

STAND. COM. REP. NO.

159

Honolulu, Hawaii

Feb 8, 2007

RE: H.B. No. 1757

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1757 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this bill is to provide relief to the property motor carrier industry by eliminating:

- (1) Restrictions on the total gross weight of a vehicle as applied to any:
 - (A) Single axle on a vehicle; or
 - (B) Group of two or more consecutive axles on a vehicle or combination of vehicles; and
- (2) Fines for second, third, or subsequent weight violations.

The Hawaii Transportation Association, Operating Engineers Local Union #3 Joint Apprenticeship Committee for Hawaii, Horizon Lines, and Hawaii Operating Engineers Industry Stabilization Fund testified in support of this bill. The Department of Transportation (DOT) opposed this measure. RPM Transportation (Hawaii) Inc. submitted comments.

Currently, vehicle weight enforcement for the trucking and transportation industry involves the weighing of the overall

HB1757 HSCR TRN HMS 2007-1898



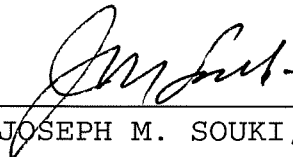
vehicle. Weight enforcement also takes into account axle weight, which involves the distribution of weight throughout the vehicle over each axle or set of axles.

Enforcement of axle weights causes problems for truckers since they normally do not load the containers which they haul. Therefore, a driver is unable to determine whether the vehicle is in compliance with axle weight requirements until the vehicle is weighed on an enforcement scale, at which time the driver is cited if the vehicle axle weight is over the limit. Your Committee finds that it is unfair for a truck driver to suffer the consequences for conditions over which the driver has no control.

However, your Committee does recognize the concerns raised by DOT that passage of this measure may cause the State to be in noncompliance with the Federal Highway Administration size and weight enforcement program requirements for Federal Aid Highways which may result in the reduction of federal funds. Your Committee respectfully requests that the Committee on Judiciary take a closer look at this matter.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1757 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,




JOSEPH M. SOUKI, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 1757		Date: 2-5-07		
Committee Referral: TRN, JUD, FIN		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold		<input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration		
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. EVANS, Cindy	/			
4. HAR, Sharon E.		/		
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia	/			
7. McKELVEY, Angus L.K.		/		
8. NAKASONE, Bob	/			/
9. SONSON, Alex M.	/			
10. TAKAMINE, Dwight Y.				/
11. TAKUMI, Roy M.	/			
12. MEYER, Colleen Rose		/		
13. PINE, Kymberly Marcos		/		
TOTAL	7	4		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
 Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				