
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The condition of Hawaii's roadways,
2 particularly those on the island of Oahu, has generated a large
3 number of complaints from Hawaii residents at both the State and
4 county levels. Additionally, claims filed at the State and
5 county levels for damage to motor vehicles due to poor road
6 conditions, such as potholes, are common and appear to be
7 increasing.

8 Both the State and city and county of Honolulu have tried
9 to address the issue of deteriorating roadways in recent years
10 with the initiation of major roadway repaving projects and
11 aggressive repaving schedules. Between 2013 and 2014, the city
12 and county of Honolulu paved over eight hundred lane miles of
13 road on Oahu. In 2015, another three hundred lane miles are
14 expected to be paved by the city and county of Honolulu.
15 However, much more road repair and repaving work remains.

16 Besides the sheer volume of traffic, another factor
17 exacerbating the wear and tear on our public roadways is use of



1 the roadways by large vehicles that transport heavy loads of
2 cargo shipped in to our State. Regulating cargo carrier use of
3 public roadways by implementing weight verification requirements
4 may be a means of extending the life of Hawaii's roadways.

5 The purpose of this Act is to require commercial maritime
6 cargo carrying vehicles to meet weigh in, reporting, and other
7 requirements when transporting heavy loads of cargo on Hawaii's
8 roadways.

9 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
10 amended by adding a new section to part V to be appropriately
11 designated and to read as follows:

12 "§291C- Maritime cargo carrying vehicles; heavy loads.

13 (a) No commercial maritime cargo carrying vehicle with a load
14 consisting of a gross weight of fifty-five thousand pounds or
15 more shall be driven or moved on any highway without being
16 weighed on a certified scale operated by the department
17 immediately, upon departing from a commercial harbor.

18 (b) Upon certification of the gross weight of the load of
19 the commercial maritime cargo carrying vehicle, the department
20 shall issue a receipt to the operator of the vehicle stipulating
21 the gross weight of the load and that the load was weighed at a



1 certified scale operated by the department. The operator of the
2 vehicle shall carry this receipt in the vehicle at all times
3 while transporting the load.

4 (c) Any police officer or law enforcement officer, when
5 stopping a commercial maritime cargo carrying vehicle or
6 inspecting a commercial maritime cargo carrying vehicle for any
7 reason, may require the operator of the vehicle to exhibit the
8 receipt issued under subsection (b).

9 (d) A police or law enforcement officer shall issue a
10 citation to an operator of a commercial maritime cargo carrying
11 vehicle if the operator is found to be operating the vehicle
12 without a receipt issued under subsection (b). The citation
13 shall state the reasons for which the vehicle is being cited and
14 shall require the operator to immediately return to a commercial
15 harbor to be weighed in accordance with subsection (a).

16 (e) Each maritime cargo carrier shall submit to the
17 department a detailed list, obtained from the shipping manifest,
18 of every shipping container or load that:

19 (1) Has arrived in a commercial harbor of the State;

20 (2) Has a gross weight of fifty-five thousand pounds or
21 more; and



1 (3) Is to be transported on any highway in the State.

2 (f) For the purposes of this section:

3 "Commercial maritime cargo carrying vehicle" means any
4 commercial vehicle, used on a highway, that is designated or
5 used primarily to carry commercial cargo transported via a
6 maritime vessel into the State or between islands of the State.

7 "Gross weight" means the total weight of a shipping
8 container and the cargo contained within the shipping container.

9 (g) Any violation of this section shall be subject to a
10 fine of not less than \$5 nor more than \$1,000; provided that a
11 citation issued in accordance with subsection (d) shall be
12 considered a traffic infraction."

13 SECTION 3. New statutory material is underscored.

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

15

INTRODUCED BY: 

JAN 29 2015



H.B. NO. 1361

Report Title:

Maritime Cargo; Commercial Vehicle; Highways

Description:

Requires commercial vehicles carrying cargo weighing 55,000 pounds or more from Hawaii's commercial harbors to be weighed prior to leaving the harbor. Requires water carriers to provide the Department of Transportation with a list of shipping containers or loads weighing 55,000 pounds or more to be transported on a highway. Provides a penalty.

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