

# HOUSE BILL REPORT

## HB 2673

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to weight limits on fire-fighting apparatus.

**Brief Description:** Regulating fire truck weight.

**Sponsors:** Representatives Cooper, Morell, Simpson, Chase, Ogden, Wood and McDermott.

**Brief History:**

**Committee Activity:**

Transportation: 2/5/02, 2/7/02 [DPS].

**Brief Summary of Substitute Bill**

- Fire trucks exceeding established weight limits, which includes 24,000 pounds on a single axle or 43,000 pounds on a tandem axle set, must apply for an overweight permit with the Washington State Department of Transportation (WSDOT).
- The maximum weight a fire truck may weigh is 50,000 pounds on a tandem axle set.
- Fire trucks in operation in this state before the effective date of this act and privately-owned industrial fire trucks are each exempt from the established weight limits.
- Overweight fire trucks without the proper permits are prohibited from operating until the apparatus is within legal weight limits and a current permit has been issued by the WSDOT.
- The Washington State Patrol (WSP) is authorized to conduct random spot checks of fire trucks to ensure compliance with overweight permit regulations. If a fire truck is found to be in non-compliance, the WSP must issue a violation notice prohibiting its operation.
- It is a traffic infraction to operate a fire truck on the roadways after a violation notice has been issued.

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 24 members: Representatives Fisher, Chair; Cooper, Vice Chair; Lovick, Vice Chair; Mitchell, Ranking Minority Member; Anderson, Armstrong, Edwards, Haigh, Hankins, Holmquist, Jackley, Jarrett, Mielke, Morell, Murray, Ogden, Reardon, Rockefeller, Romero, Schindler, Simpson, Sullivan, Wood and Woods.

**Staff:** Reema Griffith (786-7301).

### **Background:**

Last session HB 1095 passed, which established provisions allowing fire trucks under 24,000 pounds on a single axle or 43,000 pounds on a tandem axle set to operate without a WSDOT permit. If a fire truck exceeded these weight limits, the bill provided for the issuance of an annual permit, but the truck had to be in operation before July 1 of this year.

In doing these two things, most all fire trucks can now operate permit free, and overweight fire trucks that were already in service can continue operating legally. However, the bill was silent on how to address overweight fire trucks that may be purchased after July 1, 2001, and it did not set a maximum weight limit that all fire trucks must not exceed.

These discrepancies, along with the ongoing concern over the damage caused by overweight vehicles, led to the creation of a proviso that was included in the 2001-2003 transportation budget, requiring the House Transportation Committee to form a study group to look into the effect the weight of these fire trucks has on the roadways, and to come up with recommendations on how to balance their use with their impact to the roads. The end result of this interim study group is HB 2673, which reflects the group's findings and recommendations.

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### **Summary of Substitute Bill:**

HB 2673 requires all fire trucks exceeding established weight criteria, which includes 24,000 pounds on a single axle or 43,000 pounds on a tandem axle set, to apply for an overweight permit with the WSDOT. The maximum weight a fire truck can weigh is 50,000 pounds on a tandem axle set. This weight limit must include the weight of a full water tank, if applicable; the weight of all of the 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 present at the time the fire truck is weighed.

In order to obtain an overweight permit, fire districts must submit an application form to the WSDOT and attach a current weight slip, which is to be obtained from a certified scale. The WSDOT must then transmit the application to the local jurisdiction in which the fire truck will be operating, so that the effected city and/or county can make a determination as to the need for any local travel restrictions within the fire truck's operating area.

The WSDOT is required to issue the overweight permit within 20 days of receiving the permit application. The overweight permits are to be issued on an annual basis, and any travel or route restrictions imposed by WSDOT or local jurisdictions must be stipulated on the permit.

Fire trucks in operation in this state before the effective date of this act, and privately-owned industrial fire trucks used for purposes of emergency response and mutual aid are each exempt from the prescribed weight limits. However, in order to prevent damage to any roadways or bridges, these exempt fire trucks must still obtain an annual overweight permit to allow the WSDOT and local jurisdictions to determine if there is a need for travel restrictions.

Fire trucks that do not have the proper overweight permits are prohibited from operating on city, county or state roadways until the truck is within legal weight limits and a current permit has been issued by the WSDOT. Once the permit is issued, the fire district must notify the WSP that the fire truck is now in compliance with overweight permit regulations.

The WSP is authorized to conduct random spot checks of fire trucks to ensure compliance with overweight permit regulations. If a fire truck is found to be not in compliance, the WSP must issue a violation notice to the fire department, prohibiting the operation of the fire truck upon the roadways.

It is a traffic infraction to continue operating a fire truck on the roadways after a violation notice has been issued. The penalties are as follows: for a first offense, the penalty will be \$50; for a second offense, the penalty will be no less than \$75; for a third or subsequent offense, the penalty will be no less than \$100. No individual liability will be attached to an employee or volunteer of the penalized fire department.

#### **Substitute Bill Compared to Original Bill:**

Language is added to clarify that when a fire truck is weighed, there must be at least four personnel present, or the normal number of personnel usually assigned to be on board, whichever is greater.

Language is removed which provided a formula to calculate the weight of the personnel, should they not be able to be physically present when the truck is weighed.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill provides the necessary permitting process which will ensure that overweight fire trucks do not operate on roadways and bridges without first reviewing their routes of travel.

**Testimony Against:** None.

**Testified:** Representative Cooper, prime sponsor; Representative Morell, secondary sponsor; and Gordon Walgren, Washington State Association of Fire Chiefs.