

AMENDED IN ASSEMBLY MARCH 15, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2731

Introduced by Assembly Member O'Donnell

February 19, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2731, as amended, O'Donnell. ~~Ports–Vehicles: Terminal Island Freeway: special permits.~~

Existing law authorizes the Department of Transportation, upon adoption of an ordinance or resolution by the City of Carson, 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 specified routes in those cities if the vehicle, combination, or equipment meets specified criteria. Under existing law, those criteria include that the vehicle, combination of vehicles, or mobile equipment is used to transport intermodal cargo containers that are moving in international commerce, and that the maximum gross weight of the vehicles and loads not exceed 95,000 pounds gross vehicle weight.

This bill would make changes to the criteria for the issuance of a special permit under these provisions, and would instead specify that a vehicle, combination of vehicles, or mobile equipment that exceeds the general maximum gross weight limits, but does not exceed 95,000 pounds gross vehicle weight, must be measured by the department's

determination of weight limits based on groups of consecutive axles, as specified.

Existing law establishes various port districts along California’s coast and prescribes procedures for the formation and operation of those districts:

~~This bill would declare the intent of the Legislature to enact legislation relating to public ports in California.~~

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 the City of Carson, the City of Long
6 Beach, and the City of Los Angeles, covering designated routes,
7 may issue a special permit to the operator of a vehicle, combination
8 of vehicles, or mobile equipment, permitting the operation and
9 movement of the vehicle, combination, or equipment, and its load,
10 on the 3.66-mile portion of State Route 47 and State Route 103
11 known as the Terminal Island Freeway, between Willow Street in
12 the City of Long Beach and Terminal Island in the City of Long
13 Beach and the City of Los Angeles, and on the 2.4-mile portion
14 of State Highway Route 1, that is between Sanford Avenue in the
15 City of Los Angeles and Harbor Avenue in the City of Long Beach,
16 if the vehicle, combination, or equipment meets all of the following
17 criteria:

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

21 (2) The vehicle, combination of vehicles, or mobile equipment,
22 in combination with its load, has a maximum gross weight in excess
23 of the maximum gross weight limit of vehicles and loads specified
24 in this chapter, but does not exceed 95,000 pounds gross vehicle
25 ~~weight.~~ *weight, as measured by weight limits based on groups of*
26 *consecutive axles, determined by the Department of Transportation*
27 *pursuant to subparagraph (C) of paragraph (3).*

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

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

7 (C) Vehicles, combinations of vehicles, or mobile equipment
8 that impose more than 80,000 pounds total gross weight on the
9 highway by any group of two or more consecutive axles, exceed
10 60 feet in length between the extremes of any group of two or more
11 consecutive axles, or have more than six axles shall conform to
12 weight limits that shall be determined by the Department of
13 Transportation.

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

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

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

32 (3) The applicant shall provide proof of financial responsibility
33 that covers the movement of the shipment as described in
34 subdivision (a). The insurance shall meet the minimum
35 requirements established by law.

36 (4) An agreement to carry a copy of the permit in the vehicle
37 at all times and furnish the copy upon request of an employee of
38 the Department of the California Highway Patrol or the Department
39 of Transportation.

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

8 (c) The permit issued pursuant to subdivision (a) shall be valid
9 for one year. The permit may be canceled by the Department of
10 Transportation for any of the following reasons:

11 (1) The failure of the applicant to maintain any of the conditions
12 required pursuant to subdivision (b).

13 (2) The failure of the applicant to maintain a satisfactory rating,
14 as required by Section 34501.12.

15 (3) A determination by the Department of Transportation that
16 there is sufficient cause to cancel the permit because the continued
17 movement of the applicant’s vehicles under the permit would
18 jeopardize the safety of the motorists on the roadway or result in
19 undue damage to the highways listed in this section.

20 (d) This section does not authorize an applicant or holder of a
21 special permit under subdivision (a) to operate a vehicle or
22 combination of vehicles in excess of the maximum gross weight
23 limit of vehicles and loads specified in this chapter outside of the
24 designated corridors identified in subdivision (a). A violation of
25 this subdivision shall result in the revocation of the permit.

26 (e) The Department of Transportation may charge a fee to cover
27 the cost of issuing a permit pursuant to subdivision (a).

28 ~~SECTION 1. It is the intent of the Legislature to enact~~
29 ~~legislation relating to public ports in California.~~