

CITY COUNCIL COMMITTEE

INFRASTRUCTURE & FRANCHISE

Dan Helix, Chair

Laura Hoffmeister, Committee Member

5:30 p.m., Thursday, June 12, 2014

Building A, Garden Conference Room
1950 Parkside Drive, Concord

- A G E N D A - (Updated)

ROLL CALL

PUBLIC COMMENT PERIOD

1. **CONSIDERATION** – Proposal to Update the City’s Weight Limit for Commercial Vehicles that are Required to use Truck Routes from Three Tons to Five Tons. Report by Ray Kuzbari, Transportation Manager.
2. **ADJOURNMENT**

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Distribution: City Council
Valerie Barone, City Manager
Scott Johnson, Assistant City Manager
Mark Coon, City Attorney
Victoria Walker, Community & Economic Development Director
Ray Kuzbari, Transportation Manager
Administrative Services

**REPORT TO COUNCIL COMMITTEE ON
INFRASTRUCTURE & FRANCHISE****TO THE HONORABLE COMMITTEE MEMBERS:**

DATE: June 12, 2014

SUBJECT: PROPOSAL TO UPDATE THE CITY'S WEIGHT LIMIT FOR COMMERCIAL VEHICLES THAT ARE REQUIRED TO USE TRUCK ROUTES FROM *THREE* TONS TO *FIVE* TONS**Report in Brief**

In 2002, the Commercial Vehicle Registration Act (CVRA) changed the way the Department of Motor Vehicles (DMV) registers commercial motor vehicles in California. Registration of commercial vehicles (registered after December 31, 2001) is based on the unladen weight¹, or declared gross vehicle weight² (GVW), or declared combined gross vehicle weight³ (CGW). Payment of a CVRA Fee (weight fee) is required to register commercial vehicles if the vehicle owner declares the maximum operating GVW or CGW to be over 10,000 pounds (or five tons).

Light-weight trucks and vans with a declared GVW or CGW of five tons or less are not subject to the CVRA registration fee. These vehicles are considered to be less impactful to the environment or pavement wear-and-tear than heavy trucks and, therefore, are not required to pay a CVRA Fee in addition to the regular registration fee. Accordingly, staff recommends that the Concord Municipal Code be updated regarding the weight of commercial vehicles that are required to use designated truck routes within the city limits. The commercial vehicle weight limit would be updated to match the CVRA weight limit of five tons. Vehicles exceeding this weight limit would be required to utilize truck routes for through trips within Concord.

Staff recommends that the Infrastructure & Franchise Committee (Committee) review the proposal to update the City's weight limit for commercial vehicles that are required to use truck routes from *three* tons to *five* tons, provide comments and/or direction to staff, and direct the report to the City Council with their recommendations.

¹ The unladen weight is the weight of the vehicle when it's not carrying any passengers or cargo.

² The declared gross vehicle weight (GVW) is the weight that equals the total unladen weight of the vehicle plus the heaviest load that will be transported on the vehicle including any optional accessories, cargo and passengers. For safety reasons, a vehicle should never be loaded beyond the manufacturer's listed GVW rating.

³ The declared combined gross vehicle weight (CGW) is the total unladen weight of the combination of vehicles (motor vehicle and trailer) plus the heaviest load that will be transported by that combination.

**PROPOSAL TO UPDATE THE CITY'S WEIGHT LIMIT FOR COMMERCIAL
VEHICLES THAT ARE REQUIRED TO USE TRUCK ROUTES FROM *THREE*
TONS TO *FIVE* TONS**

June 12, 2014

Page 2

Background

In August 1968, the Concord City Council adopted Traffic Resolution No. 3521 designating certain streets in the City as "Truck Routes" for the movement of commercial vehicles exceeding a maximum gross weight limit of three tons as specified in the Concord Municipal Code. Trucks over three tons in weight are prohibited from all other streets, except when necessary to traverse to a destination for the purpose of loading or unloading. This weight restriction was established to protect residential neighborhoods from cut-through traffic by heavy trucks. Other cities in the San Francisco Bay Area have adopted a three-ton weight limit on use of certain streets, including the Cities of Tracy, Union City and Walnut Creek.

In 2002, the Commercial Vehicle Registration Act (CVRA) changed the way the DMV registers commercial motor vehicles in California. Commercial vehicles with a declared operating GVW or CGW over five tons are required to be CVRA-registered and are issued CVRA weight decals and CVRA year stickers that must be displayed on both sides of the vehicle. The weight of five tons is considered to be the cutoff point between heavy- and light-weight commercial vehicles under the CVRA.

Light-weight trucks and vans with a declared GVW or CGW of five tons or less are not subject to the CVRA registration fee. These vehicles do not affect the environment or road conditions as much as heavy trucks and, therefore, are not required to pay a CVRA Fee in addition to the regular registration fee. Compared to the three-ton weight limit imposed on certain streets in the City, the five-ton CVRA weight limit represents a more realistic benchmark considering the changes in vehicle design, size and performance that have occurred since the 1990s, mainly with the introduction of sports utility vehicles (SUVs) and heavy-duty pickup trucks with enhanced commercial capabilities.⁴

Discussion

All owners or lessees of commercial motor vehicles (new or used) exceeding five tons in GVW or CGW and registered with the California DMV are required under the CVRA to declare the maximum gross weight at which their vehicles will operate (i.e., the unladen weight of the vehicle plus the heaviest load that will be transported on the vehicle). The vehicle must display the appropriate weight decal and CVRA year stickers (for a fee in addition to the regular year sticker) and the weight decal displayed must match the reported maximum gross weight shown on the owner's registration card.⁵

Pickup trucks with an unladen vehicle weight of 8,000 pounds (four tons) or less and a manufacturer's GVW rating of less than 11,500 pounds (5.75 tons) are excluded from the CVRA requirements to declare the maximum operating weight of the vehicle or display a weight decal and CVRA year stickers. These weight limits are designed to accommodate heavy-duty pickup trucks

⁴ Heavy-duty pickup trucks purchased or leased for personal use with standard single rear wheel trim may be equipped with crew cab, long box body style for increased passenger and load capacity; and high performance Turbo-Diesel V8 engine for enhanced commercial capabilities.

⁵ A CVRA fee (weight fee) is required to register commercial motor vehicles operated either singly or in combination with a declared GVW over five tons.

**PROPOSAL TO UPDATE THE CITY'S WEIGHT LIMIT FOR COMMERCIAL
VEHICLES THAT ARE REQUIRED TO USE TRUCK ROUTES FROM *THREE*
TONS TO *FIVE* TONS**

June 12, 2014

Page 3

owned by private citizens and equipped with professional grade performance/capacity options. These trucks are exempt from CVRA registration requirements and are not classified as commercial vehicles even if the operating weight is over five tons.

Proposed Action. Update the Concord Municipal Code to raise the GVW limit for prohibiting commercial vehicles from using certain streets in the City from three tons to five tons to match the CVRA requirement for registering commercial motor vehicles exceeding five tons in gross weight.

If recommended by the Committee and approved by the City Council, this action would not create any significant impacts on residential streets from commercial traffic, as heavy-weight commercial trucks (over five tons) would continue to be required to use the City's designated Truck Routes for through travel. The Truck Route network would not be affected by this action nor would the way truck operators use City streets.

In order to update the City's weight limit for commercial trucks to five tons, it is recommended that Concord Municipal Code Sections 10.25.010 to 10.25.030 be revised as shown in Attachment 1. Municipal Code revisions are introduced and adopted by Ordinance of the City Council through a public hearing process. The proposed revisions will clarify that the five-ton weight limit restriction on use of certain streets only applies to registered commercial motor vehicles. Heavy-duty pickup trucks can be operated commercially without the need to register the vehicle even if the operating weight is over five tons.

The new five-ton weight limit will make it easier for pickup truck owners/residents to use their personal trucks for business purposes as well, without exceeding the weight limit on City streets outside of the Truck Route network.

Recreational vehicles (RVs) or trailers (e.g., non-motorized camp trailers, park trailers or trailer coaches) are not affected by the proposed revisions to the City's Municipal Code. Furthermore, truck use exceptions when necessary to traverse to a destination for the purpose of loading or unloading would not be changed.

The City Attorney and Concord Police staff have reviewed this proposal and concur with the recommendation to update the City's weight limit on use of certain streets from three tons to five tons in order to maintain consistency with the State's policy on registering commercial motor vehicles. The weight decal and CVRA year stickers displayed on the CVRA-registered vehicle will also make it easier for Police to identify commercial vehicles for enforcement purposes.

Fiscal Impact

There would be no fiscal impact to the City as a result of raising the gross weight limit for prohibiting commercial vehicles from using certain streets in Concord from the current three tons to five tons.

**PROPOSAL TO UPDATE THE CITY'S WEIGHT LIMIT FOR COMMERCIAL
VEHICLES THAT ARE REQUIRED TO USE TRUCK ROUTES FROM *THREE*
TONS TO *FIVE* TONS**

June 12, 2014

Page 4

Public Contact

Posting of the Committee Agenda provides public notice.

Recommendation for Action

Staff recommends that the Infrastructure & Franchise Committee review the proposal to update the City's weight limit for commercial vehicles that are required to use truck routes from *three* tons to *five* tons, provide comments and/or direction to staff, and direct the report to the City Council with their recommendations



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Enclosure:

Attachment 1 – Proposed Revisions to the City of Concord Municipal Code

CITY OF CONCORD MUNICIPAL CODE

10.25.010 Truck routes.

(a) Whenever any ordinance or resolution of this city designates and describes any street or portion thereof as a street, the use of which is permitted by any registered commercial motor vehicle ~~or by any vehicle~~ exceeding a ~~maximum gross~~ vehicle weight limit (GVW) of 10,000 pounds three (five) tons, the Director of Public WorksCommunity and Economic Development is hereby authorized to designate such street or streets by appropriate signs as "truck routes" for the movement of registered commercial motor vehicles ~~or by vehicles~~ exceeding a ~~maximum gross weight limit~~GVW of threefive tons.

(b) When any such truck route or routes are established and designated by appropriate signs, the operator of any registered commercial motor vehicle ~~or any vehicle~~ exceeding a ~~maximum gross weight limit~~GVW of threefive tons shall drive on such route or routes and none other, except when necessary to traverse another street or streets to a destination for the purpose of loading or unloading, but then only by such deviation from the nearest truck route as is reasonably necessary. This subsection shall not be construed to relieve an operator subject to this section from obtaining an encroachment permit pursuant to chapter 12.15, of this Code if required by the Director of Public WorksCommunity and Economic Development.

(c) The provisions of this section shall not apply to: (1) passenger buses under the jurisdiction of the Public Utilities Commission, (2) any vehicle owned by a public utility while necessarily in use in the construction, installation, or repair of any public utility, or (3) refuse collection vehicles which operate on city streets pursuant to provisions of chapter 8.20 of this Code.

(d) Those streets and parts of streets established by resolution of the Council are hereby declared to be truck routes for the movement of registered commercial motor vehicles exceeding a ~~maximum gross weight~~GVW of threefive tons.

(Code 1965, § 3278; Code 2002, § 106-251. Ord. No. 743; Ord. No. 763; Ord. No. 818; Ord. No. 17; Ord. No. 1164)

10.25.020 Commercial vehicles prohibited from using certain streets.

(a) Whenever any ordinance of this city designates and describes any street or portion thereof as a street, the use of which is prohibited by any registered commercial motor vehicle, the Director of Community and Economic DevelopmentPublic Works shall erect and maintain appropriate signs on those streets affected by such ordinance.

(b) Pursuant to Vehicle Code § 35701. (a), registered commercial motor vehicles exceeding a GVW of threefive tons are prohibited on the following all streets other than those designated as "truck routes" except at those times when it is necessary for said vehicles to travel on said streets for the sole purpose of reaching a destination for loading or unloading, provided that the route of travel on said street is the shortest deviation from the nearest truck route or non-prohibited street:

~~Alberta Way between Clayton Road and Ygnacio Valley Road.~~

~~Babel Lane from Clayton Road to Cowell Road.~~

~~Bailey Road from Clayton Road northward to the city limits.~~

~~Birch Avenue between Fairfield Avenue and Hickory Drive.~~

~~Bonifacio Street between Port Chicago Highway and Concord Avenue.~~

~~Concord Boulevard between Port Chicago Highway and Kirker Pass Road.~~

~~Cowell Road between Treat Boulevard and Galindo Street.~~

~~David Avenue from Oak Grove Road to Bancroft Road.~~

~~Detroit Avenue between Clayton Road and Vista Del Monte.~~

~~Fairfield Avenue between Grant Street and Birch Avenue.~~

~~First Street between Concord Boulevard and Sinclair Avenue.~~

~~Hickory Drive between Birch Avenue and Port Chicago Highway.~~

~~Landana Drive from Willow Pass Road to Mulberry Drive.~~

~~Meadow Lane between Monument Boulevard and Market Street.~~

~~Minert Road from Oak Grove Road westward to the city limits.~~

~~Mohr Lane from Monument Boulevard to David Avenue.~~

~~North Sixth Street from Willow Pass Road to Port Chicago Highway.~~

~~Oakmead Drive from Detroit Avenue to Teyon Drive.~~

~~Oakmead Drive from Monument Boulevard to Detroit Avenue.~~

~~Olivera Road from State Freeway 242 to a point 1,300 feet east of Solano Way in the city.~~

~~Olivera Road from State Freeway 242 to Willow Pass Road.~~

~~Parkside Drive between Concord Boulevard and The Alameda.~~

~~Peach Place between Reganti Drive and Oak Grove Road.~~

~~Peralta Drive between Arnold Industrial Place and Olivera Road.~~

~~Pine Hollow Road from Kaiser Company private road eastward to the city limits.~~

~~Port Chicago Highway between Salvio Street and Arnold Industrial Highway.~~

~~Reganti Drive between Peach Place and Monument Boulevard.~~

~~Salvio Street between East Street and Olivera Road.~~

~~The west leg of The Alameda between Clayton Road and Parkside Drive.~~

~~Willow Pass Road from Colfax Street to Galindo Street.~~

(Code 1965, § 3279; Code 2002, § 106-252. Ord. No. 743; Ord. No. 1145; Ord. No. 816; Ord. No. 980; Ord. No. 1023; Ord. No. 930; Ord. No. 87-27; Ord. No. 863; Ord. No. 1087; Ord. No. 989; Ord. No. 905; Ord. No. 890; Ord. No. 1194; Ord. No. 1127; Ord. No. 1167)

10.25.030 Restrictions on use of Pine Hollow Road.

Registered commercial Vehicles-motor vehicles in excess exceeding a GVW of 10,000 pounds five tons in gross weight are prohibited from using Pine Hollow Road between Alberta Way and the city limits between the hours of 10:00 p.m. and 7:00 a.m. daily.

(Code 1965, § 3279; Code 2002, § 106-253. Ord. No. 87-31)