



# CITY OF LONG BEACH

# R-43

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

August 3, 2010

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Request the City Attorney to prepare an amendment to the Long Beach Municipal Code, to modify LBMC Chapter 10.41 and 10.56, as necessary, to permit the operation of trucks with weight and vehicle characteristics consistent with state law, and to allow the transport of overweight cargo in various sized intermodal shipping equipment as recommended by the City Traffic Engineer.  
(Districts 1, 2, 7)

## DISCUSSION

Federal and state law limits the weight of trucks and their trailers to a combined loaded weight of 80,000 pounds on state highways and the interstate freeway system. With special permits, heavier loads are allowed if the load cannot be reduced or reasonably divided into smaller loads. The California Vehicle Code (CVC) allows local jurisdictions, such as Long Beach, to issue permits for trucks exceeding the 80,000-pound limit to travel on their local roadways by permit only.

In 1994, the City of Long Beach adopted an ordinance allowing trucks, up to a maximum weight of 95,000 pounds, to travel on certain roads in the harbor district and industrial areas north of the Port by special permit. This ordinance was enacted to permit heavy freight to be unloaded at the port and transported to local warehouses and businesses where it could be processed and reorganized into smaller loads that can legally travel on the roadway system. In 2009, the City Traffic Engineer issued permits for 120 trucks with 14 companies to haul overweight containers. Primary commodities transported by these trucks include paper products, frozen food, consumable liquids, stone, and other building materials.

In January of this year, the City Traffic Engineer and the Commercial Enforcement Section of the Long Beach Police Department conducted a public hearing with the trucking companies that operate trucks under City of Long Beach-issued overweight vehicle permits. The purpose of the hearing was to discuss the ordinance and enforcement practices. Two concerns regarding the ordinance emerged from the hearing. One was that the ordinance only allows the transportation of 40-foot containers, however, many products are currently being shipped in smaller containers or on flatracks that are not fully enclosed. The second was that the ordinance

specifically outlines weight limits and axel spacing that will conflict with state law when weight limits or truck characteristics are changed through future legislation.

In consideration of the comments received at the public hearing and in coordination with Los Angeles County and the California Highway Patrol, staff is of the opinion that adjustments to the existing ordinance to permit various intermodal shipping equipment, such as 20-foot containers and flatracks, would improve Long Beach business's competitive edge without having a negative impact on safety or the community. Furthermore, modifying the ordinance to reference state law would be consistent with LBMC 10.56 and allow minor administrative changes to permits to accommodate changes in permissible weight and vehicle characteristics allowed within California.

This matter was reviewed by Deputy City Attorney Amy Burton on June 22, 2010, and by Budget Management Officer Victoria Bell on June 23, 2010.

#### SUSTAINABILITY

The Department of Public Works has the discretionary authority to issue special permits for the movement of vehicles/loads exceeding statutory limitations on the size, weight and loading of vehicles regulated by Division 15 of the California Vehicle Code. Providing such special permits allows for the efficient transport of goods in fewer trucks, reducing particulate matter, and promoting business within the City.

#### TIMING CONSIDERATIONS

City Council action on this matter is requested before October 1, 2010 in order to complete permit modifications prior to the 2011 permit renewal process that begins in November of this year.

#### FISCAL IMPACT

It is unlikely that the proposed ordinance changes will result in a change in the number of permits or citation revenue.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:

  
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PATRICK H. WEST  
CITY MANAGER