

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3288



Dear Permit Applicant:

California Labor Code Sections 3351 and 3352 require Corporations, Limited Liability Corporations (LLCs) and Partnerships to maintain a workers' compensation insurance policy for their employees, including officers, managing members and general partners, with certain exceptions. Assembly Bill No. 2883 revised those exceptions as follows:

- **Corporations**

Officers or members of the board of directors must own at least 15% of the issued and outstanding stock of the corporation. The Statement of Information filed with the California Secretary of State and the Driver Statement (see attached form PL 739-A) must state the ownership levels for each officer or director, if the officer or director is also a driver. The ownership information listed on the Driver Statement must be identical to the information filed with the Secretary of State in the Statement of Information. Any officer or director owning less than 15% of the stock of the corporation must be covered by workers' compensation insurance.

- **Limited Liability Company**

Managing Members can opt out of workers' compensation insurance by executing a written waiver of his or her rights under the laws governing workers' compensation by stating under penalty of perjury that he or she is a qualifying Managing Member (form TL-706K-LLC). Members other than Managing Members are employees and must be covered by workers' compensation. In order to comply with this requirement, all LLC's must file a current Statement of Information with the California Secretary of State specifying the name of and title of each Managing Member and Members.

- **General Partnership**

An individual who is a General Partner of a partnership can opt out workers' compensation insurance by executing a written waiver of his or her rights under the laws governing workers' compensation by stating under penalty of perjury that he or she is a qualifying General Partner. Any other Partners are employees and must be covered by workers' compensation. To comply with this requirement, all General Partnerships must file an updated Partnership Agreement (see attached) specifying the required information and title of each General Partner/Partner.

To receive a permit for any type of application (new, renewal, refile or transfer) the applicant must provide the necessary documents as stated above. Failure to comply with this Labor Code requirement may result in the suspension, subsequent revocation or denial of your authority.

Transportation License Section

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
LIMITED LIABILITY COMPANY EXCLUSION WAIVER**

PLEASE TYPE OR PRINT

Name of Carrier: _____ As shown on your permit, certificate, or application		
Passenger: PSG _____	Household Goods: MTR _____	Private Carrier: CA _____
Air: A _____	Vessel: VCC _____	VSL _____

All manager(s)-member(s) requesting exclusion

Pursuant to California Labor Code §§3351 and 3352, as amended by Assembly Bill 2883, effective January 1, 2017, the following may elect to be excluded from workers' compensation insurance coverage:

"An individual who is a general partner of a partnership or a managing member of a limited liability company, if that person elects to be excluded by executing a written waiver of his or her rights under the laws governing workers' compensation, stating under penalty of perjury that he or she is a qualifying officer or director, or a qualifying general partner or managing member, as applicable"

ACKNOWLEDGEMENT

I/we acknowledge that this exclusion does not relieve the limited liability company of any liability which may exist for excluded individuals as employees under workers' compensation or employer's liability laws.

I/we will notify the CPUC immediately in writing by submitting an amended form TL706K-LLC and a copy of the amended Statement of Information filed with, and endorsed by, the California Secretary of State.

I/we certify (or declare), under penalty of perjury, that we have read and understand the above requirement regarding exclusion from workers' compensation insurance coverage. I/we certify (or declare), under penalty of perjury, that the foregoing is true and correct.

The following manager(s)-member(s) wish(s) to be excluded under the compensation provisions of the laws governing workers' compensation. Please print and sign your name, then enter the signature date below.

PRINT MANAGER-MEMBER'S NAME	MANAGER-MEMBER'S SIGNATURE	DATE
PRINT MANAGER-MEMBER'S NAME	MANAGER-MEMBER'S SIGNATURE	DATE
PRINT MANAGER-MEMBER'S NAME	MANAGER-MEMBER'S SIGNATURE	DATE
PRINT MANAGER-MEMBER'S NAME	MANAGER-MEMBER'S SIGNATURE	DATE

(For more manager-member names, additional pages may be used)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA PARTNERSHIP AGREEMENT

This partnership agreement form must be attached to the original application when a partnership agreement has not been previously reduced to writing.

If the liability of any partner, or partners, to that portion of the public with whom the partnership transacts any of its business is intended to be a limited liability, the certificate required of limited partnerships by Section 15502 or 15621 of the Corporations Code must be executed and recorded and a copy thereof filed with this Commission in lieu of this form.

LIST THE FOLLOWING INFORMATION FOR EACH PARTNER

NAME	NAME
STREET ADDRESS	STREET ADDRESS
CITY STATE ZIPCODE	CITY STATE ZIPCODE
AREA CODE PHONE NUMBER	AREA CODE PHONE NUMBER
PERCENTAGE INTEREST	PERCENTAGE INTEREST

Use additional sheets if necessary

List the name(s) of the partner(s), who will be available to explain the operations and procedures of the partnership business and supply any requested records to authorized Commission representatives:

If there has been an agreement whereby a partner(s) is (are) to assume specific responsibilities such as management, etc., list the name(s) of such partner(s), and his (their) duties:

Name	Responsibility
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List the name(s) of any partner(s), who will not take an active part in the actual conduct of the partnership business:

CERTIFICATION

We certify (or declare), under penalty of perjury, that we have read and understand the partnership agreement stated above and that the foregoing is true and correct.

Date: _____
