demonstrate that the Commission's staff in the past displayed laxity towards ensuring scrupulous compliance with the vehicle-inspection requirements. In fact, such an attitude by the Commission's staff would be contrary to the strict adherence to the rules and requirements of the Commission that parties authorized to conduct business in California must comply with or risk being fined or penalized.[31] TEB has been and continues to be responsible for ensuring all TCPs and TNCs comply with the Commission's

[28] *Id.*, at 4.

[29] *Id.*, at 5.

[30] *Id.*

[31] See, e.g. Public Utilities Code Sections 702, 2107, 2108, 2109, 2111, 2112, 2113, and Rule 1.1.

regulatory requirements for the provision of safe and reliable transportation to the public.[32] Thus, the recently affirmed requirement of unwavering adherence to or enforcement of an existing GO does not constitute a changed circumstance. It merely confirms the long-standing requirement of compliance expected of all TNCs permitted to operate in California.

The other material facts cited by Petitioners—personal use of TNC vehicles and the resulting difficulties with monitoring total mileage—were raised in the original proceeding.[33] Petitioners have failed to introduce new facts or changed circumstances and are, instead, attempting to re-litigate issues decided in D.16-04-041.

Even if these other material facts constitute either new facts or changed circumstances, they don't rise to the "persuasive indication" that the Commission should modify TL-19129. In the rulemaking culminating in the decision to be modified, Lyft argued that compliance with the inspection requirement would be difficult due to challenges with tracking vehicles' mileage.[34] In dismissing this argument in the original decision,[35] D.16-04-041 clarified that the purpose of a mileage-based inspection threshold is to impose greater inspection requirements on vehicles that are more frequently driven.[36] TNC vehicles deteriorate when driven for personal use, just as much as when they are driven for TNC service. Accordingly, total mileage is a more appropriate measurement of the vehicle's wear and tear than in-app mileage. Thus, even if we considered the difficulty in tracking in-app mileage a changed circumstance,

[32] Resolution TEB-001, at 2.

[33] D.16-04-041, at 13.

[34] *Id.*; *Joint Petition for Modification*, at 4.

[35] D.16-04-041, at 15.

[36] *Id.*

the information provided by Petitioners does not amount to a major change that would indicate a substantial likelihood that further investigation would yield the changed results for which the Petitioners are seeking.

For these reasons, Petitioners' *Joint Petition for Modification* is denied.

5. Modification of the Vehicle-Inspection Requirements on the Commission's Own Motion

While we decline to adopt Petitioners' proposal that only in-app miles traveled be counted towards satisfying a 40,000-mile threshold to trigger the 19-point vehicle inspection, we do acknowledge that Petitioners have raised a concern that we believe warrants a modest adjustment to the vehicle inspection requirements. Petitioners point out that they do not rely on a fleet of commercially dedicated vehicles that they own and operate, and that, instead, individual drivers utilize their personal vehicles on a flexible basis to provide TNC passenger service. [37] On a given day, a driver using their personal vehicle to provide TNC service may log on and off of the app as needed to use the vehicle to perform personal tasks.[38] This being the case, Petitioners assert that it is impossible for "any TNC whose business model fundamentally relies on individuals utilizing their personal vehicles on a flexible basis, to determine precisely when a vehicle that operates on its platform reaches the relevant mileage threshold[.]"[39]

The Commission does not quarrel with the legitimacy of this concern. Yet it does not lead us to conclude that only in-app miles driven should count toward triggering the vehicle-inspection requirements. Instead, and for the reasons that follow, the Commission believes that it would be more efficient to

[37] *Joint Petition for Modification* at 4.

[38] *Id*.

[39] *Id*.

require each vehicle that is being used to provide TNC service to undergo the 19-point vehicle inspection prior to initiating operations and on an annual basis, regardless of the total and type of miles accumulated. The Commission will, therefore, utilize its inherent authority pursuant to Rule 16.4 and Pub. Util. Code Section 701 to make this modification to Resolution TL-19129, Section 4.05 of GO 157-E, and Ordering Paragraphs 1 and 2 of D.16-04-041.

There are safety and efficiency benefits to this modification. First, requiring annual inspections of TNC vehicles would satisfy the Commission's ongoing duty to promote driver and passenger safety by providing certainty when the annual vehicle inspections must occur. Compliance with a time-based versus miles-based inspection threshold is the first step in ensuring that wear and tear evident in vehicles subject to high usage will be identified and cured on a regular basis.

Second, we believe that a time-based inspection threshold may provide the same safety benefits that prompted the Commission to initially adopt the time-based/miles-based alternative threshold. But when the Commission initially imposed this alternative threshold, the TNC industry was still a nascent business, and the Commission did not have the benefit that it now has of over 10 years of annual reports plus other data in which to engage driver operations and overall vehicle safety. Now that the Commissioner has seen how drivers accumulate miles on their personal vehicles for both TNC passenger-related and personal trips, imposing a strict annual reporting requirement on all TNC vehicles providing passenger service guarantees that a consistent inspection threshold will be applied regardless of the number of miles traveled.

Third, the modification will enhance TNC efficiency in making sure that inspections occur on a timely basis. When TEB conducted its investigation that led to the issuance of TEB-001, it claimed to have found instances where (1) Uber

failed to ensure that its vehicles received the vehicle inspections at either the 12-month or every 50,000 miles and that its waitlisting practices were inconsistent; (2) Uber did not track total accumulated mileage and accepted inspection forms with incorrect dates or mileage; and (3) there were inconsistencies in Uber's inspection compliance records.[40] By streamlining the inspection trigger to an annual basis, TNCs will not need to distinguish and track in-app miles traveled and personal-use miles travelled to determine if the 50,000 mile threshold has been triggered.

Third, the annual inspection requirement will also permit TNCs to utilize their resources more efficiently. TNCs may be able to develop other means of improving passenger safety without having to confront the admittedly daunting task of trying to track in-app versus personal-use miles accumulated to determine if the vehicle-inspection requirement has been triggered. Petitioners point out that at least Uber has undertaken "substantial efforts" to enhance vehicle tracking to reduce safety risks to the public.[41] Simplifying the threshold process will allow all TNCs permitted in California to focus on enhancing the safety of their transportation services without having to resolve the in-app miles traveled and personal-use miles travelled conundrum.

Finally, not only is an annual TNC vehicle-inspection requirement more verifiable than a miles-based requirement, it is administratively consistent with jurisdictions across the country that also regulate TNCs. Straight annual vehicle

[40] TEB-001 at 3.

[41] *Joint Petition for Modification at 4,* footnote 15.

inspection requirements are mandated in Massachusetts,[42] Chicago, Illinois,[43] Washington D.C.,[44] and Portland, Oregon.[45] Lyft also requires annual inspections in markets such as Denver, Colorado,[46] Albuquerque, New Mexico,[47] and Minneapolis and St. Paul, Minnesota.[48] Our research has not revealed any evidence that an annualized vehicle-inspection requirement compromises driver and passenger safety, or that the TNCs have had any difficulty in satisfying this requirement.

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[42] -Massachusetts General Law Section 2(f): https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXII/Chapter159A1~2/Section2- Department of Public Utilities regulations (reflects the General Law), 220 CMR 274.08: https://www.mass.gov/files/220_cmr_274_00_final_9-22-17_1.pdf

[43] Municipal Code of Chicago, Chapter 9-115, Section 9-115-110: https://codelibrary.amlegal.com/codes/chicago/latest/chicago_il/0-0-0-2649363#JD_9-115-110

[44] Code of the District of Columbia, § 50–301.29a.(5): https://code.dccouncil.gov/us/dc/council/code/sections/50-301.29a

[45] -Portland City Code, Title 16, Chapter 16.40 (see Section G): https://www.portland.gov/code/16/40/250

[46] Lyft lists the Denver rules here: https://help.lyft.com/hc/en-us/all/articles/115013082048-Colorado-Driver-Information-Colorado

Public Utilities Commission set the annual inspections (see Section 6714): https://drive.google.com/file/d/0B8qvU2knU8BkSG9kMUlYYkFrejg/view?resourcekey=0-UnoW-UuLOmNUWm34wOwUTg -Colorado PUC TNC information page: https://puc.colorado.gov/transportation-rideshare/tnc-industry-information-july-2026

[47] Lyft lists New Mexico rules here including vehicle age: https://help.lyft.com/hc/en-us/all/articles/115013078428-New-Mexico-Driver-Information

-New Mexico Code: Title 18, Chapter 7, Part 1, 18.7.1.8 (for section on annual inspections): https://www.srca.nm.gov/parts/title18/18.007.0001.pdf

[48] Lyft lists their Minneapolis/St Paul requirements here: https://help.lyft.com/hc/en-us/all/articles/115012922747-Minnesota-Driver-Information

-Minneapolis Code (see Sec 343.80 and 343.90): https://library.municode.com/mn/minneapolis/codes/code_of_ordinances?nodeId=COOR_TIT13LIBURE_CH343TRNECO

-St Paul Code (see Sec. 373.08 and 373.09): https://library.municode.com/mn/st._paul/codes/code_of_ordinances?nodeId=PTIILECO_TITXXIXLI_CH373TRNECO

Finally, and for the sake of consistency, the Commission also does, on its own motion, modify Part 4.05 of General Order-157-E, so this new annual vehicle inspection requirement applies to licensed Charter Party Carriers. Such a result is consistent with the language of GO-157-E, Part 4.05 that applies the 19-point vehicle inspection to all charter party carrier vehicles, including TNC vehicles.

6. Summary of Public Comment

Rule 1.18 allows any member of the public to submit written comment in any Commission proceeding using the "Public Comment" tab of the online Docket Card for that proceeding on the Commission's website. Rule 1.18(a) requires that all written public comment submitted prior to the submission of the proceeding are part of the administrative record of the proceeding. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

There are no relevant public comments on the Docket Card.

7. Procedural Matters

This decision affirms all rulings made by the Administrative Law Judge and assigned Commissioner in this proceeding. All motions not ruled on are deemed denied.

8. Comments on Proposed Decision

The proposed decision of Commissioner Matthew Baker in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _____, and reply comments were filed on _____ by _____.

9. Assignment of Proceeding

Commissioner Matthew Baker is the assigned Commissioner and Robert M. Mason III is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. TL-19129 was issued on October 29, 2018.
2. Petitioners' *Joint Petition for Modification* was filed on July 10, 2026.
3. Strict enforcement of an existing GO by TEB does not constitute a changed circumstance.
4. The purpose of the mileage-based 19-point inspection requirement is to trigger additional required inspections based on a TNC vehicle's wear and tear.
5. Total mileage is a more accurate measure of a vehicle's wear and tear than in-app mileage.

Conclusions of Law

1. It is reasonable to conclude that Uber and Lyft's *Joint Petition for Modification* should be denied for failing to comply with the requirements of Rule 16.4 and for failing to state a compelling reason to modify TL-19129.
2. It is reasonable to conclude that requiring a vehicle used for TNC transportation services to undergo the 19-point inspection annually will address vehicle wear and tear and promote safety.
3. It is reasonable to conclude that requiring a vehicle used for TNC transportation services to undergo the 19-point inspection annually will free up TNC resources to investigate and develop other measures to promote TNC vehicle safety.
4. It is reasonable to conclude that Resolution TL-19129, Section 4.05 of GO 157-E, and Ordering Paragraphs 1 and 2 of D.16-04-041 should be modified to require that the 19-point inspection be performed annually without regard to miles traveled in the 12 months prior to the inspection.

O R D E R

IT IS ORDERED that:

1. Uber Technologies, Inc. and Lyft, Inc.'s *Joint Petition for Modification* is denied.

2. Resolution TL-19129 shall be amended as follows:

16. Paragraph 4.05, 19-Point Inspection, is amended to remove the requirements to display Commission-issued decals and replace with the 19-point inspection required for both TCP and TNC vehicles by D.16-04-041. The 19-point inspection for TNC vehicles shall be performed prior to initiating operations and annually thereafter.

3. Section 4.05 of General Order 157-E shall be amended as follows:

4.05--19-Point Vehicle Inspection. All charter-party carriers, including TNCs, shall ensure that every vehicle, except vehicles defined as a bus pursuant to California Vehicle Code § 233, and modified limousines as defined in Pub. Util. Code § 5361, utilized in its operations undergoes a 19-point vehicle inspection at a facility licensed by the California Bureau of Automotive Repair prior to initial operation and every 12 months thereafter.

4. Ordering paragraphs 1 and 2 of Decision 16-04-041 shall be amended as follows:

1. All charter-party carrier (TCP) vehicles, including Transportation Network Companies (TNC), shall be inspected by a facility licensed by the California Bureau of Automotive Repair (a) before the vehicle is first introduced into service as a TCP or TNC vehicle; and (b) every 12 months thereafter. TCPs and TNCs shall be responsible for ensuring that each of their vehicles/drivers' vehicles comply with this requirement and shall maintain records of such compliance for a period of three years. This requirement shall apply to drivers who are presently driving for TNCs, and

who will become TNC drivers after this decision is issued. Commission staff tasked with the oversight of TNC operations shall collect data from each TNC on the number of TNC vehicles that have traveled more than 12 months and shall report its findings to the Commission as part of its annual report.

2. Pursuant to Pub. Util. Code § 5389, Charter Party Carriers (TCPs), including Transportation Network Companies (TNC) shall maintain records for a period of three years demonstrating that all TCP vehicles and TNC vehicles/drivers' vehicles were inspected by a facility licensed by the California Bureau of Automotive Repair, within the applicable 12-month inspection interval h, and shall make such records available for inspection by the Commission.

5. Rulemaking 12-12-011 remains open.

This order is effective today.

Dated _____, at San Francisco, California