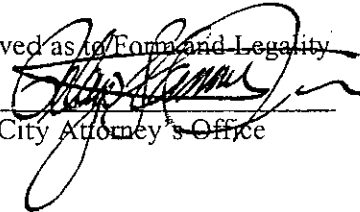


FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality


City Attorney's Office

08 FEB -7 PM 12:00 **OAKLAND CITY COUNCIL**

RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER LARRY E. REID

RESOLUTION REAFFIRMING RESOLUTION NO. 74985 C.M.S., PASSED MAY 11, 1999, WHICH DECLARED THE CITY COUNCIL'S COMMITMENT TO OPPOSE LIFTING THE STATE BAN THAT PROHIBITS MOTOR VEHICLES EXCEEDING 9,000 POUNDS GROSS WEIGHT FROM USING THE INTERSTATE ROUTE 580 FREEWAY IN OAKLAND AND OPPOSING ANY RESCISSION OF THE PROHIBITION

WHEREAS, in 1951, heavy motor vehicle traffic was prohibited on MacArthur Blvd., which served as a state highway prior to construction of the Interstate Route 580 freeway; and

WHEREAS, Oakland City Ordinance No. 6789 C.M.S. passed June 13, 1963, amending Sections 205 and 206 of the Oakland Traffic Code; prohibited heavy motor vehicles from traveling on the MacArthur Freeway (Interstate Route 580), and designated alternate routes for heavy vehicle traffic. The Ordinance prohibited vehicles exceeding 4.5 tons (9,000 pounds), except for passenger buses and passenger stages from using I-580 between Grand Avenue in Oakland until the San Leandro border, and included a provision that the prohibition continue in perpetuity, unless repealed by Oakland City Council. These terms were accepted by the Federal Highway Administration - FHWA (then Federal Bureau of Public Roads) and Caltrans (then California Department of Public Works; and

WHEREAS, in 1963 the weight restriction went into effect when the freeway Interstate Route 580 was constructed, and was enforced by the California Highway Patrol as an Oakland Municipal Code violation. Annual reviews of the weight restrictions, which concluded there was no reason to lift the restrictions, occurred from 1968 until 1972 when it was determined future reviews were unnecessary; and

WHEREAS, in 1999, Caltrans District 4 proposed to Caltrans headquarters that the district initiate a study on the weight restriction; and

WHEREAS, Oakland City Council passed Resolution No. 74985 C.M.S. on May 11, 1999 affirming the weight restriction on I-580 in Oakland and opposing removal or modification of the weight restriction; and

WHEREAS, on June 30, 1999, Caltrans wrote to the City of Oakland, that there were no plans or resources allocated to perform the study; and

WHEREAS, in February 1999, Assembly member Corbett (San Leandro) sponsored Assembly Bill (AB) 500 (1999-2000 session) to add the 9,000 pound maximum weight restriction on Interstate Route 580 from Grand Avenue in Oakland to the Foothill Boulevard

Exit in San Leandro, to the California Vehicle Code. AB 500 passed in August 2000 and is now codified as Vehicle Code Section 35655.5; and,

WHEREAS, there is recent interest in funding a study of the weight restrictions on the Interstate Route 580 freeway; NOW THEREFORE, BE IT

RESOLVED: That the City Council hereby reaffirms its position stated in Resolution No. 74985 C.M.S., passed May 11, 1999, opposing any lifting of the maximum motor vehicle weight restriction on the Interstate Route 580 freeway that is codified as Vehicle Code Section 35655.5 and strongly opposes any rescission of the prohibition.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, REID, QUAN, and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California