

# OAKLAND CITY COUNCIL



City Attorney

RESOLUTION No. = **78971**

OFFICE OF THE CITY ATTORNEY  
OAKLAND  
**C.M.S.**

2004 DEC -1 PM 3:04

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO DESIGNATE THE REVENUE RECEIVED ANNUALLY FROM THE ISSUANCE OF "EXTRA LEGAL LOAD TRANSPORTATION PERMITS" TO OFFSET DIRECT AND INDIRECT PROGRAM COSTS.**

**WHEREAS**, the transportation of extra legal loads through the City of Oakland creates increased regulatory and enforcement work for the Police Department's Traffic Section; and

**WHEREAS**, existing state law in the California Vehicle Code (CVC) authorizes the Police Department to issue permits to carriers of extra-legal loads; and

**WHEREAS**, California Vehicle Code Section 35975(b) authorizes the assessment of fees to cover costs incurred for the issuance of permits; and

**WHEREAS**, the powers granted to the City by Article 6 of Chapter 5, Division 15 of the State of California Vehicle Code, pertaining to the issuance of special permits for loads exceeding the maximum sizes and/or weights, and for administering the rules and regulations pertaining thereto, are hereby delegated to the Chief of Police; and

**WHEREAS**, the Police Department incurs certain costs with the issuance of permits and administration of the program; and

**WHEREAS**, the revenues generated by the program will be used to offset program costs, direct and indirect; and

**WHEREAS**, the program is intended to be cost covered, with no general fund support; and

**WHEREAS**, commercial enforcement officers assigned to the Police Department Traffic Section's Commercial Vehicle Detail are assigned to field duties and require special training and equipment for the administration of this program and the enforcement of laws applicable to violators; now, therefore be it

**RESOLVED:** Revenues from the extra-legal load permit fees shall be deposited in the Police Department General Fund (1010), in the Traffic Operation's organization number 105640, in program PS14, in project P208110.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 21 2004, 20    

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE —8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: CEDA FLOYD  
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California