
A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

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

1 SECTION 1. Section 286-271, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) This section shall not apply to:

4 (1) Any motor vehicle rental company as defined in section
5 431:9A-141 that periodically ships in quantities of
6 ten vehicles or more; [~~or~~]

7 (2) Licensed dealers who periodically ship in quantities
8 of ten vehicles or more, or whose primary business is
9 the auction of insurance salvage vehicles[~~-~~]; or

10 (3) Drivers of vehicles traveling on an inter-island
11 ferry; provided that such drivers present
12 identification of the driver, a current certificate of
13 registration for the vehicle, and proof of motor
14 vehicle insurance. The inter-island ferry carrier
15 shall keep a record of transporting the vehicle by
16 recording the vehicle identification number and
17 retaining the information for three years after the
18 date of travel."



1 SECTION 2. Section 291-36, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§291-36 Exceptions.** (a) The director of transportation,
4 in the case of state highways, or the county engineer, in the
5 case of county roads and streets, may, upon application in
6 writing, issue a written permit authorizing the applicant to
7 operate or move a vehicle or combination of vehicles,
8 self-propelled construction or farm equipment, or special mobile
9 equipment of dimensions or weights, including loads or both,
10 which exceed the limits set in sections 291-34 and 291-35.

11 (b) The director of transportation, in the case of state
12 highways, or the county engineer, in the case of county roads
13 and streets, may issue a permit authorizing the applicant to
14 operate vehicles or combinations of vehicles which exceed the
15 limits set forth in section 291-35 when carrying products from
16 the place where they are harvested or stored to the place where
17 they are processed or used.

18 (c) The application for any such permit shall specifically
19 describe the vehicle or combination of vehicles, the
20 self-propelled construction or farm equipment, the load to be
21 operated or moved, the particular highways over which the permit



1 to operate is requested, and whether such permit is requested
2 for a single trip or for continuous operation.

3 (d) The director of transportation or county engineer may
4 if the director of transportation or county engineer determines
5 that adequate precautions will be taken to protect persons and
6 property issue the permit and may in the permit limit the number
7 of trips, establish seasonal or other time limitations during
8 which the permit is valid, prescribe conditions as to route,
9 equipment, speed, escort vehicles, safety measures, or otherwise
10 limit or prescribe conditions of operation under such permit to
11 assure against injury to person and undue damage to the road
12 foundations, surfaces, or structures. The issuing authority may
13 also require such undertaking or other security as may be deemed
14 necessary to protect the highways and bridges from damage, or to
15 provide indemnity for any injury resulting from such operation.
16 The permit shall be valid for the period specified or unless
17 sooner revoked by the issuing authority.

18 (e) Every such permit shall be carried in the vehicle or
19 combination of vehicles or the self-propelled construction or
20 farm equipment to which it refers and shall be open to
21 inspection of any peace officer or traffic officer or employee
22 charged with the care or protection of the highways; provided



1 that in the case of annual permits, this requirement may be met
2 where a copy of the permit is carried in the vehicle, and the
3 original permit is readily available for inspection from the
4 operator's offices in the county of issuance.

5 (f) The owner of any vehicle or combination of vehicles or
6 self-propelled construction or farm equipment found operating in
7 violation of the terms or conditions of any permit or over
8 sections of the highway not covered by the permit shall be
9 subject to the penalties provided in section 291-37.

10 (g) The restrictions of sections 291-34 and 291-35 shall
11 not apply to the operation of motor vehicles on roads now under
12 the control of the counties where a private individual or
13 corporation actually maintains the county road or roads under an
14 agreement in writing filed with the respective county or city
15 council. The agreement shall also provide that the individual
16 or corporation shall repair all damages caused to such roads by
17 vehicles or other self-propelled equipment belonging to or under
18 the control of the individual or corporation and upon failure of
19 the individual or corporation to repair such road or roads as
20 provided in such agreement, the county may repair such damages
21 and charge the cost thereof to and collect the same from the
22 individual or corporation.



1 (h) Nothing in this chapter shall prevent motor vehicles
2 with a width of greater than nine feet, including load, from
3 crossing any public road, street, or highway within the State.

4 (i) No provision herein shall be so construed as to
5 prevent the passage of ordinances by any county which impose
6 restrictions more severe in nature.

7 (j) A fee shall be charged for each permit issued by the
8 director of transportation as follows:

9 (1) Single trip permit for loads less than 1.35 times
10 the allowable load or less than 14 feet in width .. \$ 5.

11 (2) Continuous trip permit for loads less than 1.35
12 times the allowable load or less than 14 feet in
13 width \$10.

14 (3) Overweight permit in excess of 1.35 times the
15 allowable load \$25.

16 (4) Oversize permit for width in excess of 14 feet \$25.

17 Such fee shall be deposited in the State's account for
18 special funds for highways.

19 (k) Notwithstanding any law to the contrary, no permit
20 shall be required for any vehicle or combination of vehicles
21 used in agricultural operations or activities which only crosses
22 any public road, street, or highway within the State at



1 locations approved by the director of transportation, in the
2 case of state highways, or the county engineer, in the case of
3 county roads and streets; provided that:

4 (1) The owners of vehicles transporting agricultural
5 products and equipment shall construct and maintain
6 structurally suitable pavement sections at each
7 crossing;

8 (2) These owners shall provide for the cleaning and
9 removal of all debris and mud generated by their
10 operation;

11 (3) The maximum length of vehicles transporting
12 agricultural products shall be limited to not more
13 than eighty feet; and

14 (4) The maximum length of vehicles, including load, used
15 in transporting agricultural equipment shall be
16 limited to not more than one hundred feet.

17 (1) Notwithstanding any law to the contrary, no scaling
18 shall be required for:

19 (1) Any vehicle or combination of vehicles used in
20 transshipping neighbor island bound cargo directly
21 between piers in Honolulu harbor; or



1 (2) Any activities limited to crossing a public road,
2 street, or highway within the State at locations
3 approved by the director of transportation, in the
4 case of state highways, or the county engineer, in the
5 case of county roads and streets."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Interisland Shipping; Motor Vehicles

Description:

Provides certain vehicle identification exemptions required when shipping a motor vehicle between islands for interisland ferry service providers; exempts from scaling any vehicles used in transshipping neighbor island bound cargo directly between piers in Honolulu Harbor, and any activities limited to crossing a public road, street, or highway within the State at locations approved by the director of transportation, in the case of state highways, or the county engineer, in the case of county roads and streets. (SD1)

