

ASSEMBLY BILL

No. 2718

Introduced by Assembly Member Gomez

February 19, 2016

An act to amend Section 32052 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2718, as introduced, Gomez. Vehicles: transportation of hazardous materials.

Existing law requires a carrier, prior to the transport of certain hazardous materials, to provide advance notification, in writing, to the Department of the California Highway Patrol, as specified. Under existing law, the department is then required to notify the sheriff of each county and police chief of each city through which the hazardous materials are to be transported. Those sheriffs and police chiefs, in turn, are required to make timely notification to the fire chiefs within their respective jurisdictions through a mutually agreed upon communications system.

Existing law also requires a carrier to notify the department, by telephone or telegram, if there are any changes in the scheduling of the shipments described above, in the routes to be used for those shipments, or any cancellation of those shipments. A carrier who violates these provisions, in addition to any other penalty provided by law, is subject to a civil penalty of not less than \$500 or more than \$1,000 for each violation.

This bill would additionally authorize a carrier to notify the department by electronic communication if there are any changes in the scheduling of the shipments described above, in the routes to be

used for those shipments, or any cancellation of those shipments. The bill would define “electronic communication” to include, but not be limited to, email, facsimile, and telegram.

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 32052 of the Vehicle Code is amended
2 to read:

3 32052. (a) The notification required by Section 32050 shall
4 reach the department at least 72 hours before the beginning of the
5 48-hour period during which departure of the shipment of any
6 material designated in Section 32050 is estimated to occur, and
7 the department shall notify the sheriffs and the police chiefs as
8 specified in subdivision (a) of Section 32050 at least 36 hours
9 before the beginning of the 48-hour departure period specified in
10 subdivision (a) of Section 32051, who shall notify the fire chiefs,
11 as provided in Section 32050. A copy of the notification shall be
12 retained by the department for three years.

13 (b) The carrier shall also notify, by telephone or ~~telegram~~
14 *electronic communication*, the department if there are any changes
15 in the scheduling of a shipment, in the routes to be used for
16 shipment, or any cancellation of a shipment. The department shall,
17 in turn, notify the sheriffs and the police chiefs specified in
18 subdivision (a) of Section 32050 that would be affected by these
19 changes in the scheduling of a shipment, in the routes to be used
20 for a shipment, or the cancellation of a shipment, who shall notify
21 the fire chiefs, as provided in Section 32050. The department shall
22 maintain for three years a record of each ~~telegram~~ *electronic* and
23 telephonic notification. *For purposes of this subdivision,*
24 *“electronic communication” includes, but is not limited to, email,*
25 *facsimile, and telegram.*

O