

AMENDED IN ASSEMBLY APRIL 21, 2014

AMENDED IN ASSEMBLY APRIL 3, 2014

AMENDED IN ASSEMBLY MARCH 11, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2707

Introduced by Assembly Member Chau

February 21, 2014

An act to ~~add Section 35400.81 to~~ amend Section 35400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2707, as amended, Chau. Vehicles: length limitations: buses: bicycle transportation devices.

Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation a bus, except a schoolbus, operated by a public agency or a passenger stage corporation, as defined, used in transit system service if the bus is equipped with a folding device attached to the front of the bus that is designed and used exclusively for transporting bicycles, that device does not materially affect efficiency or visibility of vehicle safety equipment, and the length of the bus, exclusive of that device, does not exceed 40 feet in length. In addition, existing law prohibits the above-described device from extending more than 36 inches from the front body of the bus when fully deployed, and prohibits a bicycle that is transported on that device from having the bicycle handlebars extend more than 42 inches from the front of the bus.

This bill would increase the lengths described in the exemption above from 36 to 40 inches, and from 42 to 46 inches.

~~Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation an articulated bus or trolley and a bus, except a schoolbus, that is operated by a public agency or passenger stage corporation that is used in a transit system if it is equipped with a folding device attached to the front of the vehicle that is designed and used exclusively for transporting bicycles, does not materially affect efficiency or visibility of vehicle safety equipment, and does not extend more than 36 inches from the front of the body of the bus or trolley when fully deployed. In addition, existing law prohibits a bicycle that is transported on the above-described device from having the bicycle handlebars extend more than 42 inches from the front of the vehicle.~~

~~This bill would authorize the Los Angeles County Metropolitan Transportation Authority to install folding devices attached to the front of its buses that are designed and used exclusively for transporting bicycles as long as those devices meet certain requirements, including, but not limited to, extending not more than 40 inches from the front of the bus when fully deployed, and that the handlebars of the bicycles being transported extend not more than 46 inches from the front of the bus.~~

~~This bill would make legislative findings and declarations as to the necessity of a special statute for the Los Angeles County Metropolitan Transportation Authority.~~

~~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 35400 of the Vehicle Code is amended to
- 2 read:
- 3 35400. (a) A vehicle may not exceed a length of 40 feet.
- 4 (b) This section does not apply to any of the following:
- 5 (1) A vehicle used in a combination of vehicles when the excess
- 6 length is caused by auxiliary parts, equipment, or machinery not
- 7 used as space to carry any part of the load, except that the
- 8 combination of vehicles shall not exceed the length provided for
- 9 combination vehicles.

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

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

6 (B) An articulated bus or articulated trolley coach described in
7 subparagraph (A) may be equipped with a folding device attached
8 to the front of the bus or trolley if the device is designed and used
9 exclusively for transporting bicycles. The device, including any
10 bicycles transported thereon, shall be mounted in a manner that
11 does not materially affect efficiency or visibility of vehicle safety
12 equipment, and shall not extend more than 36 inches from the front
13 body of the bus or trolley coach when fully deployed. The
14 handlebars of a bicycle that is transported on a device described
15 in this subparagraph shall not extend more than 42 inches from
16 the front of the bus.

17 (4) A semitrailer while being towed by a motortruck or truck
18 tractor, if the distance from the kingpin to the rearmost axle of the
19 semitrailer does not exceed 40 feet for semitrailers having two or
20 more axles, or 38 feet for semitrailers having one axle if the
21 semitrailer does not, exclusive of attachments, extend forward of
22 the rear of the cab of the motortruck or truck tractor.

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

31 (6) A schoolbus, when the excess length is caused by the
32 projection of a crossing control arm. For the purposes of this
33 chapter, “crossing control arm” means an extendable and retractable
34 device fitted to the front of a schoolbus that is designed to impede
35 movement of pupils exiting the schoolbus directly in front of the
36 schoolbus so that pupils are visible to the driver while they are
37 moving in front of the schoolbus. An operator of a schoolbus shall
38 not extend a crossing control arm while the schoolbus is in motion.
39 Except when activated, a crossing control arm shall not cause the
40 maximum length of the schoolbus to be extended by more than 10

1 inches, inclusive of any front safety bumper. Use of a crossing
2 control arm by the operator of a schoolbus does not, in and of
3 itself, fulfill his or her responsibility to ensure the safety of students
4 crossing a highway or private road pursuant to Section 22112.

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

9 (8) A bus, when the excess length is caused by a device attached
10 to the rear of the bus designed and used exclusively for the
11 transporting of bicycles. This device may be up to 10 feet in length,
12 if the device, along with any other device permitted pursuant to
13 this section, does not cause the total length of the bus, including
14 any device or load, to exceed 50 feet.

15 (9) A bus operated by a public agency or a passenger stage
16 corporation, as defined in Section 226 of the Public Utilities Code,
17 used in transit system service, other than a schoolbus, when the
18 excess length is caused by a folding device attached to the front
19 of the bus which is designed and used exclusively for transporting
20 bicycles. The device, including any bicycles transported thereon,
21 shall be mounted in a manner that does not materially affect
22 efficiency or visibility of vehicle safety equipment, and shall not
23 extend more than ~~36~~ 40 inches from the front body of the bus when
24 fully deployed. The handlebars of a bicycle that is transported on
25 a device described in this paragraph shall not extend more than ~~42~~
26 46 inches from the front of the bus. A device described in this
27 paragraph may not be used on a bus that, exclusive of the device,
28 exceeds 40 feet in length or on a bus having a device attached to
29 the rear of the bus pursuant to paragraph (8).

30 (10) (A) A bus of a length of up to 45 feet when operating on
31 those highways specified in subdivision (a) of Section 35401.5.
32 The Department of Transportation or local authorities, with respect
33 to highways under their respective jurisdictions, may not deny
34 reasonable access to a bus of a length of up to 45 feet between the
35 highways specified in subdivision (a) of Section 35401.5 and points
36 of loading and unloading for motor carriers of passengers as
37 required by the federal Intermodal Surface Transportation
38 Efficiency Act of 1991 (~~P.L.~~ *Public Law* 102-240).

39 (B) A bus operated by a public agency and on those highways
40 specified in subparagraph (A) may be equipped with a folding

1 device attached to the front of the bus that is designed and used
2 exclusively for transporting bicycles. The device, including all
3 bicycles transported thereon, may be mounted in a manner that
4 does not materially affect efficiency or visibility of vehicle safety
5 equipment, and may not extend more than 36 inches from the front
6 body of the bus when fully deployed. The handlebars of a bicycle
7 that is transported on a device described in this subparagraph may
8 not extend more than 42 inches from the front of the bus. The total
9 length of the bus, including the folding device or load, may not
10 exceed 48.5 feet. A Route Review Committee, established under
11 this subparagraph, shall review the routes where a public agency
12 proposes to operate a 45-foot bus equipped with a front mounted
13 bicycle rack. The Route Review Committee shall be comprised of
14 one member from the public agency appointed by the general
15 manager of the public agency; one member who is a traffic engineer
16 and is employed and selected by the public agency that has
17 jurisdiction over the largest proportional share of routes among
18 all affected agencies; and one member appointed by the labor
19 organization that is the exclusive representative of the bus drivers
20 of the public agency. If there is no exclusive representative of the
21 bus drivers, a bus driver member shall be chosen by a majority
22 vote of the bus drivers employed by the agency. The members of
23 the Route Review Committee shall be selected not more than 30
24 days after receipt of a public agency proposal to equip a 45-foot
25 bus with a front mounted bicycle rack. The review shall include a
26 field review of the proposed routes. The purpose of the Route
27 Review Committee is to ensure the safe operation of a 45-foot bus
28 that is equipped with a front mounted bicycle rack. The Route
29 Review Committee, by a unanimous vote, shall make a
30 determination of which routes are suitable for the safe operation
31 of a 45-foot bus that is equipped with a front mounted bicycle rack.
32 These determinations shall be consistent with the operating
33 requirements specified in subparagraph (A). It is the intent of the
34 Legislature that the field review required under this subparagraph
35 include consultation with traffic engineers from affected public
36 agencies that have jurisdiction over segments of the route or routes
37 under review, to ensure coordination with all effected state and
38 local public road agencies that may potentially be impacted due
39 to the operation of a 45-foot bus with a front mounted bicycle rack.

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

8 (B) A house car described in subparagraph (A) may be operated
9 on a highway that provides reasonable access to facilities for
10 purposes limited to fuel, food, and lodging when that access is
11 consistent with the safe operation of the vehicle and when the
12 facility is within one road mile of identified points of ingress and
13 egress to or from highways specified in subparagraph (A) for use
14 by that vehicle.

15 (C) As used in this paragraph and paragraph (10), “reasonable
16 access” means access substantially similar to that authorized for
17 combinations of vehicles pursuant to subdivision (c) of Section
18 35401.5.

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

31 (c) The Legislature, by increasing the maximum permissible
32 kingpin to rearmost axle distance to 40 feet effective January 1,
33 1987, as provided in paragraph (4) of subdivision (b), does not
34 intend this action to be considered a precedent for any future
35 increases in truck size and length limitations.

36 (d) Any transit bus equipped with a folding device installed on
37 or after January 1, 1999, that is permitted under subparagraph (B)
38 of paragraph (3) of subdivision (b) or under paragraph (9) of
39 subdivision (b) shall be additionally equipped with any of the
40 following:

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

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

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

7 (e) (1) A person may not improperly or unsafely mount a
8 bicycle on a device described in subparagraph (B) of paragraph
9 (3) of subdivision (b), or in paragraph (9) or (10) of subdivision
10 (b).

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

17 ~~SECTION 1. Section 35400.81 is added to the Vehicle Code,~~
18 ~~to read:~~

19 ~~35400.81. Notwithstanding Section 35400, the Los Angeles~~
20 ~~County Metropolitan Transportation Authority created pursuant~~
21 ~~to Section 130051 of the Public Utilities Code may install a folding~~
22 ~~device attached to the front of a bus that is designed and used~~
23 ~~exclusively for transporting bicycles if the following conditions~~
24 ~~are met:~~

25 ~~(a) The device does not extend more than 40 inches from the~~
26 ~~front body of the bus when fully deployed.~~

27 ~~(b) The device, including all bicycles transported thereon, is~~
28 ~~mounted in a manner that does not materially affect efficiency or~~
29 ~~visibility of vehicle safety equipment.~~

30 ~~(c) The handlebars of a bicycle that is transported on a device~~
31 ~~described in this subdivision do not extend more than 46 inches~~
32 ~~from the front of the bus.~~

33 ~~(d) The device is installed on a bus that is not more than 40 feet~~
34 ~~in length.~~

35 ~~SEC. 2. The Legislature finds and declares that a special law~~
36 ~~is necessary and that a general law cannot be made applicable~~
37 ~~within the meaning of Section 16 of Article IV of the California~~
38 ~~Constitution because of the unique circumstances of a large number~~
39 ~~of bicycle riders using buses operated by the Los Angeles County~~
40 ~~Metropolitan Transportation Authority and the need to determine~~

- 1 ~~whether there are safety considerations in having 40-inch bicycle~~
- 2 ~~racks on the front of the authority's buses.~~

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