
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 291-37, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any person guilty of omitting any of the required
4 acts, or committing any of the prohibited acts of sections 291-2
5 to 291-33, or the rules adopted shall be guilty of a violation
6 of this chapter and shall be fined not less than \$25 nor more
7 than \$1,800.

8 Any person guilty of omitting any of the required acts, or
9 committing any of the prohibited acts of section 291-34, 291-35,
10 or 291-36 shall be fined in accordance with the following
11 tables:

12 The fine for a

13 If the excess weight is: [~~first~~] violation shall
14 be:

15 100 to 1,500 pounds [~~\$125~~] \$250

16 1,501 to 2,000 pounds [~~130~~] 260

17 2,001 to 2,500 pounds [~~140~~] 280

18 2,501 to 3,000 pounds [~~160~~] 320



1	3,001 to 3,500 pounds	[180] <u>360</u>
2	3,501 to 4,000 pounds	[200] <u>400</u>
3	4,001 to 4,500 pounds	[225] <u>450</u>
4	4,501 to 5,000 pounds	[250] <u>500</u>
5	5,001 to 5,500 pounds	[275] <u>550</u>
6	5,501 to 6,000 pounds	[300] <u>600</u>
7	6,001 to 6,500 pounds	[330] <u>660</u>
8	6,501 to 7,000 pounds	[360] <u>720</u>
9	7,001 to 7,500 pounds	[390] <u>780</u>
10	7,501 to 8,000 pounds	[420] <u>840</u>
11	8,001 to 8,500 pounds	[455] <u>910</u>
12	8,501 to 9,000 pounds	[490] <u>980</u>
13	9,001 to 9,500 pounds	[525] <u>1050</u>
14	9,501 to 10,000 pounds	[560] <u>1120</u>
15	10,001 pounds and over	[580] <u>1160</u>

16	If the excess dimension is:	The fine shall be:
17	Up to 5 feet	[\$ 25] <u>\$ 50</u>
18	Over 5 feet and up to 10 feet	[50] <u>100</u>
19	Over 10 feet and up to 15 feet	[75] <u>150</u>
20	Over 15 feet	[100] <u>200</u>

21 ~~[For the purpose of the imposition of a fine or penalty herein,~~
22 ~~evidence of prior offenses shall be admissible.~~



1 ~~For a second violation within one year of the first, the~~
2 ~~fine for excess weight shall be not less than twice the fine~~
3 ~~listed in the excess weight table above and not more than~~
4 ~~\$1,200. For a third or subsequent violation for excess weight~~
5 ~~previously cited under this section within one year, the fine~~
6 ~~shall not be less than triple the fine listed in the excess~~
7 ~~weight table above and not more than \$1,800.]~~

8 For the purposes of this section, "person" means the driver
9 of the vehicle unless the driver is an employee in the scope and
10 course of employment, in which case "person" means the employer
11 of the driver. In the case of the transportation of a sealed
12 container or transportation by flatrack, "person" means:

- 13 (1) The individual or company the cargo is consigned to;
14 or
15 (2) The individual or company located in the State
16 shipping the cargo.

17 The consignee or the shipper shall not be cited if the power
18 units' drive axle group is overweight, and the weight is not
19 more than that allowed for a tandem axle with any applicable
20 tolerances.



1 All penalties imposed and collected for violations of
2 sections 291-33 to 291-36 shall be paid into the state highway
3 fund.

4 The department of transportation [~~is authorized to~~] shall
5 institute a system where the fine, based on the tables in this
6 subsection, may be mailed in when the citation or penalty is not
7 to be contested. This system shall include an ability for the
8 owner of the vehicle or combination of vehicles to request the
9 operator be held harmless and the citation be transferred to
10 that owner of the vehicle or combination of vehicles."

11 SECTION 2. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect on July 1, 2007.



Report Title:

Vehicle Gross Weight

Description:

Increases fines for certain violations of vehicle length and gross weight requirements. Repeals fines for second, third, and subsequent violations. Requires, rather than permits, the department of transportation to establish a process for vehicle weight violators to mail in uncontested fine payments. (SD1)

