

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1243

Introduced by Assembly Member Bonnie Lowenthal

February 27, 2009

An act to add and repeal Section 34503.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1243, as amended, Bonnie Lowenthal. South East Los Angeles County Commercial Vehicle Network Development and Advisory Committee.

Existing law requires the Department of the California Highway Patrol to adopt reasonable rules and regulations that, in the judgment of the department, are designed to promote the safe operation of specified commercial vehicles, regarding, among other things, inspection and maintenance of vehicles and to adopt procedures for the enforcement of these rules and regulations.

This bill would, until January 1, 2012, establish the South East Los Angeles County Commercial Vehicle Network Development and Advisory Committee in the Business, Transportation and Housing Agency to develop a work program that will optimize the effectiveness and efficiencies of the commercial vehicle enforcement network in South East Los Angeles County through a multiagency collaborative effort focused on addressing ongoing commercial vehicle enforcement issues and to recognize the potential benefits from specified technologies.

The bill would require the committee to report annually on or before December 31 of each year to the Governor, the Business, Transportation and Housing Agency, and the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on the progress made towards implementation of the recommendations developed to improve commercial vehicle enforcement in South East Los Angeles County pursuant to a specified list of 12 objectives, that include, among other things, review of Vehicle Dimension-in-Motion (VDIM) and Automated Vehicle Identification (AVI) devices as a legal enforcement tool.

The bill would require that the committee consist of 3 specified members, that the members of the committee serve without compensation, and that no state funds be used to compensate the members for expenses incurred in the performance of their official duties. The bill would also provide that ~~the committee may accept grants from federal or local public agencies or from private sources in order to assist it in carrying out its duties and functions under these provisions~~ *the committee would not be required to implement the provisions of the bill except to the extent that nonstate funds are available for that purpose.*

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 34503.5 is added to the Vehicle Code,
 2 to read:
 3 34503.5. (a) There is hereby established in the Business,
 4 Transportation and Housing Agency the South East Los Angeles
 5 County Commercial Vehicle Network Development and Advisory
 6 Committee, which shall be convened on or before April 1, 2010.
 7 The goal of the committee is to develop a work program that will
 8 optimize the effectiveness and efficiencies of the commercial
 9 vehicle enforcement network in South East Los Angeles County
 10 through a multiagency collaborative effort focused on addressing
 11 ongoing commercial vehicle enforcement issues and to recognize
 12 the potential benefits from emerging technologies. The activities
 13 of the council are intended to contribute to maintaining the state’s
 14 strategic advantage through improved decisionmaking and prudent
 15 and adequate investment.

1 (b) The committee shall report annually on or before December
2 31 of each year to the Governor, the Business, Transportation and
3 Housing Agency, and the Assembly Committee on Transportation
4 and the Senate Committee on Transportation and Housing on the
5 progress made towards implementation of the recommendations
6 developed to improve the commercial vehicle enforcement in South
7 East Los Angeles County pursuant to the objectives set forth in
8 subdivision (f).

9 (c) The committee shall consist of three members. The Secretary
10 of Business, Transportation and Housing shall appoint one member
11 each from nominations provided by the Gateway Cities Council
12 of Governments (COG), the Director of Transportation (Caltrans),
13 and the Commissioner of the California Highway Patrol (CHP).
14 The Secretary of Business, Transportation and Housing shall
15 designate a chair and vice chair.

16 (d) Members of the committee shall serve without compensation,
17 and no state funds may be used to compensate the members for
18 expenses incurred in the performance of their official duties.

19 (e) The committee shall be responsible for development of a
20 work program and coordinating efforts of the participating agencies
21 in implementation efforts. The committee shall from time to time
22 consult stakeholders affected by the work plans as they are
23 developed. The stakeholders should include, at a minimum,
24 representatives from trucking organizations, labor organizations,
25 businesses engaged in commercial vehicle operations, and the San
26 Pedro Bay Ports.

27 (f) The committee shall consider the following activities, which
28 address areas to be emphasized, including, but not be limited to,
29 major policy issues related to commercial vehicle enforcement:

30 (1) Evaluate the current commercial vehicle fine structure and
31 the relative distribution of the resulting revenues.

32 (2) Evaluate the potential to standardize fine structure and
33 process.

34 (3) Make recommendations as to whether it is desirable to relate
35 the level of fines to the level of damage to infrastructure and the
36 risk of harm to people.

37 (4) Review current statutory authority for rerouting vehicles.

38 (5) Review role of transponders or other technology devices in
39 relation to registration of commercial vehicles.

- 1 (6) Review Weigh-in-Motion (WIM) devices as a legal
- 2 enforcement tool.
- 3 (7) Review Vehicle Dimension-in-Motion (VDIM) devices as
- 4 a legal enforcement tool.
- 5 (8) Review Automated Vehicle Identification (AVI) devices as
- 6 a legal enforcement tool.
- 7 (9) Review Automated Driver Identification (ADI) devices as
- 8 a legal enforcement tool.
- 9 (10) Review Automated Load Identification (ALI) devices as
- 10 a legal enforcement tool.
- 11 (11) Evaluate the siting of truck enforcement facilities in South
- 12 East Los Angeles County.
- 13 (12) Evaluate the advantages and disadvantages in the
- 14 development of automated systems for truck enforcement and
- 15 inspection for South East Los Angeles County.
- 16 (g) The committee shall provide a summary of its
- 17 recommendations regarding all action items to each member agency
- 18 prior to submitting the annual report required pursuant to
- 19 subdivision (b).
- 20 (h) Initial tasks for the steering committee shall be the
- 21 development of a work program that results in the development
- 22 of a series of specific targeted actions in conformance with each
- 23 of the following four major action steps to address the areas to be
- 24 emphasized as specified in subdivision (f):
- 25 (1) Convening participants.
- 26 (2) Gathering and analyzing relevant data.
- 27 (3) Brainstorming of actions.
- 28 (4) Refinement of actions.
- 29 ~~(i) The committee may accept grants from federal or local public~~
- 30 ~~agencies or from private sources, in order to assist it in carrying~~
- 31 ~~out its duties and functions under this section.~~
- 32 *(i) The committee shall not be required to implement the*
- 33 *provisions of this section except to the extent that nonstate funds*
- 34 *are available to the committee for that purpose.*
- 35 (j) This section shall remain in effect only until January 1, 2012,
- 36 and as of that date is repealed, unless a later enacted statute, that
- 37 is enacted before January 1, 2012, deletes or extends that date.

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