

Date of Hearing: April 28, 2014

ASSEMBLY COMMITTEE ON TRANSPORTATION

Bonnie Lowenthal, Chair

AB 1720 (Bloom) – As Introduced: February 13, 2014

SUBJECT: Vehicles: bus gross weight

SUMMARY: Extends for one year, until January 1, 2016, an existing statutory exemption to the 20,500-pound-per-axle weight limit for transit buses for a transit system that is procuring a new bus that is of the same or lesser weight than the bus it is replacing, or for a transit system that is incorporating a new fleet class into its inventory, if the governing board makes certain findings. The bill additionally clarifies that the interim procurement procedures apply to buses of a gross weight of 20,500 pounds over any single axle, not a total bus weight of 20,500 pounds.

EXISTING LAW:

- 1) Generally limits the gross weight on any one axle for vehicles that travel on public streets, roads, and highways (highways) to 20,000 pounds, but provides that buses of any type may impose a gross axle weight of up to 20,500 pounds.
- 2) Under federal law, prohibits California from enforcing a weight limit of under 24,000 pounds per axle for buses travelling on the federal Interstate highway system.
- 3) Exempts transit buses procured through a solicitation process that was issued before January 1, 2013, from existing statutory limits on bus weights.
- 4) Allows, until January 1, 2015, a publicly owned and operated transit system or an operator of a transit system under contract with a publicly owned and operated transit system to do the following:
 - a) Replace existing buses that exceed the current weight limits with a new model of the same or lower weight.
 - b) Procure and operate a new bus in excess of the current weight limits in order to incorporate a new fleet class into its inventory, if the governing board adopts a finding at a public hearing that the change is necessary to address a need to serve a new or existing market pursuant to its most recently adopted short-range transit plan, or to meet federal, state, or regional statutory or regulatory requirements.
- 5) Requires the governing board of a transit system, if it holds a public hearing to consider procurement of buses in excess of existing weight limits pursuant to the above provisions, to provide written notice of the public hearing to those cities and counties on whose roads the busses would travel, and place in the public record any comment or concerns it receives regarding the procurement.
- 6) Defines “fleet class” to mean a group of transit buses that have a combination of two or more of the following similar defining characteristics:

- a) Length;
 - b) Seating capacity;
 - c) Number of axles;
 - d) Fuel or power system;
 - e) Width;
 - f) Structure; and,
 - g) Equipment package.
- 7) Prohibits transit busses from operating on the Interstate highway system in excess of federal weight limitations.
- 8) Requires state agencies to take into account vehicle weight impacts and the ability of vehicle manufacturers and operators to comply with laws limiting the weight of vehicles when promulgating regulations.

FISCAL EFFECT: None

COMMENTS: Since 1975, state law has prohibited the gross weight on any single axle of a transit bus from exceeding 20,500 pounds. Due to numerous state and federal mandates, including Americans with Disability Act requirements and mandated emissions reduction equipment, transit buses today often exceed that weight, especially when carrying a large number of passengers. According to the sponsor, the California Transit Association (CTA), as many as half of the transit buses in California operating at peak commute times may exceed the state weight limit of 20,500 pounds per axle. However, during non-peak times, this percentage drops significantly due to lower ridership loads.

Several years ago, some local police departments began citing transit buses for violating the weight limit. Merely relying on the current procedures in state law for overweight vehicles—paying fines resulting from citations or paying fees and administering thousands of annual overweight vehicle permits on a city-by-city basis—would be costly and time consuming for transit agencies and other local governments statewide. Moreover, such an approach would continue to ignore the underlying problem: the Vehicle Code limit was created more than 35 years ago and simply did not contemplate today’s operating environments or legal and regulatory requirements. However, simply increasing the weight limit for transit buses is not as easy as it might sound because for cities and counties, more weight equals greater wear and tear on local streets and roads.

AB 1706 (Eng), Chapter 771, Statutes of 2012, offered a short-term solution to the bus axle weight issue by exempting all existing transit buses from the state weight limit. The bill additionally allowed for procurement of new buses exceeded the weight limit if they were replacing existing overweight buses or if the transit operator was introducing a new fleet class. The procurement provisions are scheduled to sunset at the end of the year. AB 1760's temporary fix to the bus axle weight issue came about after stakeholders—including cities, counties, transit

agencies, and representatives from various state departments and agencies—put considerable effort into finding a permanent solution to the issue without coming to agreement.

The federal Transit Cooperative Research Program (TCRP), an arm of the Transportation Research Board backed by the National Academy of Sciences, is currently overseeing a detailed national study on the bus axle weight issue, which has been a subject of concern not just in California but nationwide. The final report is due in May. The panel overseeing the work of the contractor selected to do the study includes representatives from national association of cities, counties, public transit agencies, bus suppliers, public works engineers, and state transportation officials. The report is expected to be the most comprehensive look at the issue to date and is expected to provide a wealth of data and information that will be helpful in crafting a long-term solution for California.

Once the TCRP study is released, California stakeholders will reconvene with the goal of crafting a long-term solution to the issue that works for all parties. In the meantime, this bill extends the procurement provisions of AB 1706 for an additional year in order to provide adequate time for stakeholders to work out a permanent solution while ensuring that transit operators can continue to procure buses should it take beyond this year for an agreement to be reached.

REGISTERED SUPPORT / OPPOSITION:

Support

California Transit Association (sponsor)
California Association for Coordinated Transportation
California State Association of Counties
City of Santa Monica
Los Angeles County Metropolitan Transportation Authority
Orange County Transportation Authority
San Mateo County Transit District
Santa Clara Valley Transportation Authority
Transportation Authority of Marin

Opposition

None on file

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