

JAN 25 2023

A BILL FOR AN ACT

RELATING TO COMMERCIAL MOTOR VEHICLE WEIGHT LIMITS.

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

1 SECTION 1. Section 291-35, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§291-35 Gross weight, axle, and wheel loads. No motor
4 vehicle or other power vehicle or combination of those vehicles
5 equipped wholly with pneumatic tires shall be operated or moved
6 upon any public road, street, or highway within the State if the
7 vehicle or combination of vehicles has a total gross weight
8 (including vehicle and load), an axle load, or a wheel load in
9 excess of the limits set forth in this section; provided that
10 the maximum gross weight, axle loads, and wheel loads allowed
11 under this section shall be inapplicable when its application
12 would adversely affect the receipt of federal funds for highway
13 purposes; and provided further that no vehicle or combination of
14 vehicles shall be operated on or moved over any bridge or other
15 highway structure if the total gross weight, including vehicle
16 and load, exceeds the posted maximum gross load limitation for
17 the bridge or other highway structure.

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1 (1) The total gross weight, in pounds, imposed on any
2 public road, street, or highway within the State by
3 any group of two or more consecutive axles, on a
4 vehicle or combination of vehicles shall not exceed
5 the following when the distance between the first and
6 last axles of the group under consideration is:

7 (A) Forty inches or less, the weight imposed shall
8 not exceed [~~twenty-two thousand five hundred~~
9 twenty thousand pounds; and

10 (B) More than forty inches but not more than [~~eight~~
11 feet,] ninety-six inches, the weight imposed
12 shall not exceed thirty-four thousand pounds.

13 This grouping of two consecutive axles shall be
14 known as tandem axle.

15 (2) The total gross weight, in pounds, imposed on
16 [~~interstate highways~~] any public road, street, or
17 highway within the State by any group of two or more
18 consecutive axles, on a vehicle or combination of
19 vehicles shall not exceed that resulting from
20 application of the formula:

21 $W = 500 (LN / (N - 1) + 12N + 36)$

22 when the distance between the first and last axles of

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1 the group under consideration is over [eight feet]
 2 ninety-six inches and where W = maximum weight in
 3 pounds carried on any group of two or more axles
 4 computed to the nearest five hundred pounds,

5 L = Distance in feet between the extremes of any
 6 group of two or more consecutive axles, to
 7 the nearest foot, and

8 N = Number of axles in group under consideration;
 9 provided that two consecutive sets of tandem
 10 axles may carry a gross load of thirty-four thousand
 11 pounds each providing the overall distance between the
 12 first and last axles of such consecutive sets of
 13 tandem axles is thirty-six feet or more and provided
 14 also that the overall gross weight does not exceed
 15 eighty thousand pounds.

16 [~~(3) The total gross weight, in pounds, imposed on any~~
 17 ~~public road, street, or highway, other than~~
 18 ~~interstate highways, within the State by a vehicle or~~
 19 ~~combination of vehicles shall not exceed that~~
 20 ~~determined by the formula:~~

$$21 \quad W = 900(L + 40)$$

22 ~~when the distance between the first and last axles of~~

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1 ~~the group under consideration is over eight feet and~~
2 ~~where W = maximum weight in pounds carried on any~~
3 ~~group of two or more axles computed to the nearest~~
4 ~~five hundred pounds and~~

5 ~~L = Distance in feet between the extremes of any~~
6 ~~group of two or more consecutive axles, to~~
7 ~~the nearest foot;~~

8 ~~provided also that the overall gross weight does not~~
9 ~~exceed eighty eight thousand pounds.]~~

10 [(4)] (3) No vehicle or combination of vehicles shall be
11 used or operated on any public road, street, or
12 highway within the State:

13 (A) With a load upon any single or tandem axle or
14 combination of axles that exceeds the carrying
15 capacity of the axles specified by the
16 manufacturer; or

17 (B) With a total weight in excess of its designed
18 capacity as indicated by its designed gross
19 vehicle weights or gross combination weights.

20 [(5)] (4) The total gross weight imposed upon the public
21 road, street, or highway by any single axle shall not
22 exceed [~~twenty two thousand five hundred~~] twenty

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1 thousand pounds. For the purpose of this section,
2 axles placed in the same transverse plane and spaced
3 forty inches or less apart shall be considered as one
4 axle.

5 [~~6~~] (5) The total gross weight imposed upon the public
6 road, street, or highway by any one wheel, either
7 single or dual mounting, shall not exceed [~~11,250~~] ten
8 thousand pounds.

9 [~~7~~] (6) The director of transportation, in the case of
10 state highways, or the county engineer, in the case of
11 county roads and streets, may place and maintain signs
12 to limit the gross weight of a vehicle or combination
13 of vehicles traveling over a bridge or other highway
14 structure in the interest of public safety when it is
15 determined through engineering investigation and
16 analysis that the theoretical load carrying capacity
17 of the bridge or structure is less than the maximum
18 gross vehicular weight allowed by this chapter. In
19 determining the weight limits and in posting the
20 weight limit signs, the director or the county
21 engineer need not comply with rulemaking provisions of
22 chapter 91; provided that if any person objects to the

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1 weight limits, the person may object to the rule as
2 provided in chapter 91."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

8

BY REQUEST

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Report Title:

Commercial Motor Vehicle; Weight Limits

Description:

Amends the law to become consistent with federal weight limits with respect to legal limits for gross vehicle weight and axle loads traveling on all public roadways.

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JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO COMMERCIAL MOTOR VEHICLE WEIGHT LIMITS.

PURPOSE: To amend the law to become consistent with federal weight limits with respect to legal limits for gross vehicle weight and axle loads traveling on all public roadways.

MEANS: Amend section 291-35, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Hawaii currently enforces 23 C.F.R. part 658 weight limits on the island of Oahu via section 291-35(2), HRS. A different weight limit is enforced on the Big Island, Maui, and Kauai via section 291-35(3), HRS. The proposal is a statewide simplification for the weight limits to be enforced throughout the State. The intent of the proposal is to minimize premature deterioration or failure of the State's infrastructures.

Impact on the public: None.

Impact on the department and other agencies: State vehicle permitting and enforcement personnel must transition practices and procedures to account for changes to weight limits.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: TRN 595.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.