

AMENDED IN SENATE JUNE 8, 2016  
AMENDED IN ASSEMBLY MARCH 15, 2016  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2731**

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**Introduced by Assembly Member O'Donnell**

February 19, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2731, as amended, O'Donnell. 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.~~

*This bill would require the above-mentioned ordinance or resolution to conform with the weight limits determined by the Department of Transportation.*

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. 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, 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):~~ *weight.*

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 (f) *Notwithstanding Section 35700 and Article 6 (commencing*  
 29 *with Section 35780), if the City of Carson, the City of Long Beach,*  
 30 *and the City of Los Angeles adopt an ordinance or resolution, as*  
 31 *described in subdivision (a), the ordinance or resolution shall*  
 32 *conform with the weight limits determined by the Department of*  
 33 *Transportation pursuant to this section.*

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