

DEPARTMENT OF TRANSPORTATION

Rules Repealing Rules and Regulations
Governing the Movement of Oversize and
Overweight Vehicles on State Highways by Permit,
and Adopting Chapter 104, Title 19,
Administrative Rules

SUMMARY

1. Rules and Regulations Governing the Movement of Oversize and Overweight Vehicles on State Highways by Permit are repealed.
2. Chapter 104 of title 19, entitled "The Movement by Permit of Oversize and Overweight Vehicles on State Highways", is adopted.

TITLE 19 DEPARTMENT OF TRANSPORTATION

SUBTITLE 4 HIGHWAYS DIVISION

CHAPTER 104

THE MOVEMENT BY PERMIT OF OVERSIZE AND
OVERWEIGHT VEHICLES ON STATE HIGHWAYS

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Historical note. This chapter is based substan-
tially on the rules and regulations governing the

movement of oversized and overweight vehicles on state highways by permit. [Eff. 6/29/78; R MAY 30 1981]

Sec. 19-104-1 Purpose. (a) The purpose of this chapter is to prescribe the policies and procedures of the department of transportation for the issuance of permits for the movement of oversize or overweight vehicles or loads on state highways and to set forth the general and special conditions for the issuance of permits for such movements:

- (1) To protect the general public from traffic hazards created by the movement;
- (2) To give due regard to the comfort and conveniences of other motorists on the highway and to guard against undue hindrance to the normal flow of traffic; and
- (3) To prevent damage to pavement, highway facilities and structures.

(b) The department shall not issue permits to operate overweight or oversize vehicles where it is or becomes apparent, after investigation, that the issuance of such permits would be in direct conflict with the purpose of this chapter. [Eff. MAY 30 1981]
(Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-2 Definitions. As used in this chapter, unless the context clearly indicates otherwise:

"Department" means the state department of transportation.

"Director" means the director of the state department of transportation.

"State" means the State of Hawaii. [Eff. MAY 30 1981]
(Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-3 Permits. (a) A permit is required when any person, firm or corporation proposes to move, over state highways, a vehicle or combination of vehicles of a size or weight that exceeds the maximum dimensions or weights established by law.

(b) Permits may be issued only to those persons, firms or corporations who own and operate the vehicle or who operate the vehicle under a bona fide rental or lease agreements.

(c) A permit issued by the department authorizes the permittee to move or operate upon a state highway a designated vehicle, vehicle combination or load of a size or weight in excess of the legal limitations but within such limitations and under such conditions of operation as may be stipulated in the permit. -The

right to use other highways or to move objects not specified in a permit shall not be implied nor granted and the issuance of a permit does not imply an irrevocable or unrestricted right to the use of state highways.

(d) Although the statutes provide the director with the authority to allow, on state highways, the operation of vehicles exceeding the statutory weight or size limitations, the vesting of that authority shall not be construed by the owners of the vehicles to mean that the right to operate the vehicles is guaranteed under the statutes. [Eff. MAY 30 1981
(Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-4 Types of permits. Permits shall be as follows:

- (1) Permits for single trip movements.
 - (A) Permits for single trip movements are issued for one, one-way or round trip movement of overdimension or overweight vehicles and objects.
 - (B) These permits shall be valid only for the specific date, time, vehicle, and route designated in the permit.
- (2) Permits for continuous operation. Continuous operation permits for the movement of oversize or overweight equipment or vehicles may be issued for vehicles or combination of vehicles, providing:
 - (A) The movements shall consist of specific oversize or overweight vehicle moved under its own power or a designated equipment or load to be mounted and moved on specific vehicle or combination of vehicles;
 - (B) The movements shall be made over a specific route or within a restricted area;
 - (C) The movements shall be made during the hours specified in the permit;
 - (D) The duration of the permit shall not be for more than one year; and
 - (E) The width of the vehicle or load is less than 12 feet and the overall length of vehicle or combination of vehicles is 70 feet or less (agricultural equipment which is operated or moved in the course of normal agricultural operations and within the geographic area in which it is normally used shall be exempt from this restriction). [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-5 Application for permits. (a) A formal request by an application to the department shall be made for permission to move upon state highways a vehicle, combination of vehicles, or load, of a size or weight:

- (1) That exceeds the legal limitations;
- (2) That shall not circumvent the legal size and weight limitations solely to gain an unfair advantage for the applicant over competitors; and
- (3) That shows "good cause." (This element generally is assumed unless the proposed move is of such proportions, of such nature or for such an unreasonable distance that documentation is required as to the unusual need.)

(b) An application for a permit to operate a particular vehicle or combination of vehicles which exceeds the size or weight limits set by law shall be made on form DOT 4-005. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-6 Contents of the application form.

(a) All of the applicable detailed information and data relative to gross weight, axle loads, axle spacing, dimensions, time of movement, route to be used, etc. requested on the form must be furnished by the applicant for the specific movement intended before the application can be properly reviewed and processed.

(b) For a continuous operation permit, the application shall fully describe the hauling or towing unit and the pieces of equipment to be mounted or towed together with all applicable data as required herein.

(c) Each application shall contain all data essential for the issuance of a permit. No action shall be taken on an application which is incomplete or which refers to information contained in a previous application that is not readily available.

(d) An application for an overweight movement shall be accompanied by sketches showing plan and elevation of the wheel arrangements, dimensions and distribution of loads. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-7 Submitting applications. (a) The application shall be filed with the district engineer, highways division, department of transportation, of the district in which the movement is proposed. Each applicant shall plan ahead and submit applications -

sufficiently in advance of the movement date to allow time for processing the application (which requires a minimum of 3 weeks when a review by other branches in the division is required) and issuing the permit.

(b) Together with the application, the applicant may be required to:

- (1) Show that the vehicle, combination of vehicles and load have been reduced to the maximum extent that is reasonably practicable; except when carrying products from the place where they are harvested or stored to the place where they are processed or used;
- (2) Meet all operating, licensing and financial responsibility requirements;
- (3) Attach a county building permit to any building that is to be moved;
- (4) Submit proof of inspection by an authorized inspection station for the vehicle or combination of vehicles; and
- (5) Submit proof that the person signing the application is authorized to sign on behalf of the person, firm or corporation when the application is made on behalf of a firm or corporation.

(c) Should the need arise to transfer or move an oversize or overweight equipment due to an operational emergency such as breakdown of existing equipment or weather conditions, the applicant may telephone the district engineer for a permit. If the request is approved, the district engineer shall contact the police department by telephone and advise them of the emergency operational move.

(d) The applicant shall complete and file a permit application form with the district engineer within five days of the telephone request. [Eff.

MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-8 Processing applications. (a) Each application received shall be processed as promptly as possible. Except as noted in section 19-104-7, applications will generally be reviewed and processed within two days, exclusive of Saturdays, Sundays and holidays.

(b) In reviewing and processing the application, the district engineer shall consider such factors as:

- (1) Details of the point of origin and destination;
- (2) The overall dimensions of the object to be moved;
- (3) The practicability of reducing the overall dimensions by cutting or partially dismantling the object and moving it in sections;

- (4) The gross weight of the vehicle and load, axle and wheel loadings and their distribution;
- (5) The practicability of reducing the gross weight and axle and wheel loadings;
- (6) The capacity of bridge structures over which the move is to be made to support the vehicle or load;
- (7) The proposed method of moving, the type and condition of the equipment, the practicability of the move in the manner proposed, alternate methods of moving and other related items;
- (8) The clearances, both vertical and horizontal and turning paths;
- (9) The effect of the move on the flow of traffic using that portion of the route over which the movement will take place;
- (10) The possibility of any construction operation being underway at the time of the proposed movement which may interfere with the move and the normal flow of traffic;
- (11) The possibility of using lesser traveled roads other than state highways; and
- (12) The requirements and guidelines set forth in this chapter.

(c) The design branch and the materials testing and research branch, highways division, shall assist the district engineers, when requested, in analyzing the probable stresses in pavement and structural members.

(d) All cases requiring shoring, bracing, cribbing or other means of reinforcing a bridge structure shall be referred to the design branch for analysis. When determined to be necessary by the design branch, the applicant shall prepare and submit plans for the protection and strengthening of bridge structures. The applicant shall erect temporary supports deemed necessary and remove such supports as required by the department.

(e) Each request for movement of an oversize or overweight vehicle or load on freeways shall be reviewed on an individual basis and such request shall be referred to division with the district's comments and recommendation.

(f) Whenever there are restrictions on the issuance of permits, the district engineer shall fully inform the applicant about the restrictions. [Eff.

MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-9 Certificate of insurance. (a) The applicant shall file with the district engineer a certificate of self-insurance or a certificate of any insurance carrier authorized to do business in the State certifying that there is a comprehensive automobile liability insurance policy covering said applicant, and his authorized agents, executors, administrators, heirs, and assigns and naming the state as additional insured for liability in the minimum amount of \$100,000 for bodily injury to or death of one person in any one accident, and in the amount of \$300,000 for bodily injury to or death of more than one person in any one accident, and in the amount of \$50,000 because of damage to or destruction of property of others in any one accident.

(b) In the event liability minimums higher than those specified are required by law, the higher shall prevail. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-10 Issuing permits. (a) The chief and the district engineers of the highways division and their designated representatives are authorized by the director to issue permits for the movement of vehicles or combinations of vehicles which exceed the maximum size or weight limits established by law upon state highway.

(b) Permits may be issued when:

- (1) An application has been submitted in writing.
- (2) The vehicle or vehicle and load has been thoroughly described and identified, the points of origin and destination and the route of travel have been stated and approved; and
- (3) The proposed move has been determined to be consistent with traffic safety.

(c) Permits shall not be issued for movement of houses, sheds, cribs, and similar objects of widths 14 feet or more, nor for the movement of any object of a special or unusual nature, without investigation.

(d) Permits will be issued only during regular working hours, Monday through Friday, holidays excluded. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-11 General conditions of permits. The following general provisions, when applicable, shall govern the movement of all vehicles, vehicle combinations or objects authorized by permit issued by the department:

- (1) The permit shall be carried in the vehicle during the movement and shall be shown on

- demand to any police officer or representative of the department; provided that in the case of annual permits, this requirement may be met where a copy of the permit is carried in the vehicle, and the original permit is readily available for inspection from the operator's offices in the county of issuance.
- (2) The permit shall entitle the permittee to move only on the specified state highways and bridges. The right to use other highways is neither implied nor granted.
 - (3) The permit shall be effective only insofar as the department has authority for its issuance, and does not relieve the permittee from complying with other existing state and county laws and ordinances which may govern the movement.
 - (4) The permittee shall comply with all signs that are posted whether such signs are permanent or posted temporarily due to emergency conditions.
 - (5) An oversize or overweight vehicle shall not at any time be loaded nor unloaded nor parked upon any state highway or bridge without permission from the department, except in case of emergency.
 - (6) The permittee shall check structures and overhead utility lines for available clearance in overheight movements.
 - (7) The permittee shall secure the components of the vehicle and load with appropriate devices to prevent creating any hazards. Vehicles carrying agricultural produce from fields during harvesting shall be exempt from this requirement but the owner of the vehicle shall exercise reasonable care to prevent creating any hazards and provide for the reasonable removal of all such produce spilled or dropped on the highway.
 - (8) The extremities of an oversize vehicle or load shall be marked with flags or lights in accordance with existing state and county laws, ordinances, and rules.
 - (9) The proposed movement shall be made so that the traveled way will remain open for traffic at all times. In movements over two-lane pavements, provisions shall be made for continuous movement of opposing traffic and for frequent passing by vehicles traveling in the same direction. If necessary, the vehicle shall be moved away from the traveled way at frequent intervals

to allow traffic to pass. Vehicles shall not travel upon the highway shoulder except when pulling over to allow following vehicles to pass.

- (10) Whenever the department or policing agency having jurisdiction over such highways determines that the traffic, weather or other conditions will create a hazard in the movement, the department or agency may at any time delay the movement under the permit.
- (11) The issuance of permit shall not in any way be construed as a warranty by the state that the route to be used for the movements is in a safe and usable condition.
- (12) Misrepresentation of information set forth in the application or noncompliance with limitations in weight and dimensions, route of travel or other provisions as stated in the permit shall render the permit void, and the permittee shall be subject to all penalties provided by law with respect to the provisions violated. The movement shall not be permitted to continue until the deficiencies have been corrected and a new permit has been issued. Issuance of a new permit shall not release the permittee from the penalties provided by law.
- (13) The right to revoke the permit at any time for any justifiable reasons is reserved.
- (14) No duly authorized representative of the state shall be responsible personally for any liability arising under the permit; and furthermore, the permittee shall save and hold harmless the state and any of its officers, agents, representatives, successors and assigns from any and all suits or actions of every nature and kind which may be brought for or on account of any injury, death, or damage, directly or indirectly arising or growing out of the acts or omissions of the permittee, its officers, agents, employees or servants in the use of the permit.
- (15) The permit shall cover only the person or firm designated as permittee and is not transferable.
- (16) Movement of oversize or overweight vehicles shall not be permitted on days and during hours when, in the opinion of the district engineer, extremely heavy traffic is expected.

- (17) Movements on Saturdays, Sundays and state holidays may be permitted at the discretion of the district engineer. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-12 Special conditions of permit. In addition to the above general conditions, the district engineer may impose special conditions in issuing the permit for, but not limited to, the following:

- (1) Operating speed;
- (2) Escort vehicle;
- (3) Police escort; and
- (4) Flagman. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-13 Permit fees. (a) A fee shall be charged for each permit issued as follows:

- (1) Single trip permit for loads less than 1.35 times the allowable load or less than 14 feet in width \$5
- (2) Continuous trip permit for loads less than 1.35 times the allowable load or less than 14 feet in width \$10
- (3) Overweight permit in excess of 1.35 times the allowable load \$25
- (4) Oversize permit for width in excess of 14 feet \$25

(b) These fees may be in the form of cash, money order, cashier's check, company check or personal check made payable to State of Hawaii. Applicants shall not send currency as payment with permit applications sent by mail as the department shall not assume responsibility for loss of currency.

(c) District offices may arrange with the applicants for payment of fees through periodic billings.

(d) Fees shall be waived for governmental agencies. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-14 Movement of oversized vehicles, vehicle combinations and load. (a) Should one or more dimension of an object or article to be moved exceed the legal limitations, or should the weight be greater than the legal limitations, each item will be considered separately, and the most restrictive -

operational conditions that may be imposed as the result of overdimension or overweight shall be made a part of the permit.

(b) The maximum legal dimensions for the movement of vehicles and loads are:

- (1) Width 9 feet
- (2) Height 13 feet 6 inches
- (3) Length:
 - (A) Single vehicle 40 feet
 - (B) Truck-tractor and semi-trailer 58 feet
 - (C) Truck and full trailer 65 feet
 - (D) Truck-tractor with semi-trailer and full trailer 65 feet
 - (E) Truck-tractor and semi-trailer used for agricultural purposes 65 feet, provided the semi-trailer shall not exceed 45 feet.
 - (F) Articulated buses for public transit purposes 65 feet
 - (G) Projections:
 - (i) Beyond extremity of vehicle 4 feet or less, horizontally
 - (ii) Beyond the front tires and above the roadway surface 7 feet or greater and not more than 13 feet 6 inches vertically.

(c) An escort vehicle shall be required for horizontal projection greater than 4 feet.

(d) Limitations upon length shall not apply to vehicles transporting pipe, poles, timbers, reinforcing steel or other objects of a structural nature which cannot be readily dismembered; provided that when transported at night every such vehicle shall be equipped with a sufficient number of clearance lamps on both sides of any projecting load to clearly mark the dimensions of the load.

(e) No combination of motor vehicles or other power vehicles coupled together shall consist of more than two units. A truck-tractor and one semi-trailer shall be regarded as a single unit when determining the number of units in a combination. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-15 Overwidth. (a) Permits normally shall be issued for widths up to 14 feet provided:

- (1) The object is of such nature that it cannot readily be reduced in size and both the length and width exceed 9 feet or the load consists of products transported from the place where they are harvested or stored to the place where they are processed or used;
- (2) The object is loaded in such a manner that the least width or length dimension becomes the width of the load; and
- (3) The positioning of the object shall not cause other maximum legal dimensions to be exceeded.

(b) Permits may be issued to move a vehicle or combination of vehicles, empty or with load, 14 feet or wider, provided:

- (1) The movement can be made without seriously jeopardizing other traffic or highway facilities;
- (2) The move is not one of many to be made in the course of regular operation. (Agricultural equipment which is operated or moved in the course of normal agricultural operations and within the geographic area in which it is normally used shall be exempt from this restriction);
- (3) The maximum operating speed shall be 25 miles per hour;
- (4) Escort vehicle, flagman or police accompany the move; and
- (5) A statement is submitted by the moving contractor certifying that the route has been examined and that there will be a clearance of at least 1 foot on each side of the vehicle, equipment or load and any possible obstruction, including traffic signs and markers, existing along the route.

(c) All vehicles or loads exceeding 12 feet in width shall require an escort vehicle. However, this shall not preclude a requirement for an escort vehicle in certain areas for loads of lesser width or for an additional escort vehicle depending upon the character of the road and the traffic volume. In general, escort vehicle may be required for widths exceeding 10 feet on two-lane roads traversing mountain or winding coastal areas.

(d) The district engineer may require police escort when in his judgment such escort is necessary to ease the flow of traffic or for public safety.

(e) Each overwidth movement exceeding 12 feet in width shall have wood or metal panel 6 feet by 1

foot sign with 10 inch high black letters on yellow background painted with 1-1/4-inch stroke to read "WIDE LOAD." (Reflective sign shall be required for movements at night.) The sign shall be securely mounted to the front or rear of the carrier vehicle or the escort vehicle, as specified in the permit, in such a manner that the sign will be clearly visible by approaching motorists from the front or rear. The applicant shall insure that the sign does not obstruct the view of the driver and obscure required warning and safety devices such as lights, flags, reflectors, and rear view mirrors.

(f) Vehicles with width greater than nine feet, including load, may cross state highways at permissible locations (e.g., permitted access points, tractor crossings, intersections, etc.) without permits provided that the other limitations regarding length, height, projection, or weight are not exceeded. These vehicles, when involved in crossing only, are exempt from this chapter. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-16 Overlength. A permit may be issued for the movement of an overlength vehicle or object provided:

- (1) The length of the vehicle or object cannot be reduced, in the judgment of the district engineer, without creating undue hardship to the applicant or the load consists of products transported from the place where they are harvested or stored to the place where they are processed or used;
- (2) The movement can be made without seriously jeopardizing other traffic or highway facilities; and
- (3) When the overall length exceeds 70 feet, the move is not one of many to be made in the course of regular operations. (Agricultural equipment which is operated or moved in the course of normal agricultural operations and within the geographic area in which it is normally used shall be exempt from this restriction.) [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-17 Overheight. Permits may be issued for overheight vehicles and loads if the movement can be made without seriously jeopardizing other traffic, public utility or highway facilities. The maximum height of a vehicle or vehicle and load for which a permit may be issued is governed by

available overhead clearances throughout the route, which assurance is the responsibility of the permittee. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-18 Projection. (a) Horizontal projections extending 4 feet beyond the extremity of the vehicle are prohibited, and if the projection extends beyond 4 feet, escort vehicles shall accompany the move.

(b) A permit for front projection, less than 7 feet above the roadway surface, may be issued if it is proven to the satisfaction of the department that undue hazards shall not be created.

(c) This provision shall not apply to vehicles transporting pipe, poles, timbers, reinforcing steel or other objects of a structural nature which cannot readily be dismembered. However, the projecting load shall be clearly marked as required by state and county rules, laws and ordinances. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-19 Specific oversize moves. (a) Permits for prefabricated building forms generally shall not be issued. Form sections constructed away from the job site should be designed and built in such manner that they can be transported within legal limits.

(b) Permits for prefabricated buildings, building sections or panels may be issued provided the width of the load, including building eaves if the eaves are less than 10 feet above the roadway, does not exceed 12 feet and provided that other dimension limitations are not exceeded.

(c) When a vehicle which is within legal size is disabled upon a highway, it may be towed from the highway to the nearest repair station without an overlength permit even though the total length of the towing vehicle plus the disabled vehicle exceeds the legal length. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-20 Movement of overweight vehicles, vehicle combinations and loads. (a) The weight of vehicles or vehicle combinations and loads are subject to two general limitations:

- (1) The weight imposed on the road surface transmitted through any one of the respective axles of a vehicle; and

(2) The gross weight of the vehicles or vehicle combinations and load.

(b) If the weight of either one or more axles or the gross weight of the vehicle or vehicle combination and load is in excess of these limitations, a permit shall be secured from the department for operation over state highways. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-21 Legal limitations. (a) The total gross weight imposed on the road surface 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:

- (1) Less than 42 inches 24,000 pounds
- (2) 42 inches but less than 6 feet 34,000 pounds
- (3) 6 feet and over $W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$

- (A) This applies to interstate highways;
- (B) "W" = maximum weight in pounds carried on any group of two or more axles computed to the nearest 500 pounds;
- (C) "L" = distance in feet between the extremes of any group of two or more consecutive axles, to the nearest foot; and
- (D) "N" = number of axles in group under consideration;

provided that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more and provided the overall gross weight does not exceed 80,800 pounds.

- (4) 6 feet and over $W = 880(L+40)$
- (A) This applies to non-interstate highways;
- (B) "W" = maximum weight in pounds rounded to the nearest 500 pounds; and
- (C) "L" = distance in feet between first and last axles of the vehicle or combination of vehicles.

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

(c) Axles placed in the same transverse plane which are closer than 42 inches shall be considered as one axle.

(d) The total gross weight imposed upon the public road, street or highway by any single axle shall not exceed 24,000 pounds.

(e) The total gross weight imposed upon the road surface by any one wheel, either single or dual mounting, shall not exceed 12,000 pounds.

(f) In addition to the foregoing limitations on weight, no vehicle shall be operated over a bridge if the gross weight of the vehicle exceeds the posted load limitation of the bridge, unless the owner first secures a written permit from the department. [Eff.

MAY 30 1981] (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-22 Overweight permits. (a) The district engineer may issue a permit for overloads, provided the following load conditions are not exceeded:

- (1) The actual axle load imposed upon the pavement shall not exceed 48,000 pounds in the case of a single axle or 84,000 pounds for a tandem axle. On structures the axle load shall not exceed the allowable loads taken from the following table:

<u>Maximum Allowable Loads--Pounds</u>		
<u>Width of Axle--Feet (Tread Width)</u>	<u>Single Axle</u>	<u>Tandem Axle</u>
6	36,000	48,000
7	39,000	52,000
8	42,000	56,000
9	45,000	60,000
10	48,000	64,000

and the wheel load per tire shall not exceed 12,000 pounds.

(A) "Tread width" is the distance between the centerlines of the two tires on the same axle. For dual tires, it is the distance between the centers of the two sets of tires. For multiple tires on the same axle, it is the distance between the centers of the outer two tires on each end.

(B) A single axle is a single continuous transverse shaft or split transverse shafts connecting the wheels of a vehicle or a group of two or more transverse shafts connecting the wheels of a vehicle which may be on

separate vertical transverse planes which are less than 42 inches apart.

(C) A tandem axle is a combination of two consecutive single axles as defined above which are less than 6 feet but greater than 42 inches apart.

(2) The allowable maximum gross weight for overweight vehicles on bridges may be approximated by multiplying the legal gross loads permissible under the Hawaii Revised Statutes, chapter 291, by the following constants:

(A) H15 Bridges	1.00
(B) H20 Bridges	1.35
(C) HS20 Bridges	1.60

(b) Applications for overload in excess of those specified above shall be referred to the construction and maintenance branch for further review, with the district engineer's comments and recommendations. The design branch and the materials testing and research branch shall assist in the review when requested.

(c) The overloaded vehicle shall not exceed the speed indicated on the permit. Generally, overloaded vehicles shall be restricted to 5 miles per hour on structures.

(d) Stopping on any bridge is prohibited. Also, no other vehicle, except passenger cars (unless specifically prohibited), shall be permitted on structures at the same time as the overweight vehicle.

(e) An overweight vehicle shall be allowed to cross an existing state highway at locations approved by the district engineer. However, if such move is expected to be made on a repetitive and continuous basis, the owner of the vehicle shall construct, or cause to construct, at his own expense, a structurally suitable crossing at locations approved by the district engineer. Except for vehicle or combination of vehicles used in agricultural operations as described in section 19-104-27, a permit is required for movement of overweight vehicle across state highways. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-23 Specific overweight moves. (a) An overweight permit shall not be issued if two or more structural members such as precast concrete slab, prestressed concrete girders, structural steel and other similar objects constitute the overweight.

(b) Overweight cranes, draglines, tractors and other overweight equipment may only be moved by disassembling them to the degree necessary for the

highway facilities to accommodate or support the loads. Such movements may require both pavement and bridge analyses. The extent of dismantling will be dependent upon the weight and size of the machine, the axle spacing and wheel arrangements of the tractor-trailer upon which the machine is transported and the theoretical load carrying capacity of bridge structures along the route of travel.

(c) Overweight mobile cranes may be required to be stripped or dismantled by removing the counterweights, booms or outriggers as determined by structural analysis if analysis is warranted by this chapter.

[Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-24 Emergency moves. (a) The chief of the highways division or the district engineer may authorize emergency moves of vehicles, vehicle combinations, or loads which exceed the maximum legal dimension and weight limitations in a disaster area without a written permit.

(b) For the purpose of this provision, an emergency shall include floods, fire, earthquakes, tsunami and other disasters which cause or threaten loss of life or destruction or damage to property of such magnitude as to seriously endanger the public health, safety, and welfare, or which causes or threatens destruction or major damages to the highway system. Economic factors such as the savings of time or expense in moving over the highway are never considered emergencies.

(c) Requests for emergency moves shall be considered carefully by the district engineer and permitted only where it is absolutely clear that an emergency endangering human lives, health, safety, welfare or property actually exists.

(d) Emergency moves may be authorized when disaster is apparent; during the disaster period; and in the initial stages of recovery. Following the emergency, when immediate threat to life or property is terminated, the vehicles, vehicle combinations, or loads must be moved from the disaster area under permit authority.

(e) Pertinent details of emergency moves shall be recorded by memorandum and filed. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-25 Movements during darkness or adverse weather. (a) When movements during darkness are allowed or stipulated in the permit for oversize or overweight vehicles, the lighting and reflectors

for such vehicle or load shall conform to the requirements of the motor carrier rules of the department governing such matters.

(b) Notwithstanding the date and time specified in the permit, moves shall not be made when visibility is unduly impaired by rain, fog, smog or at any time travel conditions are considered to be unsafe by the department or police. Police may direct or escort a vehicle off the roadway to a place of safety. During those periods of adverse weather, should operating conditions be impaired or otherwise become hazardous due to inclement weather, which may include high winds, the police, at their discretion, may require the driver of the vehicle or combination of vehicles to pull off the highway to a place of safety until the movement can be resumed under safe operating conditions. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-26 Convoys. (a) Vehicles traveling under permit authority requiring escort vehicles shall not be allowed to travel in convoys on two-lane highways. A separate escort shall be provided for each vehicle or vehicles and load moved under escort. As a general rule, such vehicle shall be spaced about 15 minutes apart along the route.

(b) On multilane highways (4 or more lanes), the district engineer may permit vehicles with oversize loads 12-foot or less to travel by pairs under escort. The foregoing spacing requirement shall apply between pairs of vehicles. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-27 Crossing. (a) Crossing is a movement of a vehicle from one right-of-way line to outside the opposite right-of-way line on an angle not flatter than 45 degrees with the centerline of the highway. Any movement on an angle flatter than this is not considered as crossing a highway, but is considered as operating along a highway.

(b) Except for overwidth vehicles or loads which are permitted to cross any public road at permissible locations without an oversize permit, vehicles crossing state highways which exceed the weight or size limitations in other respects are required to comply with the provisions of the size and weight laws and this chapter.

(c) Notwithstanding any law to the contrary, no permit shall be required for any vehicle or combination of vehicles used in agricultural operations or activities which only crosses any public road, street,

or highway within the state at locations approved by the director; provided that:

- (1) The owners of vehicles transporting agricultural products and equipment shall construct and maintain structurally suitable pavement sections at each crossing;
- (2) These owners shall provide for the cleaning and removal of all debris and mud generated by their operation;
- (3) The maximum length of vehicles transporting agricultural products shall be limited to not more than eighty feet; and
- (4) The maximum length of vehicles, including load, used in transporting agricultural equipment shall be limited to not more than one hundred feet.

(d) This chapter does not apply to private grade separated crossings of state highways. [Eff.

MAY 30 1981 (Auth: HRS 291-36) (Imp: HRS Sec. 291-36)

Sec. 19-104-28 Escort vehicles. (a) Whenever an escort vehicle is required by statute or under the conditions of the special permit, the grantee or owner shall provide such vehicle to accompany the move. The escort vehicle may either be a passenger car or a 2-axle truck with a rated capacity not to exceed 20,000 pounds gross and designed to afford the driver a clear and unobstructed view both to the front and rear. The escort vehicle shall be equipped with at least one rotating or oscillating amber light mounted on top of the cab. The amber lights shall have sufficient intensity to be visible at 500 feet in normal sunlight.

(b) The escort and hauling vehicles shall be equipped with two-way radio, and continuous communications between the units shall be maintained.

(c) An escort vehicle shall travel with low beam headlights on and shall maintain the following distances ahead or behind the carrier unit. The speeds shown below represent the established speed limit for the highway on which the movement is to take place plus the speed at which the load is traveling.

<u>Combined Speed</u> <u>Miles per Hour</u>	<u>Distance from Load</u> <u>to Escort Vehicle</u>
30 or less	200
40	300
50	350
60	500
70 or greater	600

(d) Generally, separate escort vehicle shall be provided, when required by permit or statute, for each vehicle or load. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-29 Flagman. (a) A flagman shall accompany the driver when it is made a condition under the special permit (a motorcycle police escort may be used in lieu of a flagman). At least one flagman shall accompany each move for which a flagman is stipulated in a permit.

(b) The flagman shall dismount and direct traffic at all locations where traffic may be obstructed, or when it is necessary to infringe on the opposite bound traffic lane due to breakdown, pulling on or off the pavement, or other causes. The flagman shall warn traffic of the approaching vehicle at danger points such as at narrow bridges, sharp curves and intersections.

(c) The flagman shall be equipped with a red flag 24 by 24 inches in size mounted on a staff 3 feet in length and shall wear a bright orange safety vest. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-30 Military movement. Except to meet overriding military necessity, no vehicular movement which exceeds any legal weight or dimension limitation shall be undertaken over state highways unless prior permission is secured from the district engineer. Permit requests for such movements shall be submitted and processed in the normal manner and, if within standard permit policy limits, the permit may be issued. [Eff. MAY 30 1981 (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)]

Sec. 19-104-31 Violations. (a) Any of the following violations shall render a permit void as though such permit had never been issued:

- (1) Move on state highway other than highways designated as the route of travel;
- (2) Dimensions or weight limitations specifically stated in a permit are exceeded;
- (3) Improper description of vehicle or load, or substitution of vehicle or load without proper authority from the district engineer;
- (4) Permit not in possession of operator;
- (5) Permittee is not the owner or lessee of the transporting vehicle;

- (6) Posted speed or speed specified in permit is exceeded;
- (7) Movement is not made during the time specified;
- (8) Special provisions to protect highway facilities were not observed; or
- (9) Misrepresentation, use of fraudulent or altered permit, or unauthorized use of permit.

(b) The above violations also will be sufficient grounds for the district engineer to cancel any other permits held by the permittee and withhold future permits. [Eff. **MAY 30 1981** (Auth: HRS Sec. 291-36)
(Imp: HRS Sec. 291-36)

Sec. 19-104-32 Penalties. The owner of any vehicle or combination of vehicles found operating in violation of the terms and 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, Hawaii Revised Statutes. [Eff. **MAY 30 1981** (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-37)

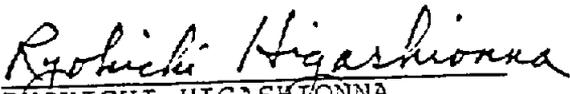
Sec. 19-104-33 Repeal. All rules and regulations governing the movement of oversize and overweight vehicles on state highways by permit in effect prior to the effective date of this chapter are repealed. [Eff. **MAY 30 1981** (Auth: HRS Sec. 291-36) (Imp: HRS Sec. 291-36)

DEPARTMENT OF TRANSPORTATION

I, RYOKICHI HIGASHIONNA, in my capacity as the Director of Transportation of the State of Hawaii, pursuant to the authority vested in me by law, do hereby adopt the foregoing Chapter 104 of Title 19 which contains rules relating to the Movement of Oversize and Overweight Vehicles on State Highways.

The rules in this chapter are being adopted following public hearings held on March 31, April 1, 2, and 3, 1981, notice of which was duly published on March 2, 1981 in the Honolulu Advertiser, Honolulu Star-Bulletin, Hawaii Tribune Herald, Maui News and Garden Island News.

These rules shall take effect ten days after filing with the Office of the Lieutenant Governor.


RYOKICHI HIGASHIONNA
Director of Transportation

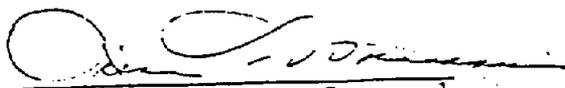
Date: May 13, 81

APPROVED:


GEORGE R. ARIYOSHI
Governor
State of Hawaii

Date: May 18, 1981

APPROVED AS TO FORM:


Deputy Attorney General

REC'D. BY

MAY 20 11 04 AM '81

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