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AB-1250 Vehicles: buses: axle weight. (2015-2016)

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Assembly Bill No. 1250

CHAPTER 484

An act to amend Section 35554 of the Vehicle Code, relating to vehicles.

[Approved by Governor October 04, 2015. Filed with Secretary of State October 04, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1250, Bloom. Vehicles: buses: axle weight.

Existing law, operative January 1, 2016, provides that the gross weight on any one axle of a bus shall not exceed 20,500 pounds. Existing law exempts from this limitation a transit bus procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2013. A violation of this provision is a crime.

This bill would exempt from the weight limitation transit buses procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2016. The bill would provide that the weight limitation would not apply to a bus purchased during an option period in a multiyear contract to purchase transit buses that is entered into before January 1, 2016, by a publicly owned or operated transit system, or an operator of a transit system under contract with a publicly owned or operated transit system, provided that the option period does not exceed 5 years from the date of the original contract, or extend beyond January 1, 2021, whichever is earlier. This bill would also establish certain weight limitations for transit buses procured through a solicitation process pursuant to which a solicitation was issued at a specified time. The bill would provide that these provisions do not authorize the operation of a transit bus on a bridge or certain other structures if the gross weight of the transit bus is greater than the maximum weight which the bridge or other structure can safely sustain. The bill would require, if the gross weight imposed upon the highway by the wheels on any one axle of a transit bus exceeds 20,000 pounds, the axle to be supported by 4 wheels bearing load upon the highway. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program.

The bill would require a transit operator operating an articulated bus to provide notice, by July 1, 2016, to all cities and counties in whose jurisdiction the bus will operate in the upcoming calendar year, of the approximate routes upon which the bus will operate. The bill would also require an annual notice by July 1 thereafter to all cities and counties under whose jurisdiction the bus will operate, identifying any changes to the service on those routes or any new routes upon which the bus is expected to be scheduled for the upcoming calendar year.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 35554 of the Vehicle Code, as amended by Section 2 of Chapter 263 of the Statutes of 2014, is amended to read:

35554. (a) (1) Notwithstanding Section 35550, the maximum gross weight on any one axle of a bus shall not exceed 20,500 pounds.

(2) This subdivision does not apply to a transit bus procured through a solicitation process pursuant to which a solicitation was issued before January 1, 2016. This subdivision does not apply to a bus purchased during an option period in a multiyear contract to purchase transit buses that is entered into before January 1, 2016, by a publicly owned or operated transit system, or an operator of a transit system under contract with a publicly owned or operated transit system, provided, however, that the option period does not exceed five years from the date of the original contract, or extend beyond January 1, 2021, whichever is earlier.

(b) A transit bus is not subject to Section 35550.

(c) Notwithstanding subdivision (a), the following provisions shall apply to a transit bus:

(1) The curb weight on any one axle of a transit bus procured through a solicitation process pursuant to which a solicitation was issued between January 1, 2016, and December 31, 2018, inclusive, shall not exceed 23,000 pounds.

(2) The curb weight on any one axle of a transit bus procured through a solicitation process pursuant to which a solicitation was issued on or after January 1, 2019, shall not exceed 22,000 pounds.

(d) Notwithstanding subdivisions (a) and (c), the following provisions shall apply to an articulated transit bus or zero-emission transit bus:

(1) The curb weight on any one axle of an articulated transit bus or zero-emission transit bus procured through a solicitation process pursuant to which a solicitation was issued between January 1, 2016, and December 31, 2017, inclusive, shall not exceed 25,000 pounds.

(2) The curb weight on any one axle of an articulated transit bus or zero-emission transit bus procured through a solicitation process pursuant to which a solicitation was issued between January 1, 2018, and December 31, 2019, inclusive, shall not exceed 24,000 pounds.

(3) The curb weight on any one axle of an articulated transit bus or zero-emission transit bus procured through a solicitation process pursuant to which a solicitation was issued between January 1, 2020, and December 31, 2021, inclusive, shall not exceed 23,000 pounds.

(4) The curb weight on any one axle of an articulated transit bus or zero-emission transit bus procured through a solicitation process pursuant to which a solicitation was issued on or after January 1, 2022, shall not exceed 22,000 pounds.

(e) Nothing in this article shall be construed to authorize a vehicle described in paragraph (2) of subdivision (a) or described in subdivision (c) or (d) to be operated in violation of Section 35753.

(f) A transit operator operating an articulated transit bus shall, by July 1, 2016, provide notice to all cities and counties in whose jurisdiction the bus will operate in the upcoming calendar year, identifying the approximate routes upon which the bus is expected to be scheduled for service, including the names of streets and roads upon which that service is likely to take place. Thereafter, a transit operator operating an articulated transit bus shall annually provide notice by July 1, to all cities and counties in whose jurisdiction the bus will operate in the upcoming calendar year, identifying any changes to the service on those routes and any new routes upon which the bus is expected to be scheduled for the upcoming year. The notice shall include data from information provided by the bus manufacturer to the transit operator, identifying the weight of the articulated bus.

(g) For purposes of this section, the term "curb weight" means the total weight of a fully loaded transit bus, including maximum fuel, oil, and coolant, and all equipment used in the normal operation of the bus, except without passengers or a driver.

(h) Notwithstanding subdivisions (a) to (g), inclusive, a transit bus shall not operate on the Dwight D. Eisenhower System of Interstate and Defense Highways in excess of the weight limitation for transit buses specified in federal law.

(i) If the gross weight imposed upon the highway by the wheels on any one axle of a transit bus exceeds 20,000 pounds, the axle shall be supported by four wheels bearing load upon the highway.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.