
Transportation Committee

SSB 5883

Brief Description: Authorizing vehicles or combinations of vehicles carrying farm products to exceed total gross weight limits.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Takko, Wellman, Rivers and Keiser).

Brief Summary of Substitute Bill

- Allows a vehicle or combination of vehicles solely carrying farm products from the field to exceed the weight limits in statute by up to 5 percent when on public highways in Washington, including limits established by a county.
- Specifies the additional weight allowance does not allow a vehicle or combination of vehicles to exceed any posted weight limit for a bridge.
- States that a special permit is not required for a vehicle or combination of vehicles qualifying for these additional weight allowances.
- Creates a requirement that the farm for which the driver is carrying farm products must have received four prior written warnings of the violations of exceeding the additional weight limitations before a traffic infraction or misdemeanor penalties may be imposed.

Hearing Date: 3/20/19

Staff: Beth Redfield (786-7140).

Background:

In Washington no vehicle or combination of vehicles may operate on the public highways with a gross load on any single axle in excess of 20,000 pounds or upon any group of axles in excess of that designated in statute, except that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each. The maximum allowable gross vehicle weight is 105,500 pounds.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Trucks are registered based on a declared gross vehicle weight with a graduated fee schedule in statute. Overweight permits are also available based on a graduated fee schedule.

The board of county commissioners of each county may, by resolution, limit or prohibit classes or types of vehicles on any county road or bridge and may limit the weight of vehicles which may travel on a county road or bridge. Any resolution must be effective for a definite period of time, which must be stated in the resolution.

Bridges with maximum load limits below legal vehicle weight limits are posted with maximum load limitations. Bridges which are not posted have maximum load limitations which exceed legal weight limits.

A violation of the size, weight and load laws is a traffic infraction. The basic penalty is \$50 for a first offense, \$75 for a second offense, and \$100 for third or subsequent offenses. In addition to the base penalty, a penalty for each pound overweight is also assessed as follows:

- 1 pound through 4,000 pounds overweight, 3 cents per pound;
- 4,001 pounds to 10,000 pounds overweight, \$120 plus 12 cents per pound for each additional pound over 4,000;
- 10,001 pounds to 15,000 pounds overweight, \$840 plus 16 cents per pound for each additional pound over 10,000;
- 15,001 pounds to 20,000 pounds overweight, \$1,640 plus 20 cents per pound for each additional pound over 15,000;
- 20,001 pounds or more pounds overweight, \$2,640 plus 30 cents per pound for each additional pound over 20,000.

It is an infraction to direct the loading of a vehicle with the knowledge that it violates the requirements relating to maximum gross weights, excess weight provisions, special permits, and temporary additional tonnage permits.

It is a misdemeanor to violate any county road or bridge requirements, unless otherwise specified to be a gross misdemeanor or felony.

Summary of Bill:

A vehicle or combination of vehicles carrying farm products, as defined by RCW 7.48.310 and from the field where the farm product was grown or harvested, may exceed the weight limits in statute by up to 5 percent as determined by the operator when operating on public highways in Washington. The highways cannot be part of the federal-aid interstate system. The exemption does not allow a vehicle or combination of vehicles to exceed any posted weight limit for a bridge. The exemption only applies to a load which consists solely of farm products as defined by RCW 7.48.310.

A special permit is not required for a vehicle or combination of vehicles qualifying for these additional weight allowances.

A vehicle or combination of a vehicles carrying a farm product from the field where grown or harvested may also exceed the weight limits established by a board of county commissioners by

up to 5 percent when operating on the public highways. The exemption does not allow a vehicle or combination of vehicles to exceed any posted weight limit for a bridge.

Under the size, weight, and load laws, a farm would not be subject to traffic infraction penalties unless the farm for which the driver is carrying farm products has received four prior written warnings of the violations of exceeding the weight limitations in the same calendar year. A farm is also exempt from the local penalties until four prior written warnings have been issued within the same calendar year. Directing the loading of a vehicle with the knowledge that it violates gross weight requirements would also be allowed four prior written warnings in a calendar year before being subject to the traffic infraction.

The written warnings must be recorded by the issuing officers to allow a determination of the number of previous written warnings within the calendar year. A traffic infraction or misdemeanor would be issued against the owner of the farm for whom the driver is carrying the products. The Chief of the Washington State Patrol, with the advice of the Washington State Department of Transportation, is directed to adopt rules to aid in the enforcement of the bill.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.