

ACT 133

H. B. NO. 623

A Bill for an Act Relating to the Width, Height and Length of Vehicles on Public Highways.

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

SECTION 1. Section 291-34, Hawaii Revised Statutes, is amended to read:

“Sec. 291-34 Size of vehicles; width, height, and length. (a) Width. No motor vehicle or other power vehicle having an overall width greater than nine feet, including load, shall be operated or moved upon any public road, street, or highway within the State, except as hereinafter provided.

(b) Height. No motor vehicle or other power vehicle having an overall height greater than thirteen and one-half feet, including load, shall be operated or moved upon any public road, street, or highway within the State except as hereinafter provided; and provided further, that no motor vehicle or other power vehicle shall be operated under or through any bridge or other highway structure if the height of the motor vehicle or other power vehicle exceeds the posted height for the bridge or other highway structure.

(c) Length:

(1) No single motor vehicle or other power vehicle having a total overall length greater than forty feet, including load, shall be operated or moved upon any public road, street, or highway within the State, except as hereinafter provided.

(2) No truck-tractor and semitrailer having a total overall length greater than fifty-five feet, including load, shall be operated or moved upon any public road, street, or highway within the State, except as hereinafter provided.

(3) No combination of motor vehicles or other power vehicles coupled together shall consist of more than two units and no such combination of vehicles having a total overall length greater than sixty-five feet, including load, shall be operated or moved upon any public road, street, or highway within the State, except as hereinafter provided. A truck-tractor and semitrailer shall be regarded as a single unit when determining the number of units in a combination.

(4) No motor vehicle, self-propelled construction or farm equipment, trailer or semitrailer shall be operated upon any public road, street or highway within the State if it is carrying or otherwise has projecting to the front or rear, a load, boom, mast or other projecting structure or attachment unless:

(A) With respect to self-propelled construction or farm equipment,

(i) the length of the equipment measured on a horizontal axis, including the projection, is less than 40 feet;

(ii) the projection is either held securely in place or is controlled by the driver or an operator;

(iii) the projection does not obstruct the driver's vision;

(iv) the projection does not impair the driver's ability to control the equipment;

(v) the projection beyond the front tires is at least seven feet above the roadway surface;

(vi) the projection does not extend more than four feet past the extremity of the piece of equipment, or if it extends more than four feet, an escort vehicle is provided by the owner or operator either to the front or to the rear of the projection to call attention to the projection; or

(B) With respect to a motor vehicle, or a motor vehicle with attached trailer or semitrailer,

(i) the overall length of the motor vehicle including the projection, is less than 40 feet or the overall length of the motor vehicle with attached trailer or semitrailer, including the pro-

- jection, is less than 55 feet;
- (ii) the projection is either held securely in place or is controlled by the driver or an operator;
 - (iii) the projection does not obstruct the driver's vision;
 - (iv) the projection does not impair the driver's ability to control the equipment;
 - (v) the projection beyond the front tires is at least seven feet above the roadway surface;
 - (vi) the projection does not extend more than four feet past the extremity of the trailer or semitrailer, or, if it extends more than four feet, an escort vehicle is provided by the owner or operator either to the front or to the rear of the projection to call attention to the projection.
- (5) The foregoing limitations upon length shall not apply to vehicles transporting pipe, poles, timbers, reinforcing steel, structural steel, or other objects of a structural nature which cannot be readily dismembered; provided, that when transported by night every such vehicle shall be equipped with a sufficient number of clearance lamps upon the extreme ends of any projecting load to clearly mark the the dimensions of the load."

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

"Sec. 291-36 Exceptions. (a) The director of transportation, in the case of state highways, or the county engineer in the case of county roads, may upon application in writing, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles, self-propelled construction or farm equipment or special mobile equipment of dimensions or weights, including loads or both, which exceed the limits set in sections 291-34 and 291-35.

(b) The application for any such permit shall specifically describe the vehicle or combination of vehicles, the self-propelled construction or farm equipment, the load to be operated or moved, 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 director of transportation or county engineer may if he determines that adequate precautions will be taken to protect persons and property issue the permit and may in the permit limit the number of trips, establish seasonal or other time limitations during which the permit is valid, prescribe conditions as to route, equipment, speed, escort vehicles, safety measures, or otherwise limit or prescribe conditions of operation under such permit to assure against injury to person and undue damage to the road foundations, surfaces, or structures. The issuing authority may also require such undertaking or other security as may be deemed necessary to protect the highways and bridges from damage, or to provide indemnity for any injury resulting from such operation. The permit shall be valid for the period specified or unless sooner revoked by the issuing authority.

(d) Every such permit shall be carried in the vehicle or combination of

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vehicles or the self-propelled construction or farm equipment 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 or self-propelled construction or farm equipment 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 or city council. The agreement shall also provide that the individual or corporation shall repair all damages caused to such roads by vehicles or other self-propelled equipment belonging to or under the control of the individual or corporation and upon failure of the individual or corporation to repair such road or roads as provided in such agreement, 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 28, 1971.)

* Edited accordingly.