
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 on the island of Oahu, has generated a large number
3 of complaints from Hawaii residents at both the state and county
4 levels. Additionally, claims filed at the state and county
5 levels for damage to motor vehicles due to poor road conditions,
6 such as potholes, are common and appear to be increasing.

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

15 Besides the sheer volume of traffic, another factor
16 exacerbating the wear and tear on public roadways is the use of
17 the roadways by large vehicles that transport heavy loads of



1 cargo shipped into and between islands of the State. Regulating
2 cargo carrier use of public roadways by implementing weight
3 verification requirements may be a means of extending the life
4 of Hawaii's roadways.

5 The purpose of this Act is to require the department of
6 transportation to establish a weigh in motion and axle scale
7 system at all harbor facilities that allows the egress and
8 ingress of vehicles carrying a cargo load of fifty-five thousand
9 pounds or more, and all maritime cargo carriers engaged in
10 interstate transportation to submit to the department a detailed
11 list of their cargo.

12 SECTION 2. Section 291-35, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§291-35 Gross weight, axle, and wheel loads. No motor
15 vehicle or other power vehicle or combination of such vehicles
16 equipped wholly with pneumatic tires, which has a total gross
17 weight, including vehicle and load, an axle load, or a wheel
18 load in excess of the limits set forth in this section shall be
19 operated or moved upon any public road, street, or highway
20 within the State; provided that the maximum gross weight, axle
21 loads, and wheel loads allowed under this section shall be



1 inapplicable when its application would adversely affect the
2 receipt of federal funds for highway purposes; and provided
3 further that no vehicle or combination of vehicles shall be
4 operated on or moved over any bridge or other highway structure
5 if the total gross weight, including vehicle and load, exceeds
6 the posted maximum gross load limitation for the bridge or other
7 highway structure.

- 8 (1) The total gross weight, in pounds, imposed on any
9 public road, street, or highway within the State by
10 any group of two or more consecutive axles, on a
11 vehicle or combination of vehicles shall not exceed
12 the following when the distance between the first and
13 last axles of the group under consideration is:
- 14 (A) Forty inches or less, the weight imposed shall
15 not exceed twenty-two thousand five hundred
16 pounds.
- 17 (B) More than forty inches but not more than eight
18 feet, the weight imposed shall not exceed thirty-
19 four thousand pounds. This grouping of two
20 consecutive axles shall be known as tandem axle.



1 (2) The total gross weight, in pounds, imposed on
2 interstate highways within the State by any group of
3 two or more consecutive axles, on a vehicle or
4 combination of vehicles shall not exceed that
5 resulting from application of the formula:

$$6 \quad W = 500 (LN / (N-1) + 12N + 36)$$

7 when the distance between the first and last axles of
8 the group under consideration is over eight feet and
9 where W = maximum weight in pounds carried on any
10 group of two or more axles computed to the nearest 500
11 pounds,

12 L = Distance in feet between the extremes of any
13 group of two or more consecutive axles, to
14 the nearest foot, and

15 N = Number of axles in group under consideration;
16 provided that two consecutive sets of tandem axles may
17 carry a gross load of 34,000 pounds each providing the
18 overall distance between the first and last axles of
19 such consecutive sets of tandem axles is thirty-six
20 feet or more and provided also that the overall gross
21 weight does not exceed 80,000 pounds.



1 (3) The total gross weight, in pounds, imposed on any
2 public road, street, or highway, other than interstate
3 highways, within the State by a vehicle or combination
4 of vehicles shall not exceed that determined by the
5 formula:

$$6 \qquad \qquad \qquad W = 900(L + 40)$$

7 when the distance between the first and last axles of
8 the group under consideration is over eight feet and
9 where W = maximum weight in pounds carried on any
10 group of two or more axles computed to the nearest 500
11 pounds and

12 L = Distance in feet between the extremes of any
13 group of two or more consecutive axles, to
14 the nearest foot;

15 provided also that the overall gross weight does not
16 exceed 88,000 pounds.

17 (4) No vehicle or combination of vehicles shall be used or
18 operated on any public road, street, or highway within
19 the State (A) with a load upon any single or tandem
20 axle or combination of axles which exceeds the
21 carrying capacity of the axles specified by the



1 manufacturer, or (B) with a total weight in excess of
2 its designed capacity as indicated by its designed
3 gross vehicle weights or gross combination weights.

4 (5) The total gross weight imposed upon the public road,
5 street, or highway by any single axle shall not exceed
6 twenty-two thousand five hundred pounds. For the
7 purpose of this section, axles placed in the same
8 transverse plane and are spaced forty inches or less
9 apart, shall be considered as one axle.

10 (6) The total gross weight imposed upon the public road,
11 street, or highway by any one wheel, either single or
12 dual mounting, shall not exceed eleven thousand two
13 hundred and fifty pounds.

14 (7) The director of transportation, in the case of state
15 highways, or the county engineer, in the case of
16 county roads and streets, may place and maintain signs
17 to limit the gross weight of a vehicle or combination
18 of vehicles traveling over a bridge or other highway
19 structure in the interest of public safety when it is
20 determined through engineering investigation and
21 analysis that the theoretical load carrying capacity



1 of the bridge or structure is less than the maximum
2 gross vehicular weight allowed by this chapter. In
3 determining the weight limits and in posting the
4 weight limit signs, the director or the county
5 engineer need not comply with rulemaking provisions of
6 chapter 91; provided that if any person objects to the
7 weight limits, the person may object to the rule as
8 provided in chapter 91.

- 9 (8) The director of transportation shall establish a weigh
10 in motion and axle scale system at all commercial
11 harbor facilities that allows the egress and ingress
12 of vehicles carrying a cargo load of fifty-five
13 thousand pounds or more, and all maritime cargo
14 carriers engaged in interstate transportation shall
15 submit to the department a detailed list, obtained
16 from the shipping manifest, of every shipping
17 container or load that:
- 18 (A) Has arrived in a commercial harbor of the State;
19 (B) Has a gross weight of fifty-five thousand pounds
20 or more; and



1 (C) Is to be transported on any highway in the
2 State."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2017-2018 and the
6 same sum or so much thereof as may be necessary for fiscal year
7 2018-2019 for the purchase and installation of equipment for the
8 weigh in motion and axle scale systems established pursuant to
9 this Act.

10 The sums appropriated shall be expended by the department
11 of transportation for the purposes of this Act.

12 SECTION 4. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$ or so much
14 thereof as may be necessary for fiscal year 2017-2018 and the
15 same sum or so much thereof as may be necessary for fiscal year
16 2018-2019 for the hiring of personnel to operate the weigh in
17 motion and axle scale systems established pursuant to this Act.

18 The sums appropriated shall be expended by the department
19 of transportation for the purposes of this Act.

20 SECTION 5. New statutory material is underscored.

21 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Maritime Cargo; Commercial Vehicle; Highways; Appropriation

Description:

Requires the Department of Transportation to establish a weigh in motion and axle scale system at all harbor facilities that allows the egress and ingress of vehicles carrying a cargo load of fifty-five thousand pounds or more. Requires maritime cargo carriers to report to the Department on every container or load of such gross weight that arrived in a State harbor for transport on state highways. Appropriates funds. (HB725 HD1)

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