

ASSEMBLY BILL

No. 349

Introduced by Assembly Member Chesbro
(Coauthors: Assembly Members Galgiani and Nielsen)
(Coauthor: Senator La Malfa)

February 10, 2011

An act to amend Section 35401.7 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 349, as introduced, Chesbro. Vehicles: State Highway Route 101: licensed carriers of livestock.

(1) Existing law exempts, until January 1, 2012, licensed carriers of livestock from certain limitations of access when those carriers are directly en route to or from a point of loading or unloading of livestock on specified portions of State Highway Route 101 located in the Counties of Del Norte, Humboldt, and Mendocino from its junction with State Highway Route 1 near Leggett north to the Oregon border, if the travel is necessary, incidental to the shipment of the livestock, and certain conditions are met.

This bill would extend this exemption until January 1, 2017, and would also delete obsolete requirements from these provisions.

(2) Existing law requires the Director of Transportation to notify the Secretary of State if, prior to January 1, 2012, the director determines that certain safety improvements to a portion of State Highway Route 101 have resulted in the reclassification of the entire segment as a terminal access route pursuant to specified provisions of the Vehicle Code and repeals the exemption described in (1) above on the date the secretary receives this notice.

This bill would extend this date to January 1, 2017.

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

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

1 SECTION 1. Section 35401.7 of the Vehicle Code is amended
2 to read:

3 35401.7. (a) The limitations of access specified in subdivision
4 (d) of Section 35401.5 do not apply to licensed carriers of livestock
5 when those carriers are directly en route to or from a point of
6 loading or unloading of livestock on those portions of State
7 Highway Route 101 located in the Counties of Del Norte,
8 Humboldt, and Mendocino from its junction with State Highway
9 Route 1 near Leggett north to the Oregon border, if the travel is
10 necessary and incidental to the shipment of the livestock.

11 (b) The exemption allowed under this section does not apply
12 unless all of the following conditions are met:

13 (1) The length of the truck tractor, in combination with the
14 semitrailer used to transport the livestock, does not exceed a total
15 of 70 feet.

16 (2) The distance from the kingpin to the rearmost axle of the
17 semitrailer does not exceed 43 feet.

18 (3) The length of the semitrailer does not exceed a total of 48
19 feet.

20 (c) The exemption allowed under this section does not apply to
21 travel conducted on the day prior to, or on the day of, any federally
22 recognized holiday.

23 ~~(d) The Department of the California Highway Patrol, in~~
24 ~~consultation with the Department of Transportation and in~~
25 ~~accordance with recommendations from the Department of the~~
26 ~~California Highway Patrol's study issued on March 20, 2006, of~~
27 ~~the effect of the statutory exemption, shall continue the~~
28 ~~comprehensive study of the effect that the exemption provided by~~
29 ~~this section has on the public safety during the extended effective~~
30 ~~period of the exemption, and make recommendations on future~~
31 ~~exemptions, including the creation of a permitting system for cattle~~
32 ~~truck and trailer combinations meeting applicable provisions of~~
33 ~~the federal Surface Transportation Assistance Act of 1982 (Public~~
34 ~~Law 97-424), and appropriate safety improvements.~~

1 ~~Notwithstanding Section 7550.5 of the Government Code, the~~
2 ~~Department of the California Highway Patrol shall report the~~
3 ~~findings of this additional study and recommendations to the~~
4 ~~Governor and the Legislature on or before January 1, 2011.~~

5 (e)

6 (d) This section shall remain in effect only until January 1, ~~2012~~
7 ~~2017~~, and as of that date is repealed, unless a later enacted statute,
8 that is enacted before January 1, ~~2012~~~~2017~~, deletes or extends that
9 date.

10 (f)

11 (e) (1) If prior to January 1, 2012, the Director of Transportation
12 determines that the only adjustment to State Highway Route 101
13 possible to accommodate the truck sizes allowed to travel on
14 portions of State Highway Route 101, pursuant to subdivisions (a)
15 and (b) is the removal of any tree that has a diameter of 42 inches
16 or greater, measured outside the bark, at 12 inches above ground
17 on the side adjacent to the highest ground level, the director shall
18 notify the Secretary of State of that determination.

19 (2) If prior to January 1, ~~2012~~ ~~2017~~, the Director of
20 Transportation determines that safety improvements to the portion
21 of State Highway Route 101 described in subdivision (a) have
22 resulted in the reclassification of the entire segment as a terminal
23 access route pursuant to subdivision (d) of Section 35401.5, the
24 director shall notify the Secretary of State of that determination.

25 (3) The notice required under paragraph (1) or (2) shall state
26 that it is being made pursuant to this section.

27 (4) This section is repealed on the date the Secretary of State
28 receives either of the notices described in this subdivision.