

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2673

57th Legislature
2002 Regular Session

Passed by the House February 14, 2002
Yeas 93 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 6, 2002
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2673** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2673

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Cooper, Morell, Simpson, Chase, Ogden, Wood and McDermott)

Read first time 02/08/2002. Referred to Committee on .

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 the 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 normal number of personnel usually assigned to be on
34 board, or four personnel, whichever is greater. At least four
35 personnel must be physically present at the time the apparatus is
36 weighed.

37 (6) When applying for a permit, a current weight slip from a
38 certified scale must be attached to the department's application form.
39 Upon receiving an application, the department shall transmit it to the

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

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

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

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

36 (10) It is a traffic infraction to continue to operate a fire-
37 fighting apparatus on the roadways after a violation notice has been
38 issued. The following penalties apply:

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

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

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

7 (11) No individual liability attaches to an employee or volunteer
8 of the penalized fire department.

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