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HOUSE BILL 2673

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State of Washington

57th Legislature

2002 Regular Session

By Representatives Cooper, Morell, Simpson, Chase, Ogden, Wood and McDermott

Read first time 01/23/2002. Referred to Committee on Transportation.

1 AN ACT Relating to weight limits on fire-fighting apparatus;  
2 amending RCW 46.44.190; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.44.190 and 2001 c 262 s 3 are each amended to read  
5 as follows:

6 (1) As used in this section, "fire-fighting apparatus" means a  
7 vehicle or combination of vehicles, owned by a regularly organized fire  
8 suppression agency, designed, maintained, and used exclusively for fire  
9 suppression and rescue or for fire prevention activities. These  
10 vehicles and associated loads or equipment are necessary to protect the  
11 public safety and are considered nondivisible loads. A vehicle or  
12 combination of vehicles that is not designed primarily for fire  
13 suppression including, but not limited to, a hazardous materials  
14 response vehicle, bus, mobile kitchen, mobile sanitation facility, and  
15 heavy equipment transport vehicle is not a fire-fighting apparatus for  
16 purposes of this section.

17 (2) Fire-fighting apparatus must comply with all applicable federal  
18 and state vehicle operating and safety criteria, including rules  
19 adopted by agencies within each jurisdiction.

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

6 (4) Fire-fighting apparatus operating within a fire district or  
7 municipal department boundary of the owner of the apparatus, including  
8 any automatic or mutual aid agreement areas, may operate without a  
9 permit if:

10 (a) The weight does not exceed:

11 (i) 600 pounds per inch width of tire;

12 (ii) 24,000 pounds on a single axle;

13 (iii) 43,000 pounds on a tandem axle set;

14 (iv) 67,000 pounds gross vehicle weight, subject to the gross  
15 weight limits of RCW 46.44.091(1) (c), (d), and (e);

16 (v) The tire manufacturer's tire load rating.

17 (b) There is no tridem axle set.

18 (c) The dimensions do not exceed:

19 (i) 8 feet, 6 inches wide;

20 (ii) 14 feet high;

21 (iii) 50 feet overall length;

22 (iv) 15 foot front overhang;

23 (v) Rear overhang not exceeding the length of the wheel base.

24 (5) Operators of fire-fighting apparatus that exceed the weight  
25 limits in subsection (4) of this section must apply for an overweight  
26 permit with the department (~~may grant permits for fire fighting~~  
27 apparatus that exceed the weight limits in subsection (4) of this  
28 section only if they were put into operation in this state before July  
29 1, 2001)). The maximum weight a fire-fighting apparatus may weigh is  
30 50,000 pounds on a tandem axle set, and may not exceed 600 pounds per  
31 inch width of tire. The maximum weight limit must include the weight  
32 of a full water tank, if applicable, all equipment necessary for  
33 operation, and the maximum number of personnel allowed on board. If  
34 all personnel cannot be physically present at the time the apparatus is  
35 weighed, then an amount equal to the maximum number of personnel  
36 allowed on board, but no fewer than four individuals, multiplied by two  
37 hundred fifty pounds must be added to the certified weight of the  
38 apparatus and this fact must be noted on the weight slip.

1       (6) When applying for a permit, a current weight slip from a  
2 certified scale must be attached to the department's application form.  
3 Upon receiving an application, the department shall transmit it to the  
4 local jurisdictions in which the fire-fighting apparatus will be  
5 operating, so that the local jurisdictions can make a determination on  
6 the need for local travel and route restrictions within the operating  
7 area. The department shall issue a permit within twenty days of  
8 receiving a permit application and shall issue the permit on an annual  
9 basis for the apparatus to operate ((within the designated fire service  
10 area, including mutual benefit agreement areas, subject to the)) on the  
11 state highway system, with reference made to applicable load  
12 restrictions ((of state bridges referred to in subsection (3) of this  
13 section)) and any other limitations stipulated on the permit, including  
14 limitations placed by local jurisdictions. ((Before issuing a permit,  
15 the department will compare the apparatus to be permitted with the  
16 bridge load ratings for structures on state highways within the  
17 operating area. The permit will denote any structures where access by  
18 the apparatus is either based on special operating instructions or is  
19 denied.))

20       (7) Fire-fighting apparatus in operation in this state before July  
21 1, 2001, and privately owned industrial fire-fighting apparatus used  
22 for purposes of providing emergency response and mutual aid are each  
23 exempt from subsections (4) and (5) of this section. However,  
24 operators of the exempt fire-fighting apparatus must still obtain an  
25 annual permit under subsection (6) of this section.

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

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

1       (10) It is a traffic infraction to continue to operate a fire-  
2 fighting apparatus on the roadways after a violation notice has been  
3 issued. The following penalties apply:  
4       (a) For a first offense, the penalty will be no less than fifty  
5 dollars but no more than fifty dollars;  
6       (b) For a second offense, the penalty will be no less than seventy-  
7 five dollars;  
8       (c) For a third or subsequent offense, the penalty will be no less  
9 than one hundred dollars.  
10       (11) No individual liability attaches to an employee or volunteer  
11 of the penalized fire department.

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