

**RCW 46.44.190 Firefighting apparatus.** (1) As used in this section, "firefighting apparatus" means a vehicle or combination of vehicles, owned by a regularly organized fire suppression agency, designed, maintained, and used exclusively for fire suppression and rescue or for fire prevention activities. These vehicles and associated loads or equipment are necessary to protect the public safety and are considered nondivisible loads. A vehicle or combination of vehicles that is not designed primarily for fire suppression including, but not limited to, a hazardous materials response vehicle, bus, mobile kitchen, mobile sanitation facility, and heavy equipment transport vehicle is not a firefighting apparatus for purposes of this section.

(2) Firefighting apparatus must comply with all applicable federal and state vehicle operating and safety criteria, including rules adopted by agencies within each jurisdiction.

(3) All owners and operators of firefighting apparatus shall comply with current information, provided by the department, regarding the applicable load restrictions of state and local bridges within the designated fire service area, including any automatic or mutual aid agreement areas.

(4) Firefighting apparatus operating within a fire district or municipal department boundary of the owner of the apparatus, including any automatic or mutual aid agreement areas, may operate without a permit if:

- (a) The weight does not exceed:
  - (i) 600 pounds per inch width of tire;
  - (ii) 24,000 pounds on a single axle;
  - (iii) 43,000 pounds on a tandem axle set;
  - (iv) 67,000 pounds gross vehicle weight, subject to the gross weight limits of RCW 46.44.091(1) (c), (d), and (e);
  - (v) The tire manufacturer's tire load rating.
- (b) There is no tridem axle set.
- (c) The dimensions do not exceed:
  - (i) 8 feet, 6 inches wide;
  - (ii) 14 feet high;
  - (iii) 65 feet overall length;
  - (iv) 15 foot front overhang;
  - (v) Rear overhang not exceeding the length of the wheel base.

(5) Operators of firefighting apparatus that exceed the weight limits in subsection (4) of this section must apply for an overweight permit with the department. The maximum weight a firefighting apparatus may weigh is 50,000 pounds on the tandem axle set and 31,000 pounds on a single drive axle, and may not exceed 670 pounds per inch width of tire. The maximum weight limit must include the weight of a full water tank, if applicable, all equipment necessary for operation, and the normal number of personnel usually assigned to be on board, or four personnel, whichever is greater. At least four personnel must be physically present at the time the apparatus is weighed.

(6) When applying for a permit, a current weight slip from a certified scale must be attached to the department's application form. Upon receiving an application, the department shall transmit it to the local jurisdictions in which the firefighting apparatus will be operating, so that the local jurisdictions can make a determination on the need for local travel and route restrictions within the operating area. The department shall issue a permit within twenty days of receiving a permit application and shall issue the permit on an annual basis for the apparatus to operate on the state highway system, with

reference made to applicable load restrictions and any other limitations stipulated on the permit, including limitations placed by local jurisdictions.

(7) Firefighting apparatus in operation in this state before June 13, 2002, and privately owned industrial firefighting apparatus used for purposes of providing emergency response and mutual aid are each exempt from subsections (4) and (5) of this section. However, operators of the exempt firefighting apparatus must still obtain an annual permit under subsection (6) of this section.

(8) Firefighting apparatus without the proper overweight permits are prohibited from being operated on city, county, or state roadways until the apparatus is within legal weight limits and a current permit has been issued by the department. When the permit is issued, the fire district must notify the Washington state patrol that the apparatus is in compliance with overweight permit regulations.

(9) The Washington state patrol may conduct random spot checks of firefighting apparatus to ensure compliance with overweight permit regulations. If a firefighting apparatus is found to be not in compliance with overweight permit regulations, the state patrol shall issue a violation notice to the fire department stating this fact and prohibiting operation of the apparatus on city, county, and state roadways.

(10) It is a traffic infraction to continue to operate a firefighting apparatus on the roadways after a violation notice has been issued. The following penalties apply:

(a) For a first offense, the penalty will be no less than fifty dollars but no more than fifty dollars;

(b) For a second offense, the penalty will be no less than seventy-five dollars;

(c) For a third or subsequent offense, the penalty will be no less than one hundred dollars.

(11) No individual liability attaches to an employee or volunteer of the penalized fire department. [2015 c 16 § 1; 2002 c 231 § 1; 2001 c 262 § 3.]