



## Legislation Text

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**File #:** 15-049, **Version:** 1

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Staff Report for an Ordinance Adding Title 6, Chapter 6-9 to the San Leandro Municipal Code Relating to Overweight Vehicle Permits

### **SUMMARY AND RECOMMENDATIONS**

This Ordinance adds a new chapter to the existing Municipal Code regulating overweight vehicles within City limits. This Ordinance establishes a comprehensive permitting scheme to issue overweight vehicle permits to qualified applicants.

The Ordinance would require overweight vehicle permit holders to operate or move vehicles or combinations of vehicles exceeding the maximum specified in the California Vehicle Code.

Staff recommends that the City Council adopt the attached Ordinance adding Chapter 6-9 to Title 6 of the San Leandro Municipal Code to regulate overweight vehicles traveling in and through the City. During the second reading and adoption of the attached Ordinance, staff also recommends that the City Council conduct a public hearing to adopt a resolution amending the fee schedule for the issuance of overweight vehicle permits. Additionally, staff recommends that the City Council adopt a resolution repealing Chapter 4 of Title 8 of the San Leandro Administrative Code.

### **BACKGROUND**

In the past twelve (12) months, several local businesses expressed interest in operating overweight vehicles within the City. Specifically, vehicles hauling intermodal shipping containers. These businesses would like to operate vehicles with a gross weight of 95,000 lbs. The maximum allowable gross weight in California is 80,000 lbs. The California Vehicle Code allows cities to permit the moving of vehicles and loads upon highways under their respective jurisdictions of a maximum gross weight in excess of 80,000 lbs.

Operating overweight vehicles allows local businesses to be more efficient and reduce the impact on the environment by taking fewer trips. Additionally, permitting overweight vehicles could reduce the number of trucks on the roadways, leading to less congestion on the roadways, less fuel consumption and less diesel exhaust (greenhouse gases) emitted into the atmosphere.

Overweight vehicles require additional regulation because the increased weight can affect the safe starting, stopping and handling of the vehicles. Increased weight may cause stress on a vehicle that could potentially cause a critical item component to fail, leading to a traffic collision. The increased weight can add extreme pressure to the roadway which could cause the roadway and underlying infrastructure to fail.

Staff from the Engineering and Transportation Department and the Police Department met with business and Chamber of Commerce officials to discuss risks associated with permitting overweight

vehicles. Staff believes that the benefits out-weigh the risks and with proper regulation and control the City can allow vehicles to operate with an increased weight of not greater than 95,000 lbs.

Regulations on the operation of overweight vehicles include proper driver training, approval of a designated overweight route by the Engineering and Transportation Department, and proof that the overweight vehicle has undergone proper safety inspections. Vehicles found out of compliance with these conditions will be cited and in some cases taken out-of-service.

In 2010, the San Leandro Police Department created a full time commercial enforcement officer position. This commercial enforcement officer is an expert in commercial vehicle matters and drives a specialized vehicle equipped with inspection tools including portable scales.

This specially trained commercial enforcement officer patrols, locates and inspects commercial vehicles. This officer is trained by the California Highway Patrol and holds the title of M.R.E. (Mobile Road Enforcement).

The attached Ordinance will provide clear guidelines for overweight vehicle operators and will allow the commercial enforcement officer and other peace officers to appropriately regulate overweight vehicles.

San Leandro Administrative Code Title 8 Chapter 4 provides that the City will not issue permits for any vehicle or load that exceeds the maximum specified in the California Vehicle Code. Thus, staff recommends that the City Council repeal this provision of the Administrative Code, effective on the effective date of the attached Ordinance.

Pursuant to California Vehicle Code Section 35795, the City Council must conduct a public hearing prior to the adoption of the overweight vehicle permit fees under the Ordinance. Staff recommends that after the public hearing the City Council adopt the attached resolution amending the fee schedule to include the associated overweight vehicle permit fees.

### **Current Agency Policies**

The City's Fee Schedule is codified in Title 6, Chapter 4 of the San Leandro Administrative Code.

### **Fiscal Impacts**

The infrastructure to start and maintain these programs is in place, so there would be no cost to implement these programs.

### **Budget Authority**

Not applicable.

### **ATTACHMENTS**

None.

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