

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1128**

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**Introduced by Assembly Member Furutani  
(Coauthor: Assembly Member Bonnie Lowenthal)**

February 18, 2011

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1128, as amended, Furutani. Vehicles: Terminal Island Freeway: special permits.

Existing law authorizes the Department of Transportation, upon adoption of an ordinance or resolution by both the City of Long Beach and, the City of Los Angeles, to issue a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on the 3.66-mile portion of State Route 47 and State Route 103 known as the Terminal Island Freeway, between Willow Street in the City of Long Beach and Terminal Island in the City of Long Beach and the City of Los Angeles, and on the 2.1-mile portion of State Highway Route 1 that is between Blinn Avenue in the City of Los Angeles and Harbor Avenue in the City of Long Beach, if the vehicle, combination, or equipment meets specified criteria.

This bill would *additionally authorize the Department of Transportation to issue such a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on designated routes if the vehicle, combination, or*

*equipment meets specified criteria, upon adoption of such an ordinance or resolution by the City of Carson covering designated routes.* ~~make a technical, nonsubstantive change to these provisions.~~

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

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

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

3 35700.5. (a) The Department of Transportation, upon adoption  
4 of an ordinance or resolution that is in conformance with the  
5 provisions of this section by ~~both the City of Long Beach and the~~  
6 ~~City of Los Angeles~~ *the City of Carson, the City of Long Beach,*  
7 *and the City of Los Angeles, covering designated routes,* may issue  
8 a special permit to the operator of a vehicle, combination of  
9 vehicles, or mobile equipment, permitting the operation and  
10 movement of the vehicle, combination, or equipment, and its load,  
11 on the 3.66-mile portion of State Route 47 and State Route 103  
12 known as the Terminal Island Freeway, between Willow Street in  
13 the City of Long Beach and Terminal Island in the City of Long  
14 Beach and the City of Los Angeles, and on the 2.1-mile portion  
15 of State Highway Route 1, that is between Blinn Avenue in the  
16 City of Los Angeles and Harbor Avenue in the City of Long Beach,  
17 if the vehicle, combination, or equipment meets all of the following  
18 criteria:

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

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

27 (3) (A) The vehicle, combination of vehicles, or mobile  
28 equipment conforms to the axle weight limits specified in Section  
29 35550.

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

1 (C) Vehicles, combinations of vehicles, or mobile equipment  
2 that impose more than 80,000 pounds total gross weight on the  
3 highway by any group of two or more consecutive axles, exceed  
4 60 feet in length between the extremes of any group of two or more  
5 consecutive axles, or have more than six axles shall conform to  
6 weight limits that shall be determined by the Department of  
7 Transportation.

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

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

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

26 (3) The applicant shall provide proof of financial responsibility  
27 that covers the movement of the shipment as described in  
28 subdivision (a). The insurance shall meet the minimum  
29 requirements established by law.

30 (4) An agreement to carry a copy of the permit in the vehicle  
31 at all times and furnish the copy upon request of an employee of  
32 the Department of the California Highway Patrol or the Department  
33 of Transportation.

34 (5) An agreement to place an indicia, developed by the  
35 Department of Transportation, in consultation with the Department  
36 of the California Highway Patrol, upon the vehicle identifying it  
37 as a vehicle possibly operating under this section. The indicia shall  
38 be displayed in the lower right area of the front windshield of the  
39 power unit. The Department of Transportation may charge a fee  
40 to cover the cost of producing and issuing this indicia.

- 1 (c) The permit issued pursuant to subdivision (a) shall be valid  
2 for one year. The permit may be canceled by the Department of  
3 Transportation for any of the following reasons:
- 4 (1) The failure of the applicant to maintain any of the conditions  
5 required pursuant to subdivision (b).
- 6 (2) The failure of the applicant to maintain a satisfactory rating,  
7 as required by Section 34501.12.
- 8 (3) A determination by the Department of Transportation that  
9 there is sufficient cause to cancel the permit because the continued  
10 movement of the applicant's vehicles under the permit would  
11 jeopardize the safety of the motorists on the roadway or result in  
12 undue damage to the highways listed in this section.
- 13 (d) The Department of Transportation may charge a fee to cover  
14 the cost of issuing a permit pursuant to subdivision (a).