



GOV. MSG. NO. 1126

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

April 19, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

✓ The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on April 19, 2023, the following bill was signed into law:

HB1107 HD2

RELATING TO COMMERCIAL MOTOR VEHICLE
WEIGHT LIMITS.
ACT 026

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on APR 19 2023

HOUSE OF REPRESENTATIVES
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

H.B. NO. 1107
H.D. 2

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
14 of vehicles shall be operated on or moved over any bridge or
15 other highway structure if the total gross weight, including
16 vehicle and load, exceeds the posted maximum gross load
17 limitation for the bridge or other highway structure.

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~~] no more than
11 [~~eight feet,~~] ninety-six inches, the weight
12 imposed shall not exceed thirty-four thousand
13 pounds. This grouping of two consecutive axles
14 shall be 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
$$W = 500 (LN / (N-1) + 12N + 36)$$



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

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

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

10 N = Number of axles in the group under
11 consideration;

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

19 [~~3~~] ~~The total gross weight, in pounds, imposed on any~~
20 ~~public road, street, or highway, other than interstate~~
21 ~~highways, within the State by a vehicle or combination~~



1 ~~of vehicles shall not exceed that determined by the~~
2 ~~formula:~~

3
$$W = 900 (L + 40)$$

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

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

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

14 [+4] (3) No vehicle or combination of vehicles shall be
15 used or operated on any public road, street, or
16 highway within the State[+] with:

17 (A) [~~With a~~] A load upon any single or tandem axle or
18 combination of axles that exceeds the carrying
19 capacity of the axles specified by the
20 manufacturer; or



1 (B) [~~With a~~] A total weight in excess of its designed
2 capacity as indicated by its designed gross
3 vehicle weights or gross combination weights.

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

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

15 [~~+7~~] (6) The director of transportation, in the case of
16 state highways, or the county engineer, in the case of
17 county roads and streets, may place and maintain signs
18 to limit the gross weight of a vehicle or combination
19 of vehicles traveling over a bridge or other highway
20 structure in the interest of public safety when it is
21 determined through engineering investigation and

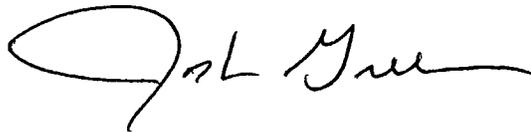


1 analysis that the theoretical load carrying capacity
 2 of the bridge or structure is less than the maximum
 3 gross vehicular weight allowed by this chapter. In
 4 determining the weight limits and in posting the
 5 weight limit signs, the director or the county
 6 engineer need not comply with rulemaking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

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

12 SECTION 3. This Act shall take effect upon its approval.
 13

APPROVED this 19th day of April , 2023



GOVERNOR OF THE STATE OF HAWAII



HB No. 1107, HD 2

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: March 7, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: APR 11 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Ronald D. Kouchi
President of the Senate



Carol T. Taniguchi
Clerk of the Senate