

ACT 26

H.B. NO. 1107

A Bill for an Act Relating to Commercial Motor Vehicle Weight Limits.

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

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

**“§291-35 Gross weight, axle, and wheel loads.** No motor vehicle or other power vehicle or combination of those vehicles equipped wholly with pneumatic tires shall be operated or moved upon any public road, street, or highway within the State if the vehicle or combination of vehicles 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; provided that the maximum gross weight, 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) Forty inches or less, the weight imposed shall not exceed ~~[twenty-two thousand five hundred]~~ twenty thousand pounds; and
  - (B) More than forty inches but ~~[not]~~ no more than ~~[eight feet,]~~ ninety-six inches, the weight imposed shall not exceed thirty-four thousand pounds. This grouping of two consecutive axles shall be known as tandem axle.
- (2) The total gross weight, in pounds, imposed on ~~[interstate highways]~~ 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 that resulting from application of the formula:

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

when the distance between the first and last axles of the group under consideration is over ~~[eight feet]~~ ninety-six inches and where

W = maximum weight in pounds carried on any group of two or more axles computed to the nearest five hundred pounds,

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

N = Number of axles in the group under consideration;

provided that two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each providing the overall distance between the first and last axles of ~~[such]~~ the consecutive sets of tandem axles is thirty-six feet or more and provided also that the overall gross weight does not exceed eighty thousand pounds.

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

$$W = 900 (L + 40)$$

~~when the distance between the first and last axles of the group under consideration is over eight feet and where W = maximum weight in pounds carried on any group of two or more axles computed to the nearest five hundred pounds and~~

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

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

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

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

- [~~(6)~~] (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 [~~11,250~~] ten thousand pounds.
- [~~(7)~~] (6) The director of transportation, in the case of state highways, or the county engineer, in the case of county roads and streets, may place and maintain signs to limit the gross weight of a vehicle or combination of vehicles traveling over a bridge or other highway structure in the interest of public safety when it is determined through engineering investigation and analysis that the theoretical load carrying capacity of the bridge or structure is less than the maximum gross vehicular weight allowed by this chapter. In determining the weight limits and in posting the weight limit signs, the director or the county engineer need not comply with rulemaking provisions of chapter 91; provided that if any person objects to the weight limits, the person may object to the rule as provided in chapter 91.”

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

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

(Approved April 19, 2023.)