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# 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 pounds or  
9 more, and all maritime cargo carriers engaged in interstate  
10 transportation to submit to the department a detailed list of  
11 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                           
$$W = 500 (LN/(N-1) + 12N + 36)$$

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 \_\_\_\_\_ thousand  
13 pounds or more and all maritime cargo carriers engaged  
14 in interstate transportation shall submit to the  
15 department a detailed list, obtained from the shipping  
16 manifest, of every shipping container or load that:  
17 (A) Has arrived in a commercial harbor of the State;  
18 (B) Has a gross weight of \_\_\_\_\_ thousand pounds or  
19 more; and  
20 (C) Is to be transported on any highway in the  
21 State."



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

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

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

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

18 SECTION 5. New statutory material is underscored.

19 SECTION 6. This Act shall take effect on July 1, 2050.





**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 commercial harbor facilities. Requires maritime cargo carriers to report to the Department containers or loads subject to highway weight restrictions. Appropriates funds. (HB725 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

