

## CONCURRENCE IN SENATE AMENDMENTS

AB 815 (Ortega)

As Amended July 2, 2025

Majority vote

**SUMMARY**

Prohibits a motor vehicle from being classified as a common carrier, commercial vehicle, for-hire vehicle, permissive use vehicle or livery solely for the reason that the policyholder is using the vehicle for public social services or social service transportation, as defined.

**Senate Amendments**

Clarified that this bill's provisions do not impair, affect, or change the rights, duties, or obligations of the employer of the named insured policyholder.

**COMMENTS**

This measure is modeled after an existing statute created in 1980 which states that no motor vehicle insured pursuant to a policy of insurance shall be classified as a common carrier, livery, or for-hire vehicle solely for the reason that the named insured is performing volunteer services for a nonprofit charitable organization or governmental agency consisting of providing social service transportation.

AB 815 is also narrow and targets a select class of essential drivers: those that provide public social services or social service transportation.

According to the proponents of the bill, social service workers who use their personal vehicles during their job as support or care staff for an individual with mental, physical, or behavioral conditions are at risk of misclassification as drivers of commercial or "for-hire" vehicles. Due to the gap left by these layers of coverage and the lack of legal guidance regarding the use of personal vehicles used by this workforce, insurance companies are determining these vehicles to be commercial or "for-hire."

**According to the Author**

According to the author, "Workers who provide essential support services for individuals with mental, physical, and behavioral health conditions are being misclassified by their auto insurance companies. The result is denied claims, unaffordable premiums, loss of coverage, or even forcing workers to drop clients or leave the industry entirely. These workers offer social service assistance to their clients, not commercial transportation of people or goods. AB 815 would prevent auto insurance companies from misclassifying these social service workers as commercial drivers for simply performing their duties to provide the critical services Californians need to live independent and fulfilling lives."

**Arguments in Support**

According to the California Behavioral Health Association, AB 815 addresses this misclassification by prohibiting insurers from classifying human services professionals as commercial drivers. This protects their ability to provide essential transportation services to clients who may need it. In addition, this bill prohibits insurers from increasing premiums on personal auto insurance policies solely because the enrollee provides transportation supports to

clients. By removing the undue financial burden from workers, they can continue to provide critical services to clients with disabilities, older adults, and clients with behavioral health needs.

### **Arguments in Opposition**

None on file.

### **FISCAL COMMENTS**

According to the Assembly Appropriations Committee, minor and absorbable costs to the Department of Insurance to update informational materials and ensure classification compliance.

### **VOTES:**

#### **ASM INSURANCE: 17-0-0**

**YES:** Calderon, Wallis, Addis, Alvarez, Ávila Farías, Berman, Chen, Ellis, Gipson, Hadwick, Harabedian, Krell, Nguyen, Ortega, Petrie-Norris, Michelle Rodriguez, Valencia

#### **ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

#### **ASSEMBLY FLOOR: 72-0-7**

**YES:** Addis, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

**ABS, ABST OR NV:** Aguiar-Curry, Bryan, Chen, Nguyen, Sanchez, Sharp-Collins, Wicks

#### **SENATE FLOOR: 37-0-3**

**YES:** Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Alvarado-Gil, Hurtado, Rubio

### **UPDATED**

VERSION: July 2, 2025

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