

AMENDED IN ASSEMBLY JANUARY 3, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1560**

**Introduced by Assembly Member ~~Aanestad~~ Ashburn**

February 26, 1999

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An act to ~~add Section 42231.1 to~~ amend Section 35400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1560, as amended, ~~Aanestad~~ Ashburn. Vehicles: ~~smog impact fee~~ length limitation: house car exception.

*Under existing law, with specified exceptions, a 40-foot limitation is imposed on the length of vehicles that may be operated on the highways.*

*This bill would additionally except house cars of a length of up to 45 feet from that 40-foot limitation.*

~~Existing law, with specified exceptions, requires any person registering a 1975 or subsequent model year gasoline-powered motor vehicle or a 1980 or subsequent model year diesel-powered motor vehicle last registered outside this state to pay a \$300 smog impact fee to the Department of Motor Vehicles at the time of registration.~~

~~This bill would state the intent of the Legislature to repeal those provisions if they are held to be unconstitutional by a final decision of a state or federal appellate court.~~

~~The bill would also, if the Legislature repeals those provisions, require the department to develop and~~

~~implement a program to refund smog impact fees that were paid prior to the repeal, as specified.~~

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. The Legislature finds and declares that~~  
2 *SECTION 1. Section 35400 of the Vehicle Code is*  
3 *amended to read:*

4 35400. (a) No vehicle shall exceed a length of 40 feet.

5 (b) This section does not apply to any of the following:

6 (1) A vehicle used in a combination of vehicles when  
7 the excess length is caused by auxiliary parts, equipment,  
8 or machinery not used as space to carry any part of the  
9 load, except that the combination of vehicles shall not  
10 exceed the length provided for combination vehicles.

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

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

16 (B) An articulated bus or articulated trolley coach  
17 described in subparagraph (A) may be equipped with a  
18 folding device attached to the front of the bus or trolley  
19 if the device is designed and used exclusively for  
20 transporting bicycles. The device, including any bicycles  
21 transported thereon, shall be mounted in a manner that  
22 does not materially affect efficiency or visibility of vehicle  
23 safety equipment, and shall not extend more than 30  
24 inches from the front of the bus or trolley coach when  
25 fully deployed. The handlebars of a bicycle that is  
26 transported on a device described in this subparagraph  
27 shall not extend more than 42 inches from the front of the  
28 bus.

29 (4) A semitrailer while being towed by a motortruck  
30 or truck tractor, if the distance from the kingpin to the  
31 rearmost axle of the semitrailer does not exceed 40 feet  
32 for semitrailers having two or more axles, or 38 feet for  
33 semitrailers having one axle if the semitrailer does not,



1 exclusive of attachments, extend forward of the rear of  
2 the cab of the motortruck or truck tractor.

3 (5) A bus when the excess length is caused by the  
4 projection of a front safety bumper or a rear safety  
5 bumper, or both. The safety bumper shall not cause the  
6 length of the vehicle to exceed the maximum legal limit  
7 by more than one foot in the front and one foot in the rear.  
8 For the purposes of this chapter, “safety bumper” means  
9 any device which is fitted on an existing bumper or which  
10 replaces the bumper and is constructed, treated, or  
11 manufactured to absorb energy upon impact.

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

17 (7) A bus when the excess length is caused by a device  
18 attached to the rear of the bus designed and used  
19 exclusively for the transporting of bicycles. This device  
20 may be up to 10 feet in length, if the device, along with  
21 any other device permitted pursuant to this section, does  
22 not cause the total length of the bus, including any device  
23 or load, to exceed 50 feet.

24 (8) A bus operated by a public agency or a passenger  
25 stage corporation, as defined in Section 226 of the Public  
26 Utilities Code, used in transit system service, other than  
27 a schoolbus, when the excess length is caused by a folding  
28 device attached to the front of the bus which is designed  
29 and used exclusively for transporting bicycles. The  
30 device, including any bicycles transported thereon, shall  
31 be mounted in a manner that does not materially affect  
32 efficiency or visibility of vehicle safety equipment, and  
33 shall not extend more than 36 inches from the front of the  
34 bus when fully deployed. The handlebars of a bicycle that  
35 is transported on a device described in this paragraph  
36 shall not extend more than 42 inches from the front of the  
37 bus. A device described in this paragraph may not be used  
38 on any bus which, exclusive of the device, exceeds 40 feet  
39 in length or on any bus having a device attached to the  
40 rear of the bus pursuant to paragraph (7).



1 (9) A bus of a length of up to 45 feet when operating  
2 on those highways specified in subdivision (a) of Section  
3 35401.5. The Department of Transportation or local  
4 authorities, with respect to highways under their  
5 respective jurisdictions, shall not deny reasonable access  
6 to a bus of a length of up to 45 feet between the highways  
7 specified in subdivision (a) of Section 35401.5 and points  
8 of loading and unloading for motor carriers of passengers  
9 as required by the federal Intermodal Surface  
10 Transportation Efficiency Act of 1991 (P.L. 102-240).

11 As used in this paragraph, “reasonable access” means  
12 access substantially similar to that authorized for  
13 combinations of vehicles pursuant to subdivision (c) of  
14 Section 35401.5 and access authorized through a process  
15 substantially similar to that authorized for combinations  
16 of vehicles pursuant to subdivision (d) of Section 35401.5.

17 *(10) A house car of a length of up to 45 feet.*

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

24 (d) Any transit bus equipped with a folding device  
25 installed on or after January 1, 1999, that is permitted  
26 under subparagraph (B) of paragraph (3) of subdivision  
27 (b) or under paragraph (8) of subdivision (b) shall be  
28 additionally equipped with any of the following:

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

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

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

37 (e) (1) No person shall improperly or unsafely mount  
38 a bicycle on a device described in subparagraph (B) of  
39 paragraph (3) of subdivision (b), or in paragraph (8) of  
40 subdivision (b).



1 (2) Notwithstanding subdivision (a) of Section 23114  
2 or subdivision (a) of Section 24002 or any other provision  
3 of law, when a bicycle is improperly or unsafely loaded by  
4 a passenger onto a transit bus, the passenger, and not the  
5 driver, is liable for any violation of this code that is  
6 attributable to the improper or unlawful loading of the  
7 bicycle.

8 ~~it is the intent of the Legislature to repeal Chapter 3.3~~  
9 ~~(commencing with Section 6261) of Part 1 of Division 2~~  
10 ~~of the Revenue and Taxation Code, if those provisions are~~  
11 ~~held to be unconstitutional by a final decision of a state or~~  
12 ~~federal appellate court.~~

13 ~~SEC. 2. Section 42231.1 is added to the Vehicle Code,~~  
14 ~~to read:~~

15 ~~42231.1. If the smog impact fee set forth in Section~~  
16 ~~6262 of the Revenue and Taxation Code is repealed, from~~  
17 ~~funds appropriated to it for that purpose, the department~~  
18 ~~shall develop and implement a program to refund the~~  
19 ~~smog fee imposed pursuant to Section 6262 to any person~~  
20 ~~who paid that fee prior to the repeal of Section 6262.~~

