

Date of Hearing: September 11, 2015

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1250 (Bloom) – As Amended September 9, 2015

SUBJECT: Vehicles: buses: axle weight.

SUMMARY: Exempts transit buses procured through a solicitation process that was issued before January 1, 2016, from the statutory weight limit of 20,500 pounds on any one axle of a transit bus. Further establishes a declining curb weight per axle requirements for transit buses, as specified. Specifically, **this bill:**

- 1) Establishes a declining curb weight per axle, beginning at 23,000 pounds per axle, for buses procured through a solicitation issued between January 1, 2016, and December 31, 2018, and ending at 22,000 pounds for buses procured through a solicitation issued on or after January 1, 2019.
- 2) Exempts buses procured from solicitations issued prior to the January 1, 2016, option period in a multiyear contract that is entered into before January 1, 2016, as specified. Further specifies that the option period shall not exceed five years or extend beyond 2021, whichever is earlier.
- 3) Establishes a declining curb weight per axle for an articulated transit bus or zero-emission transit bus, beginning at 25,000 pounds per axle, for buses procured through a solicitation issued between January 1, 2016, and December 31, 2017, and ending at ending at 22,000 pounds for buses procured through a solicitation issued on or after January 1, 2022.
- 4) Requires a transit operator operating an articulated transit bus to, by July 1, 2016, and annually thereafter, provide cities and counties a notice providing a description of the approximate routes where the articulated transit bus is scheduled to provide service, as specified.
- 5) Defines "curb weight," for purposes of this bill, as 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, not including passengers or a driver.
- 6) Prohibits a transit bus, in excess of federal weight limitations, from operating on the Federal Interstate System within the state, as specified.
- 7) Requires a transit bus that is operating with an axle that exceeds 20,000 pounds on a highway to be supported by four wheels, as specified.
- 8) Provides technical clarifying changes.

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, 2016, 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 buses 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: According to the Senate Appropriations Committee, unquantifiable minor to significant impact on pavement maintenance costs as a result of accelerated degradation by

allowing the operation of overweight transit buses (State Highway Account, local funds). Due to the numerous factors that may result in pavement degradation, it is impossible to calculate the isolated impacts and costs associated with the operation of overweight transit buses on state highways and local streets and roads.

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 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. AB 1706 additionally allowed for procurement of new buses exceeding the weight limit if they were replacing existing overweight buses or if the transit operator was introducing a new fleet class. The procurement provisions in AB 1706 were scheduled to sunset at the end of 2014. AB 1720 (Bloom), Chapter 263, Statutes of 2014, extended the sunset on the procurement provisions to the end of 2015.

The 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. Because the bus axle weight issue is a complicated one that has been a subject of concern not just in California but nationwide, the federal Transit Cooperative Research Program, an arm of the Transportation Research Board backed by the National Academy of Sciences, commissioned a detailed national study on the bus axle weight issue. The study, which was released in November of 2014, provides the most comprehensive look at the issue to date but does not provide a clear long-term solution. Rather, it puts forth 23 different options for addressing the axle weight issue and concludes: "There is no single operational, design, technological or regulatory solution that resolves these issues without some undesirable consequences."

This bill was introduced with the intent to reach a resolve to the bus axle weight issue. Since AB 1250 was heard in the Assembly, it has been amended and made more specific to reflect the continuing negotiations amongst stakeholders. This bill now represents the result of year-long

negotiations between transit operators, local and state governments, and bus manufacturers. Thus, the current version of this bill represents the results of final negotiations.

Specifically, AB 1250 exempts transit buses that were purchased under the terms of the temporary procurement provisions from the 20,500-pound per axle weight limit. This ensures that buses that were purchased under the terms of AB 1706 can continue to legally operate. Furthermore, establishes declining maximum curb weight per axle requirements for standard transit buses and articulated and zero-emission transit buses to allow the transit industry the opportunity to design and build buses that meet both environmental and vehicle weight requirements. Lastly, this bill requires a transit operator operating articulated buses to provide notice to cities and counties identifying the approximate routes an articulated transit bus is expected to provide service, including the names of streets and roads and any scheduled service changes.

REGISTERED SUPPORT / OPPOSITION:

Support

California Transit Association (sponsor)
Gold Cost Transit District
Long Beach Transit
Santa Clara Valley Transportation Authority
Santa Cruz Metropolitan Transit District
Solano County Transit

Opposition

None on file

Analysis Prepared by: Manny Leon / TRANS. / (916) 319-2093