

AMENDED IN ASSEMBLY MAY 31, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 67

Introduced by Assembly Member Firebaugh

December 7, 2000

An act to amend Sections 14100 and 35400 of, and to add Sections 12804.10 and 12804.15 to, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 67, as amended, Firebaugh. Vehicles: driver's license: length limitation.

(1) Under existing law, an applicant for a driver's license is required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires to drive. A class C driver's license includes authorization to operate a house car.

This bill would provide that the authority to operate a house car over 40 feet in length, excluding safety devices and safety bumpers is conditioned on receiving an endorsement issued by the Department of Motor Vehicles on a class C license upon passing a written and skills examination and submitting a specified medical form. ~~The bill would provide that any nonresident over 18 years of age and having in his or her immediate possession a valid appropriate class driver's license issued by a foreign jurisdiction may operate any house car over 40 feet in length in conformance with the changes proposed in (2) below.~~

(2) Under existing law, with specified exceptions, a 40-foot limitation is imposed on the length of vehicles that may be operated on the highways.

This bill would additionally except house cars of a length of up to 45 feet from that limitation when operating on certain highways.

(3) This bill would prohibit any person from operating a house car, as defined, unless the person has in his or her possession a valid driver’s license and a specified endorsement to permit operation of the house car. Because under other provisions of existing law, a violation of this prohibition would be an infraction, the bill would impose a state-mandated local program by creating a new crime.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(5) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12804.10 is added to the Vehicle Code,
2 to read:
3 12804.10. (a) Notwithstanding any other provision of law, a
4 person issued a class C license under paragraph (3) of subdivision
5 (b) of Section 12804.9 may drive any house car of 40 feet in length
6 or less without obtaining an endorsement described in subdivision
7 (b).
8 (b) Any person seeking to drive any house car over 40 feet in
9 length, excluding safety devices and safety bumpers, shall obtain
10 the endorsement described in this subdivision. The applicant for
11 that endorsement shall pass a specialized written examination and
12 demonstrate the ability to exercise ordinary and reasonable control
13 in operating that vehicle by driving it under the supervision of an
14 examining officer. Upon satisfactory completion of the
15 examination and demonstration, the applicant shall be issued an
16 endorsement by the department. Upon application for an
17 endorsement to operate this vehicle, and every two years
18 thereafter, the applicant shall submit medical information on a
19 form approved by the department.



1 ~~(c) Subject to Section 12502, any nonresident over 18 years of~~
2 ~~age having in his or her immediate possession a valid driver's~~
3 ~~license of the appropriate class issued by a foreign jurisdiction may~~
4 ~~operate any house car over 40 feet in length in conformance with~~
5 ~~paragraph (10) of subdivision (b) of Section 35400.~~

6 SEC. 2. Section 12804.15 is added to the Vehicle Code, to
7 read:

8 12804.15. (a) Notwithstanding Section 362, for purposes of
9 this section "house car" means a vehicle described in subdivision
10 (b) of Section 12804.10.

11 (b) No person may operate a house car unless that person has
12 in his or her possession a valid driver's license of the appropriate
13 class and an endorsement thereto issued by the department to
14 permit operation of the house car.

15 (c) An endorsement to drive a house car may be issued only if
16 the applicant meets both of the following conditions:

17 (1) The applicant successfully completes an examination
18 prescribed by the department to determine qualification for the
19 endorsement.

20 (2) Upon initial application and every two years thereafter, the
21 applicant submits medical information on a form approved by the
22 department to verify that the person meets the minimum medical
23 requirements established by the department for operation of a
24 house car.

25 (d) The department may deny, suspend, or revoke an
26 endorsement to drive a house car when the applicant does not meet
27 any requirement for the issuance or retention of the endorsement.

28 SEC. 3. Section 14100 of the Vehicle Code is amended to
29 read:

30 14100. (a) Whenever the department has given notice, or has
31 taken or proposes to take action under Section 12804.15, 13353,
32 13353.2, 13950, 13951, 13952, or 13953, the person receiving the
33 notice or subject to the action may, within 10 days, demand a
34 hearing which shall be granted, except as provided in Section
35 14101.

36 (b) An application for a hearing does not stay the action by the
37 department for which the notice is given.

38 (c) The fact that a person has the right to request an
39 administrative hearing within 10 days after receipt of the notice of
40 the order of suspension under this section and Section 16070, and



1 that the request is required to be made within 10 days in order to
2 receive a determination prior to the effective date of the suspension
3 shall be made prominent on the notice.

4 (d) The department shall make available notices, to accompany
5 the notice provided pursuant to this section, that provide the
6 information required pursuant to subdivision (c) in all non-English
7 languages spoken by a substantial number of the public served by
8 the department, and shall distribute the notices as it determines is
9 appropriate.

10 (e) The department shall implement the provisions of
11 subdivisions (c) and (d) as soon as practicable, but not later than
12 January 1, 1994.

13 ~~SEC. 4. Section 35400 of the Vehicle Code is amended to~~
14 ~~read:~~

15 ~~35400. (a) No vehicle shall exceed a length of 40 feet.~~

16 ~~(b) This section does not apply to any of the following:~~

17 ~~(1) A vehicle used in a combination of vehicles when the excess~~
18 ~~length is caused by auxiliary parts, equipment, or machinery not~~
19 ~~used as space to carry any part of the load, except that the~~
20 ~~combination of vehicles shall not exceed the length provided for~~
21 ~~combination vehicles.~~

22 ~~(2) A vehicle when the excess length is caused by any parts~~
23 ~~necessary to comply with the fender and mudguard regulations of~~
24 ~~this code.~~

25 ~~(3) (A) An articulated bus or articulated trolley coach that does~~
26 ~~not exceed a length of 60 feet.~~

27 ~~(B) An articulated bus or articulated trolley coach described in~~
28 ~~subparagraph (A) may be equipped with a folding device attached~~
29 ~~to the front of the bus or trolley if the device is designed and used~~
30 ~~exclusively for transporting bicycles. The device, including any~~
31 ~~bicycles transported thereon, shall be mounted in a manner that~~
32 ~~does not materially affect efficiency or visibility of vehicle safety~~
33 ~~equipment, and shall not extend more than 30 inches from the front~~
34 ~~of the bus or trolley coach when fully deployed. The handlebars~~
35 ~~of a bicycle that is transported on a device described in this~~
36 ~~subparagraph shall not extend more than 42 inches from the front~~
37 ~~of the bus.~~

38 ~~(4) A semitrailer while being towed by a motortruck or truck~~
39 ~~tractor, if the distance from the kingpin to the rearmost axle of the~~
40 ~~semitrailer does not exceed 40 feet for semitrailers having two or~~



1 ~~more axles, or 38 feet for semitrailers having one axle if the~~
2 ~~semitrailer does not, exclusive of attachments, extend forward of~~
3 ~~the rear of the cab of the motortruck or truck tractor.~~

4 (5) ~~A bus or house car when the excess length is caused by the~~
5 ~~projection of a front safety bumper or a rear safety bumper, or both.~~
6 ~~The safety bumper shall not cause the length of the vehicle to~~
7 ~~exceed the maximum legal limit by more than one foot in the front~~
8 ~~and one foot in the rear. For the purposes of this chapter, “safety~~
9 ~~bumper” means any device that is fitted on an existing bumper or~~
10 ~~which replaces the bumper and is constructed, treated, or~~
11 ~~manufactured to absorb energy upon impact.~~

12 (6) ~~A bus when the excess length is caused by a device, located~~
13 ~~in front of the front axle, for lifting wheelchairs into the bus. That~~
14 ~~device shall not cause the length of the bus to be extended by more~~
15 ~~than 18 inches, inclusive of any front safety bumper.~~

16 (7) ~~A bus when the excess length is caused by a device attached~~
17 ~~to the rear of the bus designed and used exclusively for the~~
18 ~~transporting of bicycles. This device may be up to 10 feet in length,~~
19 ~~if the device, along with any other device permitted pursuant to~~
20 ~~this section, does not cause the total length of the bus, including~~
21 ~~any device or load, to exceed 50 feet.~~

22 (8) ~~A bus operated by a public agency or a passenger stage~~
23 ~~corporation, as defined in Section 226 of the Public Utilities Code,~~
24 ~~used in transit system service, other than a schoolbus, when the~~
25 ~~excess length is caused by a folding device attached to the front of~~
26 ~~the bus which is designed and used exclusively for transporting~~
27 ~~bicycles. The device, including any bicycles transported thereon,~~
28 ~~shall be mounted in a manner that does not materially affect~~
29 ~~efficiency or visibility of vehicle safety equipment, and shall not~~
30 ~~extend more than 36 inches from the front of the bus when fully~~
31 ~~deployed. The handlebars of a bicycle that is transported on a~~
32 ~~device described in this paragraph shall not extend more than 42~~
33 ~~inches from the front of the bus. A device described in this~~
34 ~~paragraph may not be used on any bus which, exclusive of the~~
35 ~~device, exceeds 40 feet in length or on any bus having a device~~
36 ~~attached to the rear of the bus pursuant to paragraph (7).~~

37 (9) ~~A bus of a length of up to 45 feet when operating on those~~
38 ~~highways specified in subdivision (a) of Section 35401.5. The~~
39 ~~Department of Transportation or local authorities, with respect to~~
40 ~~highways under their respective jurisdictions, shall not deny~~



1 reasonable access to a bus of a length of up to 45 feet between the
2 highways specified in subdivision (a) of Section 35401.5 and
3 points of loading and unloading for motor carriers of passengers
4 as required by the federal Intermodal Surface Transportation
5 Efficiency Act of 1991 (P.L. 102-240).

6 ~~(10) (A) A house car of a length of up to 45 feet when~~
7 ~~operating on the National System of Interstate and Defense~~
8 ~~Highways or when using those portions of federal aid primary~~
9 ~~system highways that have been qualified by the United States~~
10 ~~Secretary of Transportation for that use, or when using routes~~
11 ~~appropriately identified by the Department of Transportation or~~
12 ~~local authorities, with respect to highways under their respective~~
13 ~~jurisdictions.~~

14 ~~(B) A house car described in subparagraph (A) that provides~~
15 ~~reasonable access to facilities for purposes limited to fuel, food,~~
16 ~~and lodging when that access is consistent with the safe operation~~
17 ~~of the vehicle and when the facility is within one road mile of~~
18 ~~identified points of ingress and egress to or from highways~~
19 ~~specified in subparagraph (A) for use by that vehicle.~~

20 ~~(C) As used in this paragraph and paragraph (9), “reasonable~~
21 ~~access” means access substantially similar to that authorized for~~
22 ~~combinations of vehicles pursuant to subdivision (c) of Section~~
23 ~~35401.5.~~

24 ~~(D) Any access route established by a local authority pursuant~~
25 ~~to subdivision (d) of Section 35401.5 is open for access by a house~~
26 ~~car of a length of up to 45 feet. In addition, local authorities may~~
27 ~~establish a process whereby access to services by house cars of a~~
28 ~~length of up to 45 feet may be applied for upon a route not~~
29 ~~previously established as an access route. The denial of a request~~
30 ~~for access to services shall be only on the basis of safety and an~~
31 ~~engineering analysis of the proposed access route. In lieu of~~
32 ~~processing an access application, local authorities, with respect to~~
33 ~~highways under their jurisdiction, may provide signing, mapping,~~
34 ~~or a listing of highways, as necessary, to indicate the use of these~~
35 ~~specific routes by a house car of a length of up to 45 feet.~~

36 ~~(e) The Legislature, by increasing the maximum permissible~~
37 ~~kingpin to rearmost axle distance to 40 feet effective January 1,~~
38 ~~1987, as provided in paragraph (4) of subdivision (b), does not~~
39 ~~intend this action to be considered a precedent for any future~~
40 ~~increases in truck size and length limitations.~~



1 ~~(d) Any transit bus equipped with a folding device installed on~~
2 ~~or after January 1, 1999, that is permitted under subparagraph (B)~~
3 ~~of paragraph (3) of subdivision (b) or under paragraph (8) of~~
4 ~~subdivision (b) shall be additionally equipped with any of the~~
5 ~~following:~~

6 ~~(1) An indicator light that is visible to the driver and is activated~~
7 ~~whenever the folding device is in an extended position.~~

8 ~~(2) Any other device or mechanism that provides notice to the~~
9 ~~driver that the folding device is in an extended position.~~

10 ~~(3) A mechanism that causes the folding device to retract~~
11 ~~automatically from an extended position.~~

12 ~~(e) (1) No person shall improperly or unsafely mount a bicycle~~
13 ~~on a device described in subparagraph (B) of paragraph (3) of~~
14 ~~subdivision (b), or in paragraph (8) of subdivision (b).~~

15 ~~(2) Notwithstanding subdivision (a) of Section 23114 or~~
16 ~~subdivision (a) of Section 24002 or any other provision of law,~~
17 ~~when a bicycle is improperly or unsafely loaded by a passenger~~
18 ~~onto a transit bus, the passenger, and not the driver, is liable for any~~
19 ~~violation of this code that is attributable to the improper or~~
20 ~~unlawful loading of the bicycle.~~

21 *SEC. 4. Section 35400 of the Vehicle Code is amended to read:*
22 35400. (a) No vehicle shall exceed a length of 40 feet.

23 (b) This section does not apply to any of the following:

24 (1) A vehicle used in a combination of vehicles when the excess
25 length is caused by auxiliary parts, equipment, or machinery not
26 used as space to carry any part of the load, except that the
27 combination of vehicles shall not exceed the length provided for
28 combination vehicles.

29 (2) A vehicle when the excess length is caused by any parts
30 necessary to comply with the fender and mudguard regulations of
31 this code.

32 (3) (A) An articulated bus or articulated trolley coach that does
33 not exceed a length of 60 feet.

34 (B) An articulated bus or articulated trolley coach described in
35 subparagraph (A) may be equipped with a folding device attached
36 to the front of the bus or trolley if the device is designed and used
37 exclusively for transporting bicycles. The device, including any
38 bicycles transported thereon, shall be mounted in a manner that
39 does not materially affect efficiency or visibility of vehicle safety
40 equipment, and shall not extend more than 36 inches from the front



1 body of the bus or trolley coach when fully deployed. The
2 handlebars of a bicycle that is transported on a device described in
3 this subparagraph shall not extend more than 42 inches from the
4 front of the bus.

5 (4) A semitrailer while being towed by a motortruck or truck
6 tractor, if the distance from the kingpin to the rearmost axle of the
7 semitrailer does not exceed 40 feet for semitrailers having two or
8 more axles, or 38 feet for semitrailers having one axle if the
9 semitrailer does not, exclusive of attachments, extend forward of
10 the rear of the cab of the motortruck or truck tractor.

11 (5) A bus *or house car* when the excess length is caused by the
12 projection of a front safety bumper or a rear safety bumper, or both.
13 The safety bumper shall not cause the length of the vehicle to
14 exceed the maximum legal limit by more than one foot in the front
15 and one foot in the rear. For the purposes of this chapter, “safety
16 bumper” means any device ~~which~~ *that* is fitted on an existing
17 bumper or which replaces the bumper and is constructed, treated,
18 or manufactured to absorb energy upon impact.

19 (6) A bus when the excess length is caused by a device, located
20 in front of the front axle, for lifting wheelchairs into the bus. That
21 device shall not cause the length of the bus to be extended by more
22 than 18 inches, inclusive of any front safety bumper.

23 (7) A bus when the excess length is caused by a device attached
24 to the rear of the bus designed and used exclusively for the
25 transporting of bicycles. This device may be up to 10 feet in length,
26 if the device, along with any other device permitted pursuant to
27 this section, does not cause the total length of the bus, including
28 any device or load, to exceed 50 feet.

29 (8) A bus operated by a public agency or a passenger stage
30 corporation, as defined in Section 226 of the Public Utilities Code,
31 used in transit system service, other than a schoolbus, when the
32 excess length is caused by a folding device attached to the front of
33 the bus which is designed and used exclusively for transporting
34 bicycles. The device, including any bicycles transported thereon,
35 shall be mounted in a manner that does not materially affect
36 efficiency or visibility of vehicle safety equipment, and shall not
37 extend more than 36 inches from the front body of the bus when
38 fully deployed. The handlebars of a bicycle that is transported on
39 a device described in this paragraph shall not extend more than 42
40 inches from the front of the bus. A device described in this



1 paragraph may not be used on any bus which, exclusive of the
2 device, exceeds 40 feet in length or on any bus having a device
3 attached to the rear of the bus pursuant to paragraph (7).

4 (9) A bus of a length of up to 45 feet when operating on those
5 highways specified in subdivision (a) of Section 35401.5. The
6 Department of Transportation or local authorities, with respect to
7 highways under their respective jurisdictions, shall not deny
8 reasonable access to a bus of a length of up to 45 feet between the
9 highways specified in subdivision (a) of Section 35401.5 and
10 points of loading and unloading for motor carriers of passengers
11 as required by the federal Intermodal Surface Transportation
12 Efficiency Act of 1991 (P.L. 102-240).

13 ~~As~~

14 (10) (A) *A house car of a length of up to 45 feet when operating*
15 *on the National System of Interstate and Defense Highways or*
16 *when using those portions of federal aid primary system highways*
17 *that have been qualified by the United States Secretary of*
18 *Transportation for that use, or when using routes appropriately*
19 *identified by the Department of Transportation or local*
20 *authorities, with respect to highways under their respective*
21 *jurisdictions.*

22 (B) *A house car described in subparagraph (A) that provides*
23 *reasonable access to facilities for purposes limited to fuel, food,*
24 *and lodging when that access is consistent with the safe operation*
25 *of the vehicle and when the facility is within one road mile of*
26 *identified points of ingress and egress to or from highways*
27 *specified in subparagraph (A) for use by that vehicle.*

28 (C) *As used in this paragraph and paragraph (9), “reasonable*
29 *access” means access substantially similar to that authorized for*
30 *combinations of vehicles pursuant to subdivision (c) of Section*
31 *35401.5 and access authorized through a process substantially*
32 *similar to that authorized for combinations of vehicles pursuant to*
33 *subdivision (d) of Section 35401.5.*

34 (D) *Any access route established by a local authority pursuant*
35 *to subdivision (d) of Section 35401.5 is open for access by a house*
36 *car of a length of up to 45 feet. In addition, local authorities may*
37 *establish a process whereby access to services by house cars of a*
38 *length of up to 45 feet may be applied for upon a route not*
39 *previously established as an access route. The denial of a request*
40 *for access to services shall be only on the basis of safety and an*



1 *engineering analysis of the proposed access route. In lieu of*
2 *processing an access application, local authorities, with respect to*
3 *highways under their jurisdiction, may provide signing, mapping,*
4 *or a listing of highways, as necessary, to indicate the use of these*
5 *specific routes by a house car of a length of up to 45 feet.*

6 (c) The Legislature, by increasing the maximum permissible
7 kingpin to rearmost axle distance to 40 feet effective January 1,
8 1987, as provided in paragraph (4) of subdivision (b), does not
9 intend this action to be considered a precedent for any future
10 increases in truck size and length limitations.

11 (d) Any transit bus equipped with a folding device installed on
12 or after January 1, 1999, that is permitted under subparagraph (B)
13 of paragraph (3) of subdivision (b) or under paragraph (8) of
14 subdivision (b) shall be additionally equipped with any of the
15 following:

16 (1) An indicator light that is visible to the driver and is activated
17 whenever the folding device is in an extended position.

18 (2) Any other device or mechanism that provides notice to the
19 driver that the folding device is in an extended position.

20 (3) A mechanism that causes the folding device to retract
21 automatically from an extended position.

22 (e) (1) No person shall improperly or unsafely mount a bicycle
23 on a device described in subparagraph (B) of paragraph (3) of
24 subdivision (b), or in paragraph (8) of subdivision (b).

25 (2) Notwithstanding subdivision (a) of Section 23114 or
26 subdivision (a) of Section 24002 or any other provision of law,
27 when a bicycle is improperly or unsafely loaded by a passenger
28 onto a transit bus, the passenger, and not the driver, is liable for any
29 violation of this code that is attributable to the improper or
30 unlawful loading of the bicycle.

31 SEC. 5. No reimbursement is required by this act pursuant to
32 Section 6 of Article XIII B of the California Constitution because
33 the only costs that may be incurred by a local agency or school
34 district will be incurred because this act creates a new crime or
35 infraction, eliminates a crime or infraction, or changes the penalty
36 for a crime or infraction, within the meaning of Section 17556 of
37 the Government Code, or changes the definition of a crime within
38 the meaning of Section 6 of Article XIII B of the California
39 Constitution.



1 SEC. 6. This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or safety
3 within the meaning of Article IV of the Constitution and shall go
4 into immediate effect. The facts constituting the necessity are:

5 In order to allow house cars of up to 45 feet in length to be
6 operated on certain highways in accordance with the provisions of
7 this act at the earliest possible time, it is necessary that this act take
8 effect immediately.

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