

The following bills passed during the Legislative Session 2023 amending the Hawaii Revised Statutes relating to Commercial Motor Vehicle Size and Weight - §291- 35,37 and 39. There will be a grace period of three months – all rules will be implemented on December 1, 2023.

1) HB 1107 – (HRS 291-35 Gross weight, axle, and wheel loads)

Amends the state law to be consistent with the federal law, 23 CFR 658.17, regarding legal limits for gross vehicle weight and axle loads traveling on all public highways.

- Reduces the single axle weight limit to 20,000 lbs, repeals the 22,500 lbs limit
- Reduces the one wheel weight limit to 10,000 lbs, repeals the 11,250 lbs limit
- Maximum gross weight limit is 80,000 lbs., except where the lower gross vehicle weight is dictated by the bridge formula. Repeals the “Non-Interstate” formula of  $W=900(L+40)$  allowing maximum gross vehicle weight of 88,000 lbs.

2) HB 1108 - (HRS 291-37 Penalties)

Amends the state law relating to vehicle weight violations by eliminating the fine table for each overweight range and replacing it with a \$250 penalty for excess weight up to 100 lbs., and for excess weight greater than 100 lbs., the fine will be an additional \$0.11 per pound. **Ex:** A truck is cited for weighing 15,000 lbs in excess of the gross weight limit – the fine is  $\$250 + (15,000 \text{ lbs} - 100 \text{ lbs}) \times \$0.11 = \$1,889$ . The total penalty is \$1,926 (including administrative court fees of \$37).

3) HB 1104 – (HRS 291-39 Enforcement)

Amends the state law relating to the issuance of citations for violations of HRS 291-35 to be consistent with the federal law, 23 CFR 658.17(g), repealing Hawaii’s **five** percent weight tolerance for portable scales and the **two** percent weight tolerance on fixed scales. Hawaii will now follow federal law which is **zero** tolerance on fixed scales and **five** percent weight tolerance on portable scales.