

ACT 75

H. B. NO. 622

A Bill for an Act Relating to Vehicle Gross Weight, Axle and Wheel Loads.

Be It Enacted by the Legislature of the State of Hawaii:

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

“Sec. 291-35 Gross weight, axle, and wheel loads. No motor vehicle or other power vehicle or combination of such vehicles equipped wholly with

pneumatic tires, which has a total gross weight, including vehicle and load, an axle load or a wheel load in excess of the limits set forth in this section shall be operated or moved upon any public road, street, or highway within the State, provided, that the maximum gross weights, axle loads and wheel loads allowed under this section shall be inapplicable when its application would adversely affect the receipt of federal funds for highway purposes; and provided further, that no vehicle or combination of vehicles shall be operated on or moved over any bridge or other highway structure if the total gross weight, including vehicle and load, exceeds the posted maximum gross load limitation for the bridge or other highway structure.

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

- (A) Less than forty-two inches, the weight imposed shall not exceed twenty-four thousand pounds.
- (B) At least forty-two inches but less than six feet, the weight imposed shall not exceed thirty-two thousand pounds.
- (C) At least six feet but not more than thirteen feet, the weight imposed shall not exceed that determined by the formula $W = 700 (L + 40)$.
- (D) Over thirteen feet, the weight imposed shall not exceed that determined by the formula $W = 800 (L + 40)$.

As used in items (1) (C), (1) (D) and (2) (B) of this section, 'W' is the total gross weight, in pounds, imposed on public road, street or highway by the group of two or more consecutive axles under consideration and 'L' is the distance in feet between the first and last axle of the group under consideration.

(2) Notwithstanding the limitation of item (1) (D) of this section:

- (A) Vehicles or combinations of vehicles with three, four, or five axles having a single axle weight of not more than eighteen thousand pounds and a distance of nineteen feet or greater but less than fifty-two feet between the first and last axles of any group of three or more consecutive axles under consideration shall be permitted to be operated or moved upon any public road, street, or highway within the State if the total gross weight imposed thereon by the group of three or more consecutive axles under consideration does not exceed that allowed in the following table:

TABLE OF ALLOWABLE MAXIMUM WEIGHTS

Distance to the nearest foot measured between any 3 or more consecutive axles	Allowable weight in pounds for any group of 3 or more consecutive axles		
	3-Axles	4-Axles	5-Axles
19	48,000	52,500	
20	49,000	53,500	

Distance to the nearest foot measured between any 3 or more consecutive axles	Allowable weight in pounds for any group of 3 or more consecutive axles		
	3-Axles	4-Axles	5-Axles
21	49,500	54,000	Not Permitted
22	50,500	54,500	
23	51,000	55,500	
24	52,000	56,000	
25	52,500	56,500	
26	53,500	57,500	
27	54,000	58,000	
28		58,500	
29		59,500	
30		60,000	
31		60,500	
32		61,500	
33		62,000	
34		62,500	
35		63,500	
36		64,000	
37		64,500	
38		65,500	
39		66,000	
40		66,500	
41		67,000	
42		68,000	
43		68,500	
44		69,500	
45		70,000	
46		70,500	
47		71,500	
48		72,000	
49		72,500	
50		73,280	
51		73,280	

Provided, that operators of vehicles under the jurisdiction of the public utilities commission shall file with the commission a copy of the design specifications of the manufacturer or other evidence of the designed gross vehicle weight or gross combination weight.

(B) When the operation of any vehicle or combination of vehicles is limited to a section of public road, street or highway along which there is no structure having an overall length of twenty feet or greater, measured along a line parallel to the center line of the public road, street or highway, the total gross weight imposed thereon by any group of two or more consecutive axles

shall not exceed that determined by the formula 'W' = 900 (L + 40); provided that prior to operating a vehicle or combination of vehicles upon any public road, street, or highway under this item, the owner shall first secure a written permit from the appropriate government authority having the duty of maintaining the public road, street or highway. No fee shall be required for the issuance of the permit and the permit shall be valid for a period of one year from date of issuance or until revoked by the issuing authority. Any person violating the conditions set forth in this item or in the permit issued hereunder shall be fined as provided in section 291-37.

(3) No vehicle or combination of vehicles shall be used or operated on any public road, street or highway within the State (A) with a load upon which any single or tandem axle or combination of axles which exceeds the carrying capacity of the axles specified by the manufacturer, or (B) with a total weight in excess of its designed capacity as indicated by its designed gross vehicle weights or gross combination weights.

(4) The total gross weight imposed upon the public road, street or highway by any single axle shall not exceed twenty-four thousand pounds. For the purpose of this section, axles placed in the same transverse plane which are closer than forty-two inches shall be considered as one axle.

(5) The total gross weight imposed upon the public road, street or highway by any one wheel, either single or dual mounting, shall not exceed twelve thousand pounds.

(6) The total average unit pressure imposed upon the highway by an individual tire shall not exceed sixty pounds per square inch of tire contact area with pavement.

Computation of tire contact area shall be made in accordance with the following formula:

Solid tires	Area = 1.2566w ²
Cushion tires	Area = 1.4922w ²
Pneumatic tires	Area = 1.5708w ²

in which 'W' is the measured width in inches of loaded tire impression upon a plane surface."

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

"Sec. 291-36 Exceptions. (a) The department of transportation, in the case of state highways, or the county engineer in the case of county roads, may in its or his discretion upon application in writing and if good cause appears, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles or special mobile equipment of dimensions or weights, including loads or both, which exceed sections 291-34 and 291-35.

(b) The application for any such permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular highways over which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.

(c) The department of transportation or local authority is authorized to issue or withhold the permit at its discretion, or, if the permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicle described may be operated on the highways indicated, or prescribe conditions as to route, equipment, or speed, or safety measures, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against undue damage to the road foundations, surfaces, or structures, and may require such undertaking or other security as may be deemed necessary to protect the highways and bridges from injury, or to provide indemnity for any injury resulting from such operation. The permit shall be valid for one year from date of issuance unless an earlier date of expiration is provided by its terms or unless sooner revoked by the issuing authority.

(d) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection of any peace officer or traffic officer or employee charged with the care or protection of the highways.

(e) The owner of any vehicle or combination of vehicles found operating in violation of the terms or conditions of any permit or over sections of the highway not covered by the permit shall be subject to the penalties provided in section 291-37.

(f) The restrictions of sections 291-34 and 291-35 shall not apply to the operation of motor vehicles on roads now under the control of the counties where a private individual or corporation actually maintains the county road or roads under an agreement in writing filed with the respective county boards of supervisors or city council. The agreement shall also provide that the individual or corporation shall repair all damages caused to such roads by vehicles belonging to or under the control of the individual or corporation, and upon the neglect or failure of the individual or corporation to repair such road or roads as provided in such agreements, the county may repair such damages and charge the cost thereof to and collect the same from the individual or corporation.

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

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

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

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

(Approved May 24, 1971.)

* Edited accordingly.