

AMENDED IN SENATE APRIL 1, 2002

SENATE BILL

No. 2072

Introduced by Senator Karnette

February 22, 2002

An act to amend Section ~~35401~~ 35700.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 2072, as amended, Karnette. Vehicles: ~~trucks; length state highways; weight limits.~~

Existing law limits the gross weight of vehicles and loads permissible on state highways. Until January 1, 2003, existing law allows the Department of Transportation, upon adoption of conforming ordinances by the City of Long Beach and the City of Los Angeles, to issue special permits to the operators of vehicles that exceed these weight limits when the vehicles travel on defined sections of state highways located within those cities. The law sets forth specified criteria for obtaining these special permits.

This bill would extend indefinitely the operation of the provisions that allow the department to issue special permits for vehicles traveling on the defined state highway sections.

~~Existing law requires the Department of Transportation to study the maximum kingpin-to-rear-axle length sustainable on highways or portions of highways, and to erect suitable signs accordingly.~~

~~This bill would require the department to update its 1989 report entitled "Truck Kingpin-to-Rear Axle Length State Highway System Evaluation" by January 1, 2004, and to update it each year thereafter.~~

~~The bill would require the department to publish and make available to the public a listing of the highways or portions of highways identified~~

as having reduced maximum kingpin-to-rear axle length limits based on the updated report and its annual updates.

The bill would require the Department of the California Highway Patrol to investigate any accident involving the operation of a combination of vehicles that occurs on a highway or portion of highway listed in the specified publication to determine whether there was a violation of the reduced maximum kingpin-to-rear axle length limits.

The bill would require the Director of Transportation, by March 1, 2004, to submit to the Legislature recommendations for establishing regulations pursuant to the findings of the updated study.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 ~~SECTION 1. Section 35401 of the Vehicle Code is amended~~

2 *SECTION 1. Section 35700.5 of the Vehicle Code is amended*
3 *to read:*

4 35700.5. (a) The Department of Transportation, upon
5 adoption of an ordinance or resolution that is in conformance with
6 the provisions of this section by both the City of Long Beach and
7 the City of Los Angeles, may issue a special permit to the operator
8 of a vehicle, combination of vehicles, or mobile equipment,
9 permitting the operation and movement of the vehicle,
10 combination, or equipment, and its load, on the 3.66-mile portion
11 of State Route 47 and State Route 103 known as the Terminal
12 Island Freeway, between Willow Street in the City of Long Beach
13 and Terminal Island in the City of Long Beach and the City of Los
14 Angeles, and on the 2.1-mile portion of State Highway Route 1
15 that is between Blinn Avenue in the City of Los Angeles and
16 Harbor Avenue in the City of Long Beach, if the vehicle,
17 combination, or equipment meets all of the following criteria:

18 (1) The vehicle, combination of vehicles, or mobile equipment
19 is used to transport intermodal cargo containers that are moving in
20 international commerce.

21 (2) The vehicle, combination of vehicles, or mobile equipment,
22 in combination with its load, has a maximum gross weight in
23 excess of the maximum gross weight limit of vehicles and loads
24 specified in this chapter, but does not exceed 95,000 pounds gross
25 vehicle weight.



1 (3) (A) The vehicle, combination of vehicles, or mobile
2 equipment conforms to the axle weight limits specified in Section
3 35550.

4 (B) The vehicle, combination of vehicles, or mobile equipment
5 conforms to the axle weight limits in Section 35551, except as
6 specified in subparagraph (C).

7 (C) Vehicles, combinations of vehicles, or mobile equipment
8 that impose more than 80,000 pounds total gross weight on the
9 highway by any group of two or more consecutive axles, exceed
10 60 feet in length between the extremes of any group of two or more
11 consecutive axles, or have more than six axles shall conform to
12 weight limits that shall be determined by the Department of
13 Transportation.

14 (b) The permit issued by the Department of Transportation
15 shall be required to authorize the operation or movement of a
16 vehicle, combination of vehicles, or mobile equipment described
17 in subdivision (a). The permit shall not authorize the movement of
18 hazardous materials or hazardous wastes, as those terms are
19 defined by local, state, and federal law. The following criteria shall
20 be included in the application for the permit:

21 (1) A description of the loads and vehicles to be operated under
22 the permit.

23 (2) An agreement wherein each applicant agrees to be
24 responsible for all injuries to persons and for all damage to real or
25 personal property of the state and others directly caused by or
26 resulting from the operation of the applicant's vehicles or
27 combination of vehicles under the conditions of the permit. The
28 applicant shall agree to hold harmless and indemnify the state and
29 all its agents for all costs or claims arising out of or caused by the
30 movement of vehicles or combination of vehicles under the
31 conditions of the permit.

32 (3) The applicant shall provide proof of financial responsibility
33 that covers the movement of the shipment as described in
34 subdivision (a). The insurance shall meet the minimum
35 requirements established by law.

36 (4) An agreement to carry a copy of the permit in the vehicle
37 at all times and furnish the copy upon request of an employee of
38 the Department of the California Highway Patrol or the
39 Department of Transportation.



1 (5) An agreement to place an indicia, developed by the
 2 Department of Transportation, in consultation with the
 3 Department of the California Highway Patrol, upon the vehicle
 4 identifying it as a vehicle possibly operating under this section.
 5 The indicia shall be displayed in the lower right area of the front
 6 windshield of the power unit. The Department of Transportation
 7 may charge a fee to cover the cost of producing and issuing this
 8 indicia.

9 (c) The permit issued pursuant to subdivision (a) shall be valid
 10 for one year. The permit may be canceled by the Department of
 11 Transportation for any of the following reasons:

12 (1) The failure of the applicant to maintain any of the
 13 conditions required pursuant to subdivision (b).

14 (2) The failure of the applicant to maintain a satisfactory rating,
 15 as required by Section 34501.12.

16 (3) A determination by the Department of Transportation that
 17 there is sufficient cause to cancel the permit because the continued
 18 movement of the applicant’s vehicles under the permit would
 19 jeopardize the safety of the motorists on the roadway or result in
 20 undue damage to the highways listed in this section.

21 (d) The Department of Transportation may charge a fee to
 22 cover the cost of issuing a permit pursuant to subdivision (a).

23 ~~(e) This section shall remain in effect only until January 1,~~
 24 ~~2003, and as of that date is repealed, unless a later enacted statute,~~
 25 ~~that is enacted on or before January 1, 2003, deletes or extends that~~
 26 ~~date.~~

27 to read:

28 35401. —(a) Except as provided in subdivisions (b), (c), and
 29 (d), no combination of vehicles coupled together, including any
 30 attachments, shall exceed a total length of 65 feet.

31 ~~(b) (1) A combination of vehicles coupled together, including~~
 32 ~~any attachments, which consists of a truck tractor, a semitrailer,~~
 33 ~~and a semitrailer or trailer, shall not exceed a total length of 75 feet,~~
 34 ~~if the length of neither the semitrailers nor the trailer in the~~
 35 ~~combination of vehicles exceeds 28 feet 6 inches.~~

36 ~~(2) A B-train assembly is excluded from the measurement of~~
 37 ~~semitrailer length when used between the first and second~~
 38 ~~semitrailers of a truck tractor semitrailer semitrailer combination~~
 39 ~~of vehicles. However, if there is no second semitrailer mounted to~~



1 ~~the B-train assembly, it shall be included in the length~~
2 ~~measurement of the semitrailer to which it is attached.~~

3 ~~(c) A tow truck in combination with any of the following~~
4 ~~vehicles authorized to travel on the highway by this chapter is~~
5 ~~exempt from subdivision (a) when operating under a valid annual~~
6 ~~transportation permit and within a 100-mile radius of the location~~
7 ~~specified in the permit:~~

8 ~~(1) A disabled vehicle.~~

9 ~~(2) An abandoned vehicle.~~

10 ~~(3) A disabled or abandoned combination of vehicles.~~

11 ~~A tow truck in combination with the above vehicles may exceed~~
12 ~~the 100-mile radius restriction if a single trip permit is obtained~~
13 ~~from the Department of Transportation.~~

14 ~~(d) Any city or county may, by ordinance, prohibit a~~
15 ~~combination of vehicles of a total length in excess of 60 feet upon~~
16 ~~highways under its respective jurisdiction. The ordinance shall not~~
17 ~~be effective until appropriate signs are erected indicating either the~~
18 ~~streets affected by the ordinance or the streets not affected, as the~~
19 ~~local authority determines will best serve to give notice of the~~
20 ~~ordinance.~~

21 ~~(e) Any city or county, upon a determination that a highway or~~
22 ~~portion of highway under its jurisdiction cannot, in consideration~~
23 ~~of public safety, sustain the operation of trailers or semitrailers of~~
24 ~~the maximum kingpin to rearmost axle distances permitted under~~
25 ~~Section 35400, may, by ordinance, establish lesser distances~~
26 ~~consistent with the maximum distances that the highway or~~
27 ~~highway portion can sustain, except that a city or county shall not~~
28 ~~restrict the kingpin to rearmost axle measurement to less than 38~~
29 ~~feet on those highways or highway portions. Any city or county~~
30 ~~considering the adoption of an ordinance shall consider, but not be~~
31 ~~limited to, consideration of, all of the following:~~

32 ~~(1) A comparison of the operating characteristics of the~~
33 ~~vehicles to be limited as compared to operating characteristics of~~
34 ~~other vehicles regulated by this code.~~

35 ~~(2) Actual traffic volume.~~

36 ~~(3) Frequency of accidents.~~

37 ~~(4) Any other relevant data.~~

38 ~~In addition, the city or county may appoint an advisory~~
39 ~~committee consisting of local representatives of those interests~~
40 ~~which are likely to be affected and shall consider the~~



1 ~~recommendations of the advisory committee in adopting the~~
2 ~~ordinance. The ordinance shall not be effective until appropriate~~
3 ~~signs are erected indicating the highways or highway portions~~
4 ~~affected by the ordinance.~~

5 ~~This subdivision shall only become operative upon the adoption~~
6 ~~of an enabling ordinance by a city or county.~~

7 ~~(f) (1) The Department of Transportation, in consultation with~~
8 ~~the Department of the California Highway Patrol, shall update its~~
9 ~~1989 report entitled “Truck Kingpin to Rear Axle Length State~~
10 ~~Highway System Evaluation” to reflect any changes to state~~
11 ~~highways that would limit or increase the maximum vehicle length~~
12 ~~that the highways can safely accommodate. The updated study,~~
13 ~~containing the conclusions and recommendations of the director,~~
14 ~~shall be submitted to the Secretary of the Business, Transportation~~
15 ~~and Housing Agency. Unless otherwise notified by the secretary,~~
16 ~~the Director of Transportation shall hold public meetings for the~~
17 ~~purpose of determining the maximum kingpin-to-rear axle length~~
18 ~~that a highway or highway segment can sustain without~~
19 ~~unreasonable threat to the safety of the public. Upon the basis of~~
20 ~~the findings, the director shall declare in writing the maximum~~
21 ~~kingpin-to-rear axle lengths that can be maintained with safety~~
22 ~~upon the highway or portion of the highway. Following the~~
23 ~~declaration of maximum lengths as provided by this subdivision,~~
24 ~~the Department of Transportation shall erect suitable signs at each~~
25 ~~end of the affected portion of the highway and at any other points~~
26 ~~that the Department of Transportation determines to be necessary~~
27 ~~to give adequate notice of the length limits.~~

28 ~~(2) On January 1, 2005, and each January 1 thereafter, the~~
29 ~~Department of Transportation shall update the study described in~~
30 ~~this subdivision and make available to the public a listing of the~~
31 ~~highways or portions of highways identified under this~~
32 ~~subdivision.~~

33 ~~(3) The Department of the California Highway Patrol shall~~
34 ~~investigate any accident involving the operation of a combination~~
35 ~~of vehicles that occurs on a highway or portion of a highway listed~~
36 ~~in the publications required under paragraphs (1) and (2) to~~
37 ~~determine whether there was a violation of the reduced maximum~~
38 ~~kingpin-to-rear axle length limits and shall record the~~
39 ~~kingpin-to-rear axle length of all trucks involved in accidents~~
40 ~~investigated by the Highway Patrol.~~



1 ~~(4) The Department of Transportation shall complete the study~~
2 ~~not later than January 1, 2004.~~

3 ~~(5) On or before March 1, 2004, the Director of Transportation~~
4 ~~shall submit to the Legislature recommendations for establishing~~
5 ~~regulations pursuant to the findings of the updated study. Before~~
6 ~~developing the recommendations, the department shall consult~~
7 ~~with representatives of the trucking, agriculture, construction,~~
8 ~~logging, and highway safety industries to consider additional~~
9 ~~pertinent information that can be considered before the director's~~
10 ~~recommendations are finalized.~~

