

AMENDED IN ASSEMBLY MAY 9, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2718**

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**Introduced by Assembly Member Gomez**

February 19, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2718, as amended, 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 mean email or 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 electronic  
14 communication, the department if there are any changes in the  
15 scheduling of a shipment, in the routes to be used for shipment,  
16 or any cancellation of a shipment. The department shall, in turn,  
17 notify the sheriffs and the police chiefs specified in subdivision  
18 (a) of Section 32050 that would be affected by these changes in  
19 the scheduling of a shipment, in the routes to be used for a  
20 shipment, or the cancellation of a shipment, who shall notify the  
21 fire chiefs, as provided in Section 32050. The department shall  
22 maintain for three years a record of each electronic and telephonic  
23 notification. For purposes of this subdivision, “electronic  
24 communication” ~~includes, but is not limited to, email, facsimile,~~  
25 ~~and means email or telegram.~~

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