Chapter 46.44 RCW
SIZE, WEIGHT, LOAD

Sections

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RCW 46.44.010 Outside width limit. The total outside width of any vehicle or load thereon must not exceed eight and one-half feet; except that an externally mounted rear vision mirror may extend beyond the width limits of the vehicle body to a point that allows the driver a view to the rear of the vehicle along both sides in conformance with Federal National Safety Standard 111 (49 C.F.R. 571.111), and RCW 46.37.400. Excluded from this calculation of width are certain devices that provide added safety, energy conservation, or are otherwise necessary, and are not designed or used to carry cargo. The width-exclusive devices must be identified in rules adopted by the department of transportation under RCW 46.44.101. A width-exclusive device must not extend more than three inches beyond the width limit of the vehicle body. [2005 c 189 s 1; 1997 c 63 s 1; 1983 c 278 s 1; 1961 c 12 s 46.44.010. Prior: 1947 c 200 s 4; 1937 c 189 s 47; Rem. Supp. 1947 s 6360-47; 1923 c 181 s 4, part; RRS s 6362-8, part.]

RCW 46.44.013 Appurtenances on recreational vehicles. Motor homes, travel trailers, and campers may exceed the maximum width established under RCW 46.44.010 if the excess width is attributable to appurtenances that do not extend beyond the body of the vehicle by more than four inches, or if an awning, by more than six inches. As used in this section, "appurtenance" means an appendage that is installed by a factory or a vehicle dealer and is intended as an integral part of the motor home, travel trailer, or camper. "Appurtenance" does not include an item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the item from one location to another. "Appurtenance" does not include an item that obstructs the driver's rearward vision. [2005 c 264 s 1.]

RCW 46.44.020 Maximum height—Impaired clearance signs. It is unlawful for any vehicle unladen or with load to exceed a height of fourteen feet above the level surface upon which the vehicle stands. This height limitation does not apply to authorized emergency vehicles or repair equipment of a public utility engaged in reasonably necessary operation. The provisions of this section do not relieve the owner or operator of a vehicle or combination of vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the public highways where the vehicle or combination of vehicles is being operated; and no liability may attach to the state or to any county, city, town, or other political subdivision by

reason of any damage or injury to persons or property by reason of the existence of any structure over or across any public highway where the vertical clearance above the roadway is fourteen feet or more; or, where the vertical clearance is less than fourteen feet, if impaired clearance signs of a design approved by the state department of transportation are erected and maintained on the right side of any such public highway in accordance with the manual of uniform traffic control devices for streets and highways as adopted by the state department of transportation under chapter 47.36 RCW. If any structure over or across any public highway is not owned by the state or by a county, city, town, or other political subdivision, it is the duty of the owner thereof when billed therefor to reimburse the state department of transportation or the county, city, town, or other political subdivision having jurisdiction over the highway for the actual cost of erecting and maintaining the impaired clearance signs, but no liability may attach to the owner by reason of any damage or injury to persons or property caused by impaired vertical clearance above the roadway. [1984 c 7 s 52; 1977 c 81 s 1; 1975-'76 2nd ex.s. c 64 s 7; 1971 ex.s. c 248 s 1; 1965 c 43 s 1; 1961 c 12 s 46.44.020. Prior: 1959 c 319 s 26; 1955 c 384 s 1; 1953 c 125 s 1; 1951 c 269 s 20; 1937 c 189 s 48; RRS s 6360-48.]

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.030 Maximum lengths. (1) It is unlawful for any person to operate upon the public highways of this state any vehicle having an overall length, with or without load, in excess of 40 feet. This restriction does not apply to (a) a municipal transit vehicle, (b) auto stage, private carrier bus, school bus, fifth-wheel travel trailer, travel trailer, or motor home with an overall length not to exceed 46 feet, (c) an articulated auto stage with an overall length not to exceed 61 feet, excluding a bike rack up to four feet in length, or (d) an auto recycling carrier up to 42 feet in length manufactured prior to 2005.

(2)(a) It is unlawful for any person to operate upon the public highways of this state any combination consisting of a tractor and semitrailer that has a semitrailer length in excess of 53 feet or a combination consisting of a tractor and two trailers in which the combined length of the trailers exceeds 61 feet, with or without load.

(b) The restriction under this subsection does not apply to two trailers or semitrailers with a total weight that does not exceed 26,000 pounds and when the two trailers or semitrailers do not carry property but constitute inventory property of a manufacturer, distributor, or dealer of such trailers. The total combination under this subsection (2)(b) may not exceed 82 feet of overall length.

(3) It is unlawful for any person to operate on the highways of this state any combination consisting of a truck and trailer, or log truck and stinger-steered pole trailer, with an overall length, with or without load, in excess of 75 feet. "Stinger-steered," as used in this section, means the coupling device is located behind the tread of the tires of the last axle of the towing vehicle.

(4)(a) The length limitations under this section do not apply to vehicles transporting poles, pipe, machinery, or other objects of a structural nature that cannot be dismembered and operated by a public

utility when required for emergency repair of public service facilities or properties, but in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of the load.

(b) Excluded from the calculation of length under this section are certain devices that provide added safety, energy conservation, or are otherwise necessary, and are not designed or used to carry cargo. The length-exclusive devices must be identified in rules adopted by the department of transportation under RCW 46.44.101.

(c) For the purposes of calculating the overall length of a fifth-wheel travel trailer, the measurement is the distance between the centermost point of the kingpin and the rearmost point of the vehicle, generally referred to as the rear bumper or rear cap.

(5) For purposes of this section:

(a) "Fifth-wheel travel trailer" means a vehicle primarily designed for recreational camping or travel use that does not have its own motive power and is primarily mounted on or hitched within the bed of a pickup truck;

(b) "Kingpin" means a metal pin protruding from the bottom of the front of a fifth-wheel travel trailer that is designed to create a pivot point for steering, stability, and connecting the truck and fifth-wheel travel trailer. [2026 c 65 s 1; 2020 c 110 s 1; 2018 c 105 s 1; 2017 c 76 s 2; 2012 c 79 s 1; 2005 c 189 s 2; 2000 c 102 s 1; 1995 c 26 s 1; 1994 c 59 s 2; 1993 c 301 s 1; 1991 c 113 s 1; 1990 c 28 s 1; 1985 c 351 s 1; 1984 c 104 s 1; 1983 c 278 s 2; 1979 ex.s. c 113 s 4; 1977 ex.s. c 64 s 1; 1975-'76 2nd ex.s. c 53 s 1; 1974 ex.s. c 76 s 2; 1971 ex.s. c 248 s 2; 1967 ex.s. c 145 s 61; 1963 ex.s. c 3 s 52; 1961 ex.s. c 21 s 36; 1961 c 12 s 46.44.030. Prior: 1959 c 319 s 25; 1957 c 273 s 14; 1951 c 269 s 22; prior: 1949 c 221 s 1, part; 1947 c 200 s 5, part; 1941 c 116 s 1, part; 1937 c 189 s 49, part; Rem. Supp. 1949 s 6360-49, part.]

Effective date—1995 c 26: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1995." [1995 c 26 s 2.]

RCW 46.44.034 Maximum lengths—Front and rear protrusions. (1) The load, or any portion of any vehicle, operated alone upon the public highway of this state, or the load, or any portion of the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle, or the front bumper, if equipped with front bumper. This subsection does not apply to a (a) front-loading garbage truck or recycling truck while on route and actually engaged in the collection of solid waste or recyclables at speeds of twenty miles per hour or less or (b) public transit vehicle equipped with a bike rack up to four feet in length.

(2) No vehicle shall be operated upon the public highways with any part of the permanent structure or load extending in excess of fifteen feet beyond the center of the last axle of such vehicle. This subsection does not apply to "specialized equipment" designated under 49 U.S.C. Sec. 2311 that is operated on the interstate highway system, those designated portions of the federal-aid primary system, and

routes constituting reasonable access from such highways to terminals and facilities for food, fuel, repairs, and rest. [2017 c 76 s 1; 1997 c 191 s 1; 1991 c 143 s 1; 1961 c 12 s 46.44.034. Prior: 1957 c 273 s 15; 1951 c 269 s 24; prior: 1949 c 221 s 1, part; 1947 c 200 s 5, part; 1941 c 116 s 1, part; 1937 c 189 s 49, part; Rem. Supp. 1949 s 6360-49, part.]

RCW 46.44.036 Combination of units—Limitation. Except as provided in RCW 46.44.037, it is unlawful for any person to operate upon the public highways of this state any combination of vehicles consisting of more than two vehicles. For the purposes of this section a truck tractor-semitrailer or pole trailer combination will be considered as two vehicles but the addition of another axle to the tractor of a truck tractor-semitrailer or pole trailer combination in such a way that it supports a proportional share of the load of the semitrailer or pole trailer shall not be deemed a separate vehicle but shall be considered a part of the truck tractor. For the purposes of this section a converter gear used in converting a semitrailer to a full trailer shall not be deemed a separate vehicle but shall be considered a part of the trailer. [1975-'76 2nd ex.s. c 64 s 8; 1961 c 12 s 46.44.036. Prior: 1955 c 384 s 2; 1951 c 269 s 23; prior: 1949 c 221 s 1, part; 1947 c 200 s 5, part; 1941 c 116 s 1, part; 1937 c 189 s 49, part; Rem. Supp. 1949 s 6360-49, part.]

Rules of court: *Monetary penalty schedule—IRLJ 6.2.*

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.037 Combination of units—Lawful operations. Notwithstanding the provisions of RCW 46.44.036 and subject to such rules and regulations governing their operation as may be adopted by the state department of transportation, operation of the following combinations is lawful:

(1) A combination consisting of a truck tractor, a semitrailer, and another semitrailer or a full trailer. In this combination a converter gear used to convert a semitrailer into a full trailer shall be considered to be a part of the full trailer and not a separate vehicle. A converter gear being pulled without load and not used to convert a semitrailer into a full trailer may be substituted in lieu of a full trailer or a semitrailer in any lawful combination;

(2) A combination consisting of a truck tractor carrying a freight compartment no longer than eight feet, a semitrailer, and another semitrailer or full trailer that meets the legal length requirement for a truck and trailer combination set forth in RCW 46.44.030;

(3) A motor home or travel trailer with a cargo extension, provided that there are no trailers or secondary cargo extensions or units attached to the cargo extension. [2016 c 22 s 7; 2011 c 230 s 1; 1991 c 143 s 2; 1985 c 351 s 2; 1984 c 7 s 53; 1979 ex.s. c 149 s 3; 1975-'76 2nd ex.s. c 64 s 9; 1965 ex.s. c 170 s 37; 1963 ex.s. c 3 s 53; 1961 c 12 s 46.44.037. Prior: 1957 c 273 s 16; 1955 c 384 s 3.]

Intent—Effective date—2016 c 22: See notes following RCW 46.04.094.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.041 Maximum gross weights—Wheelbase and axle factors. No vehicle or combination of vehicles shall operate upon the public highways of this state with a gross load on any single axle in excess of twenty thousand pounds, or upon any group of axles in excess of that set forth in the following table, except that two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each, if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

The following table is based on the following formula: W = 500((LN/N-1)+12N+36). W is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two (2) or more consecutive axles. L is the distance in feet between the extremes of any group of two (2) or more consecutive axles. N is the number of axles under consideration.

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles							
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles
4	34,000							
5	34,000							
6	34,000							
7	34,000							
8 & less	34,000	34,000						
more than 8	38,000	42,000						
9	39,000	42,500						
10	40,000	43,500						
11		44,000	49,000					
12		45,000	50,000					
13		45,500	50,500					
14		46,500	51,500	56,500				
15		47,000	52,000	57,000				
16		48,000	52,500	58,000				
17		48,500	53,500	58,500				
18		49,500	54,000	59,000	64,500			
19		50,000	54,500	60,000	65,000			
20		51,000	55,500	60,500	66,000			
21		51,500	56,000	61,000	66,500	72,000		
22		52,500	56,500	61,500	67,000	72,500		
23		53,000	57,500	62,500	68,000	73,000		
24		54,000	58,000	63,000	68,500	74,000		
25		54,500	58,500	63,500	69,000	74,500	80,000	
26		55,500	59,500	64,000	69,500	75,000	80,500	
27		56,000	60,000	65,000	70,000	75,500	81,000	
28		57,000	60,500	65,500	71,000	76,500	82,000	87,500
29		57,500	61,500	66,000	71,500	77,000	82,500	88,000
30		58,500	62,000	66,500	72,000	77,500	83,000	88,500
31		59,000	62,500	67,500	72,500	78,000	83,500	89,000
32		60,000	63,500	68,000	73,000	78,500	84,500	90,000
33			64,000	68,500	74,000	79,000	85,000	90,500
34			64,500	69,000	74,500	80,000	85,500	91,000
35			65,500	70,000	75,000	80,500	86,000	91,500
36			66,000	70,500	75,500	81,000	86,500	92,000
37			66,500	71,000	76,000	81,500	87,000	93,000
38			67,500	71,500	77,000	82,000	87,500	93,500
39			68,000	72,500	77,500	82,500	88,500	94,000
40			68,500	73,000	78,000	83,500	89,000	94,500
41			69,500	73,500	78,500	84,000	89,500	95,000
42			70,000	74,000	79,000	84,500	90,000	95,500
43			70,500	75,000	80,000	85,000	90,500	96,000
44			71,500	75,500	80,500	85,500	91,000	96,500
45			72,000	76,000	81,000	86,000	91,500	97,500
46			72,500	76,500	81,500	87,000	92,500	98,000
47			73,500	77,500	82,000	87,500	93,000	98,500
48			74,000	78,000	83,000	88,000	93,500	99,000
49			74,500	78,500	83,500	88,500	94,000	99,500
50			75,500	79,000	84,000	89,000	94,500	100,000
51			76,000	80,000	84,500	89,500	95,000	100,500
52			76,500	80,500	85,000	90,500	95,500	101,000
53			77,500	81,000	86,000	91,000	96,500	102,000
54			78,000	81,500	86,500	91,500	97,000	102,500

Distance in feet between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles							
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles
55			78,500	82,500	87,000	92,000	97,500	103,000
56			79,500	83,000	87,500	92,500	98,000	103,500
57			80,000	83,500	88,000	93,000	98,500	104,000
58				84,000	89,000	94,000	99,000	104,500
59				85,000	89,500	94,500	99,500	105,500
60				85,500	90,000	95,000	100,500	105,500
61				86,000	90,500	95,500	101,000	105,500
62				86,500	91,000	96,000	101,500	105,500
63				87,500	92,000	96,500	102,000	105,500
64				88,000	92,500	97,500	102,500	105,500
65				88,500	93,000	98,000	103,000	105,500
66				89,000	93,500	98,500	103,500	105,500
67				90,000	94,000	99,000	104,500	105,500
68				90,500	95,000	99,500	105,000	105,500
69				91,000	95,500	100,000	105,500	105,500
70				91,500	96,000	101,000	105,500	105,500
71				92,500	96,500	101,500	105,500	105,500
72				93,000	97,000	102,000	105,500	105,500
73				93,500	98,000	102,500	105,500	105,500
74				94,000	98,500	103,000	105,500	105,500
75				95,000	99,000	103,500	105,500	105,500
76				95,500	99,500	104,500	105,500	105,500
77				96,000	100,000	105,000	105,500	105,500
78				96,500	101,000	105,500	105,500	105,500
79				97,500	101,500	105,500	105,500	105,500
80				98,000	102,000	105,500	105,500	105,500
81				98,500	102,500	105,500	105,500	105,500
82				99,000	103,000	105,500	105,500	105,500
83				100,000	104,000	105,500	105,500	105,500
84					104,500	105,500	105,500	105,500
85					105,000	105,500	105,500	105,500
86 or more					105,500	105,500	105,500	105,500

When inches are involved: Under six inches take lower, six inches or over take higher. The maximum load on any axle in any group of axles shall not exceed the single axle or tandem axle allowance as set forth in the table above.

The maximum axle and gross weights specified in this section are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law.

Loads of not more than eighty thousand pounds which may be legally hauled in the state bordering this state which also has a sales tax, are legal in this state when moving to a port district within four miles of the bordering state except on the interstate system. This provision does not allow the operation of a vehicle combination consisting of a truck tractor and three trailers.

Notwithstanding anything contained herein, a vehicle or combination of vehicles in operation on January 4, 1975, may operate upon the public highways of this state, including the interstate system within the meaning of section 127 of Title 23, United States Code, with an overall gross weight upon a group of two consecutive sets of dual axles which was lawful in this state under the laws, regulations, and procedures in effect in this state on January 4, 1975. [2016 c 24 s 1; 1997 c 198 s 1; 1995 c 171 s 1. Prior: 1993 c 246 s 1; 1993 c 102 s 3; prior: 1988 c 229 s 1; 1988 c 6 s 2; 1985 c 351 s 3; 1977 c 81 s 2; 1975-'76 2nd ex.s. c 64 s 22.]

Effective date of 1993 c 102 and c 123—1993 sp.s. c 23: See note following RCW 46.16A.455.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.042 Maximum gross weights—Axle and tire factors. Subject to the maximum gross weights specified in RCW 46.44.041, it is

unlawful to operate any vehicle upon the public highways with a gross weight, including load, upon any tire concentrated upon the surface of the highway in excess of six hundred pounds per inch width of such tire. An axle manufactured after July 31, 1993, carrying more than ten thousand pounds gross weight must be equipped with four or more tires. An axle carrying more than ten thousand pounds gross weight must have four or more tires, regardless of date of manufacture. Instead of the four or more tires per axle requirements of this section, an axle may be equipped with two tires limited to five hundred pounds per inch width of tire. This section does not apply to vehicles operating under oversize or overweight permits, or both, issued under RCW 46.44.090, while carrying a nonreducible load.

The following equipment may operate at six hundred pounds per inch width of tire: (1) A nonliftable steering axle or axles on the power unit; (2) a tiller axle on firefighting apparatus; (3) a rear booster trailing axle equipped with two tires on a ready-mix concrete transit truck; and (4) a straddle trailer manufactured before January 1, 1996, equipped with single-tire axles or a single axle using a walking beam supported by two in-line single tires and used exclusively for the transport of fruit bins between field, storage, and processing. A straddle trailer manufactured after January 1, 1996, meeting this use criteria may carry five hundred fifteen pounds per inch width of tire on sixteen and one-half inch wide tires.

For the purpose of this section, the width of tire in case of solid rubber or hollow center cushion tires, so long as the use thereof may be permitted by the law, shall be measured between the flanges of the rim. For the purpose of this section, the width of tires in case of pneumatic tires shall be the maximum overall normal inflated width as stipulated by the manufacturer when inflated to the pressure specified and without load thereon.

The department of transportation, by rule with respect to state highways, and a local authority, with respect to a public highway under its jurisdiction, may extend the weight table in RCW 46.44.041 to one hundred fifteen thousand pounds. However, the extension must be in compliance with federal law, and vehicles operating under the extension must be in full compliance with the 1997 axle and tire requirements under this section. [2006 c 334 s 15; 1996 c 116 s 1; 1993 c 103 s 1; 1985 c 351 s 4; 1975-'76 2nd ex.s. c 64 s 10; 1961 c 12 s 46.44.042. Prior: 1959 c 319 s 27; 1951 c 269 s 27; prior: 1949 c 221 s 2, part; 1947 c 200 s 6, part; 1941 c 116 s 2, part; 1937 c 189 s 50, part; Rem. Supp. 1949 s 6360-50, part; 1929 c 180 s 3, part; 1927 c 309 s 8, part; 1923 c 181 s 4, part; 1921 c 96 s 20, part; RRS s 6362-8, part.]

Effective date—2006 c 334: See note following RCW 47.01.051.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.043 Cement trucks—Axle loading controls. The switch that controls the raising and lowering of the retractable rear booster or tag axle on a ready-mix cement truck may be located within the reach of the driver's compartment as long as the variable control, used to adjust axle loadings by regulating air pressure or by other

means, is out of the reach of the driver's compartment. [1994 c 305 s 1.]

RCW 46.44.047 Excess weight—Logging trucks—Special permits—County or city permits—Fees—Discretion of arresting officer. A three axle truck tractor and a two axle pole trailer combination engaged in the operation of hauling logs may exceed by not more than six thousand eight hundred pounds the legal gross weight of the combination of vehicles when licensed, as permitted by law, for sixty-eight thousand pounds: PROVIDED, That the distance between the first and last axle of the vehicles in combination shall have a total wheelbase of not less than thirty-seven feet, and the weight upon two axles spaced less than seven feet apart shall not exceed thirty-three thousand six hundred pounds.

Such additional allowances shall be permitted by a special permit to be issued by the department of transportation valid only on state primary or secondary highways authorized by the department and under such rules, regulations, terms, and conditions prescribed by the department. The fee for such special permit shall be fifty dollars for a twelve-month period beginning and ending on April 1st of each calendar year. Permits may be issued at any time, but if issued after July 1st of any year the fee shall be thirty-seven dollars and fifty cents. If issued on or after October 1st the fee shall be twenty-five dollars, and if issued on or after January 1st the fee shall be twelve dollars and fifty cents. A copy of such special permit covering the vehicle involved shall be carried in the cab of the vehicle at all times. Upon the third offense within the duration of the permit for violation of the terms and conditions of the special permit, the special permit shall be canceled. The vehicle covered by such canceled special permit shall not be eligible for a new special permit until thirty days after the cancellation of the special permit issued to said vehicle. The fee for such renewal shall be at the same rate as set forth in this section which covers the original issuance of such special permit. Each special permit shall be assigned to a three-axle truck tractor in combination with a two-axle pole trailer. When the department issues a duplicate permit to replace a lost or destroyed permit and where the department transfers a permit, a fee of fourteen dollars shall be charged for each such duplicate issued or each such transfer.

All fees collected hereinabove shall be deposited with the state treasurer and credited to the motor vehicle fund.

Permits involving city streets or county roads or using city streets or county roads to reach or leave state highways, authorized for permit by the department may be issued by the city or county or counties involved. A fee of five dollars for such city or county permit may be assessed by the city or by the county legislative authority which shall be deposited in the city or county road fund. The special permit provided for herein shall be known as a "log tolerance permit" and shall designate the route or routes to be used, which shall first be approved by the city or county engineer involved. Authorization of additional route or routes may be made at the discretion of the city or county by amending the original permit or by issuing a new permit. Said permits shall be issued on a yearly basis expiring on March 31st of each calendar year. Any person, firm, or corporation who uses any city street or county road for the purpose of

transporting logs with weights authorized by state highway log tolerance permits, to reach or leave a state highway route, without first obtaining a city or county permit when required by the city or the county legislative authority shall be subject to the penalties prescribed by RCW 46.44.105. For the purpose of determining gross weight the actual scale weight taken by the officer shall be prima facie evidence of such total gross weight. In the event the gross weight is in excess of the weight permitted by law, the officer may, within his or her discretion, permit the operator to proceed with his or her vehicles in combination.

The chief of the state patrol, with the advice of the department, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section. [2010 c 8 s 9058; 1994 c 172 s 1; 1979 ex.s. c 136 s 74; 1975-'76 2nd ex.s. c 64 s 11; 1973 1st ex.s. c 150 s 2; 1971 ex.s. c 249 s 2; 1961 ex.s. c 21 s 35; 1961 c 12 s 46.44.047. Prior: 1955 c 384 s 19; 1953 c 254 s 10; 1951 c 269 s 31.]

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.049 Effect of weight on highways—Study authorized. The department of transportation may make and enter into agreements with the federal government or any state or group of states or agencies thereof, or any nonprofit association, on a joint or cooperative basis, to study, analyze, or test the effects of weight on highway construction. The studies or tests may be made either by designating existing highways or the construction of test strips including natural resource roads to the end that a proper solution of the many problems connected with the imposition on highways of motor vehicle weights may be determined.

The studies may include the determination of values to be assigned various highway-user groups according to their gross weight or use. [1984 c 7 s 54; 1961 c 12 s 46.44.049. Prior: 1951 c 269 s 47.]

RCW 46.44.050 Minimum length of wheelbase. It shall be unlawful to operate any vehicle upon public highways with a wheelbase between any two axles thereof of less than three feet, six inches when weight exceeds that allowed for one axle under RCW 46.44.042 or 46.44.041. It shall be unlawful to operate any motor vehicle upon the public highways of this state with a wheelbase between the frontmost axle and the rearmost axle of less than three feet, six inches.

For the purposes of this section, wheelbase shall be measured upon a straight line from center to center of the vehicle axles designated. [2009 c 275 s 6; 1979 ex.s. c 213 s 7; 1975-'76 2nd ex.s. c 64 s 12; 1961 c 12 s 46.44.050. Prior: 1941 c 116 s 3; 1937 c 189 s 51; Rem. Supp. 1941 s 6360-51; 1929 c 180 s 3, part; 1927 c 309 s 8, part; 1923 c 181 s 4, part; RRS s 6362-8, part.]

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.060 Outside load limits for passenger vehicles. No passenger type vehicle shall be operated on any public highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof. [1961 c 12 s 46.44.060. Prior: 1937 c 189 s 52; RRS s 6360-52; 1929 c 180 s 5, part; 1927 c 309 s 10, part; RRS s 6362-10, part.]

RCW 46.44.070 Drawbar requirements—Trailer whipping or weaving—Towing flag. The drawbar or other connection between vehicles in combination shall be of sufficient strength to hold the weight of the towed vehicle on any grade where operated. No trailer shall whip, weave or oscillate or fail to follow substantially in the course of the towing vehicle. When a disabled vehicle is being towed by means of bar, chain, rope, cable or similar means and the distance between the towed vehicle and the towing vehicle exceeds fifteen feet there shall be fastened on such connection in approximately the center thereof a white flag or cloth not less than twelve inches square. [1961 c 12 s 46.44.070. Prior: 1937 c 189 s 53; RRS s 6360-53; 1929 c 180 s 5, part; 1927 c 309 s 10, part; RRS s 6362-10, part; 1923 c 181 s 4, part.]

RCW 46.44.080 Local regulations—State highway regulations. Local authorities with respect to public highways under their jurisdiction may prohibit the operation thereon of motor trucks or other vehicles or may impose limits as to the weight thereof, or any other restrictions as may be deemed necessary, whenever any such public highway by reason of rain, snow, climatic or other conditions, will be seriously damaged or destroyed unless the operation of vehicles thereon be prohibited or restricted or the permissible weights thereof reduced: PROVIDED, That whenever a highway has been closed generally to vehicles or specified classes of vehicles, local authorities shall by general rule or by special permit authorize the operation thereon of school buses, emergency vehicles, and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under such weight and speed restrictions as the local authorities deem necessary to protect the highway from undue damage: PROVIDED FURTHER, That the governing authorities of incorporated cities and towns shall not prohibit the use of any city street designated a part of the route of any primary state highway through any such incorporated city or town by vehicles or any class of vehicles or impose any restrictions or reductions in permissible weights unless such restriction, limitation, or prohibition, or reduction in permissible weights be first approved in writing by the department of transportation.

The local authorities imposing any such restrictions or limitations, or prohibiting any use or reducing the permissible weights shall do so by proper ordinance or resolution and shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution in each end of the portion of any public highway affected thereby, and no such ordinance or resolution shall be effective unless and until such signs are erected and maintained.

The department shall have the same authority as hereinabove granted to local authorities to prohibit or restrict the operation of vehicles upon state highways. The department shall give public notice of closure or restriction. The department may issue special permits for the operation of school buses and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents under specified weight and speed restrictions as may be necessary to protect any state highway from undue damage. [2006 c 334 s 16; 1977 ex.s. c 151 s 29; 1973 2nd ex.s. c 15 s 1; 1961 c 12 s 46.44.080. Prior: 1937 c 189 s 54; RRS s 6360-54.]

Rules of court: *Monetary penalty schedule—IRLJ 6.2.*

Effective date—2006 c 334: See note following RCW 47.01.051.

Federal requirements—1977 ex.s. c 151: See RCW 47.98.070.

Highway and street closures authorized—Notice: Chapter 47.48 RCW.

RCW 46.44.090 Special permits for oversize or overweight movements. The department of transportation, pursuant to its rules with respect to state highways, and local authorities, with respect to public highways under their jurisdiction, may, upon application in writing and good cause being shown therefor, issue a special permit in writing, or electronically, authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight of vehicle, or load exceeding the maximum set forth in RCW 46.44.010, 46.44.020, 46.44.030, 46.44.034, and 46.44.041 upon any public highway under the jurisdiction of the authority granting such permit and for the maintenance of which such authority is responsible. [2006 c 334 s 17; 2001 c 262 s 1; 1977 ex.s. c 151 s 30; 1975-'76 2nd ex.s. c 64 s 13; 1961 c 12 s 46.44.090. Prior: 1951 c 269 s 34; prior: 1949 c 221 s 3, part; 1947 c 200 s 7, part; 1945 c 177 s 1, part; 1937 c 189 s 55, part; Rem. Supp. 1949 s 6360-55, part.]

Effective date—2006 c 334: See note following RCW 47.01.051.

Federal requirements—1977 ex.s. c 151: See RCW 47.98.070.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.091 Special permits—Gross weight limit. (1) Except as otherwise provided in subsections (3) and (4) of this section, no special permit shall be issued for movement on any state highway or route of a state highway within the limits of any city or town where the gross weight, including load, exceeds the following limits:

(a) Twenty-two thousand pounds on a single axle or on dual axles with a wheelbase between the first and second axles of less than three feet six inches;

(b) Forty-three thousand pounds on dual axles having a wheelbase between the first and second axles of not less than three feet six inches but less than seven feet;

(c) On any group of axles or in the case of a vehicle employing two single axles with a wheel base between the first and last axle of not less than seven feet but less than ten feet, a weight in pounds determined by multiplying six thousand five hundred times the distance in feet between the center of the first axle and the center of the last axle of the group;

(d) On any group of axles with a wheel base between the first and last axle of not less than ten feet but less than thirty feet, a weight in pounds determined by multiplying two thousand two hundred times the sum of twenty and the distance in feet between the center of the first axle and the center of the last axle of the group;

(e) On any group of axles with a wheel base between the first and last axle of thirty feet or greater, a weight in pounds determined by multiplying one thousand six hundred times the sum of forty and the distance in feet between the center of the first axle and the center of the last axle of the group.

(2) The total weight of a vehicle or combination of vehicles allowable by special permit under subsection (1) of this section shall be governed by the lesser of the weights obtained by using the total number of axles as a group or any combination of axles as a group.

(3) The weight limitations pertaining to single axles may be exceeded to permit the movement of equipment operating upon single pneumatic tires having a rim width of twenty inches or more and a rim diameter of twenty-four inches or more or dual pneumatic tires having a rim width of sixteen inches or more and a rim diameter of twenty-four inches or more and specially designed vehicles manufactured and certified for special permits prior to July 1, 1975.

(4) Permits may be issued for weights in excess of the limitations contained in subsection (1) of this section on highways or sections of highways which have been designed and constructed for weights in excess of such limitations, or for any shipment duly certified as necessary by military officials, or by officials of public or private power facilities, or when in the opinion of the department of transportation the movement or action is a necessary movement or action: PROVIDED, That in the judgment of the department of transportation the structures and highway surfaces on the routes involved are capable of sustaining weights in excess of such limitations and it is not reasonable for economic or operational considerations to transport such excess weights by rail or water for any substantial distance of the total mileage applied for.

(5) Application shall be made in writing on special forms provided by the department of transportation and shall be submitted at least thirty-six hours in advance of the proposed movement. An application for a special permit for a gross weight of any combination of vehicles exceeding two hundred thousand pounds shall be submitted in writing to the department of transportation at least thirty days in advance of the proposed movement. [2001 c 262 s 2; 1989 c 52 s 1; 1977 ex.s. c 151 s 31; 1975-'76 2nd ex.s. c 64 s 14; 1975 1st ex.s. c 168 s 1; 1969 ex.s. c 281 s 30; 1961 c 12 s 46.44.091. Prior: 1959 c 319 s 28; 1953 c 254 s 12; 1951 c 269 s 35; prior: 1949 c 221 s 3, part; 1947 c 200 s 7, part; 1945 c 177 s 1, part; 1937 c 189 s 55, part; Rem. Supp. 1949 s 6360-55, part.]

Federal requirements—1977 ex.s. c 151: See RCW 47.98.070.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

Effective date—1975 1st ex.s. c 168: "This 1973 [1975] amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1975." [1975 1st ex.s. c 168 s 4.]

RCW 46.44.0915 Heavy haul industrial corridors—Overweight sealed containers and vehicles. (1)(a) Except as provided in (b) and (c) of this subsection, the department of transportation, with respect to state highways maintained within port district property, may, at the request of a port commission, make and enter into agreements with port districts and adjacent jurisdictions or agencies of the districts, for the purpose of identifying, managing, and maintaining short heavy haul industrial corridors within port district property for the movement of overweight sealed containers used in international trade.

(b) The department of transportation shall designate that portion of state route number 97 from the Canadian border to milepost 331.12 as a heavy haul industrial corridor for the movement of overweight vehicles to and from the Oroville railhead. The department may issue special permits to vehicles operating in the heavy haul industrial corridor to carry weight in excess of weight limits established in RCW 46.44.041, but not to exceed a gross vehicle weight of 139,994 pounds.

(c) The department of transportation shall designate that portion of state route number 128 from the Idaho border from milepost .51 to 2.24 and continuing on to state route number 193 from milepost .51 to 2.32 ending at the Port of Wilma as a heavy haul industrial corridor for the movement of overweight vehicles. The department may issue special permits to vehicles operating in the heavy haul industrial corridor to carry weight in excess of weight limits established in RCW 46.44.041, but not to exceed a gross vehicle weight of 129,000 pounds. Such vehicles operating in the heavy haul industrial corridor must comply with the federal bridge gross weight formula in 23 C.F.R. Part 658 as it existed on January 1, 2017, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this subsection (1)(c), with axle and tire size weight limitations established in RCW 46.44.042 and length limitations established in RCW 46.44.030 and 46.44.0941.

(2) Except as provided in subsection (1)(b) and (c) of this section, the department may issue special permits to vehicles operating in a heavy haul industrial corridor to carry weight in excess of weight limits established in RCW 46.44.041. However, the excess weight on a single axle, tandem axle, or any axle group must not exceed that allowed by RCW 46.44.091 (1) and (2), weight per tire must not exceed six hundred pounds per inch width of tire, and gross vehicle weight must not exceed one hundred five thousand five hundred pounds.

(3) The entity operating or hiring vehicles under subsection (1)(b) of this section or moving overweight sealed containers used in international trade must pay a fee for each special permit of one hundred dollars per month or one thousand dollars annually, beginning from the date of issue, for all movements under the special permit

made on state highways within a heavy haul industrial corridor. Within a port district property, under no circumstances are the for hire carriers or rail customers responsible for the purchase or cost of the permits. All funds collected, except the amount retained by authorized agents of the department under RCW 46.44.096, must be forwarded to the state treasurer and deposited in the motor vehicle fund.

(4) For purposes of this section, an overweight sealed container used in international trade, including its contents, is considered nondivisible when transported within a heavy haul industrial corridor defined by the department.

(5) Any agreement entered into by the department as authorized under this section with a port district adjacent to Puget Sound and located within a county that has a population of more than seven hundred thousand, but less than one million, must limit the applicability of any established heavy haul corridor to that portion of state route no. 509 beginning at milepost 0.25 in the vicinity of East 'D' Street and ending at milepost 5.7 in the vicinity of Norpoint Way Northeast.

(6) The department of transportation may adopt reasonable rules to implement this section. [2016 c 26 s 1; 2013 c 115 s 1; 2012 c 86 s 804; 2011 c 115 s 1; 2008 c 89 s 1; 2005 c 311 s 1.]

Effective date—2016 c 26: "This act takes effect January 1, 2017." [2016 c 26 s 2.]

Effective date—2013 c 115: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013." [2013 c 115 s 2.]

Effective date—2012 c 86: See note following RCW 47.76.360.

RCW 46.44.092 Special permits—Overall width limits, exceptions—Application for permit. Special permits may not be issued for movements on any state highway outside the limits of any city or town in excess of the following widths:

On two-lane highways, fourteen feet;

On multiple-lane highways where a physical barrier serving as a median divider separates opposing traffic lanes, twenty feet;

On multiple-lane highways without a physical barrier serving as a median divider, thirty-two feet.

These limits apply except under the following conditions:

(1) In the case of buildings, the limitations referred to in this section for movement on any two lane state highway other than the national system of interstate and defense highways may be exceeded under the following conditions: (a) Controlled vehicular traffic shall be maintained in one direction at all times; (b) the maximum distance of movement shall not exceed five miles; additional contiguous permits shall not be issued to exceed the five-mile limit: PROVIDED, That when the department of transportation determines a hardship would result, this limitation may be exceeded upon approval of the department of transportation; (c) prior to issuing a permit a qualified transportation department employee shall make a visual inspection of the building and route involved determining that the conditions listed herein shall be complied with and that structures or overhead

obstructions may be cleared or moved in order to maintain a constant and uninterrupted movement of the building; (d) special escort or other precautions may be imposed to assure movement is made under the safest possible conditions, and the Washington state patrol shall be advised when and where the movement is to be made;

(2) Permits may be issued for widths of vehicles in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for width in excess of such limitations;

(3) Permits may be issued for vehicles with a total outside width, including the load, of nine feet or less when the vehicle is equipped with a mechanism designed to cover the load pursuant to RCW 46.61.655;

(4) These limitations may be rescinded when certification is made by military officials, or by officials of public or private power facilities, or when in the opinion of the department of transportation the movement or action is a necessary movement or action: PROVIDED FURTHER, That in the judgment of the department of transportation the structures and highway surfaces on the routes involved are capable of sustaining widths in excess of such limitation;

(5) These limitations shall not apply to movement during daylight hours on any two lane state highway where the gross weight, including load, does not exceed eighty thousand pounds and the overall width of load does not exceed sixteen feet: PROVIDED, That the minimum and maximum speed of such movements, prescribed routes of such movements, the times of such movements, limitation upon frequency of trips (which limitation shall be not less than one per week), and conditions to assure safety of traffic may be prescribed by the department of transportation or local authority issuing such special permit.

The applicant for any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular state highways for which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation. [2006 c 334 s 18; 1989 c 398 s 2; 1981 c 63 s 1; 1977 ex.s. c 151 s 32; 1975-'76 2nd ex.s. c 64 s 15; 1970 ex.s. c 9 s 1; 1969 ex.s. c 281 s 60; 1965 ex.s. c 170 s 39; 1963 ex.s. c 3 s 54; 1961 c 12 s 46.44.092. Prior: 1959 c 319 s 29; 1955 c 146 s 2; 1951 c 269 s 36; prior: 1949 c 221 s 3, part; 1947 c 200 s 7, part; 1945 c 177 s 1, part; 1937 c 189 s 55, part; Rem. Supp. 1949 s 6360-55, part.]

Effective date—2006 c 334: See note following RCW 47.01.051.

Federal requirements—1977 ex.s. c 151: See RCW 47.98.070.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.093 Special permits—Discretion of issuer—Conditions. The department of transportation or the local authority is authorized to issue or withhold such special permit at its discretion, although where a mobile home is being moved, the verification of a valid license under chapter 46.70 RCW as a mobile home dealer or manufacturer, or under chapter 46.76 RCW as a transporter, shall be done by the department or local government. If the permit is issued, the department or local authority may limit the number of trips,

establish seasonal or other time limitations within which the vehicle described may be operated on the public highways indicated, or otherwise limit or prescribe conditions of operation of the vehicle or vehicles when necessary to assure against undue damage to the road foundation, surfaces, or structures or safety of traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any roadway or road structure. [1988 c 239 s 3; 1984 c 7 s 55; 1961 c 12 s 46.44.093. Prior: 1951 c 269 s 37; prior: 1949 c 221 s 3, part; 1947 c 200 s 7, part; 1945 c 177 s 1, part; 1937 c 189 s 55, part; Rem. Supp. 1949 s 6360-55, part.]

RCW 46.44.0941 Special permits—Fees. The following fees, in addition to the regular license and tonnage fees, shall be paid for all movements under special permit made upon state highways. All funds collected, except the amount retained by authorized agents of the department as provided in RCW 46.44.096, shall be forwarded to the state treasury and shall be deposited in the motor vehicle fund:

All overlegal loads, except overweight, single trip. . . . . $ 10.00

Continuous operation of overlegal loads having either overwidth or overheight features only, for a period not to exceed 30 days. . . . . $ 20.00

Continuous operations of overlegal loads having overlength features only, for a period not to exceed 30 days. . . . . $ 10.00

Continuous operation of a combination of vehicles having one trailing unit that exceeds 53 feet and is not more than 56 feet in length, for a period of one year. . . . . $ 100.00

Continuous operation of a combination of vehicles having two trailing units which together exceed 61 feet and are not more than 68 feet in length, for a period of one year. . . . . $ 100.00

Continuous operation of a combination of vehicles having two trailing units hauling fluid/liquid nondivisible milk, which together exceed 61 feet and are not more than 85 feet in length, for a period of one year. . . . . $ 300.00

Continuous operation of a three-axle fixed load vehicle having less than 65,000 pounds gross weight, for a period not to exceed 30 days. . . . . $ 70.00

Continuous operation of a four-axle fixed load vehicle meeting the requirements of RCW 46.44.091(1) and weighing less than 86,000 pounds gross weight, not to exceed 30 days. . . . . $ 90.00

Continuous movement of a mobile home or manufactured home having nonreducible features not to exceed 85 feet in total length and 14 feet in width, for a period of

one year. . . . . $ 150.00

Continuous operation of a class C tow truck or a class E tow truck with a class C rating while performing emergency and nonemergency tows of oversize or overweight, or both, vehicles and vehicle combinations, under rules adopted by the transportation commission, for a period of one year. . . . . $ 150.00

Continuous operation of a class B tow truck or a class E tow truck with a class B rating while performing emergency and nonemergency tows of oversize or overweight, or both, vehicles and vehicle combinations, under rules adopted by the transportation commission, for a period of one year. . . . . $ 75.00

Continuous operation of a two or three-axle collection truck, actually engaged in the collection of solid waste or recyclables, or both, under chapter 81.77 or 35.21 RCW or by contract under RCW 36.58.090, for one year with an additional 6,000 pounds more than the weight authorized in RCW 46.16A.455 on the rear axle of a two-axle truck or 8,000 pounds for the tandem axles of a three-axle truck. RCW 46.44.041 and 46.44.091 notwithstanding, the tire limits specified in RCW 46.44.042 apply, but none of the excess weight is valid or may be permitted on any part of the federal interstate highway system. . . . . $ 42.00 per thousand pounds

The department may issue any of the above-listed permits that involve height, length, or width for an expanded period of consecutive months, not to exceed one year.

Continuous operation of farm implements under a permit issued as authorized by RCW 46.44.140 by:

(1) Farmers in the course of farming activities, for any three-month period. . . . . $ 10.00

(2) Farmers in the course of farming activities, for a period not to exceed one year. . . . . $ 25.00

(3) Persons engaged in the business of the sale, repair, or maintenance of such farm implements, for any three-month period. . . . . $ 25.00

(4) Persons engaged in the business of the sale, repair, or maintenance of such farm implements, for a period not to exceed one year. . . . . $ 100.00

Overweight Fee Schedule

Excess weight over legal capacity, as provided in RCW 46.44.041.	Cost per mile.
0- 9,999 pounds.	$ .07
10,000-14,999 pounds.	$ .14
15,000-19,999 pounds.	$ .21
20,000-24,999 pounds.	$ .28
25,000-29,999 pounds.	$ .35
30,000-34,999 pounds.	$ .49

Overweight Fee Schedule

Excess weight over legal capacity, as provided in RCW 46.44.041.	Cost per mile.
35,000-39,999 pounds.	$ .63
40,000-44,999 pounds.	$ .79
45,000-49,999 pounds.	$ .93
50,000-54,999 pounds.	$ 1.14
55,000-59,999 pounds.	$ 1.35
60,000-64,999 pounds.	$ 1.56
65,000-69,999 pounds.	$ 1.77
70,000-74,999 pounds.	$ 2.12
75,000-79,999 pounds.	$ 2.47
80,000-84,999 pounds.	$ 2.82
85,000-89,999 pounds.	$ 3.17
90,000-94,999 pounds.	$ 3.52
95,000-99,999 pounds.	$ 3.87
100,000 pounds.	$ 4.25

The fee for weights in excess of 100,000 pounds is $4.25 plus 50 cents for each 5,000 pound increment or portion thereof exceeding 100,000 pounds.

PROVIDED: (a) The minimum fee for any overweight permit shall be $14.00, (b) the fee for issuance of a duplicate permit shall be $14.00, (c) when computing overweight fees prescribed in this section or in RCW 46.44.095 that result in an amount less than even dollars the fee shall be carried to the next full dollar if 50 cents or over and shall be reduced to the next full dollar if 49 cents or under.

The fees levied in this section and RCW 46.44.095 do not apply to vehicles owned and operated by the state of Washington, a county within the state, a city or town or metropolitan municipal corporation within the state, or the federal government. [2023 c 281 s 1; 2010 c 161 s 1117; 2004 c 109 s 1; 1995 c 171 s 2. Prior: 1994 c 172 s 2; 1994 c 59 s 1; 1993 c 102 s 4; 1990 c 42 s 107; 1989 c 398 s 1; 1985 c 351 s 5; 1983 c 278 s 3; 1979 ex.s. c 113 s 5; 1975-'76 2nd ex.s. c 64 s 16; 1975 1st ex.s. c 168 s 2; 1973 1st ex.s. c 1 s 3; 1971 ex.s. c 248 s 3; 1967 c 174 s 8; 1965 c 137 s 2.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date of 1993 c 102 and c 123—1993 sp.s. c 23: See note following RCW 46.16A.455.

Purpose—Effective dates—Application—Implementation—1990 c 42: See notes following RCW 46.68.090.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

Effective date—1975 1st ex.s. c 168: See note following RCW 46.44.091.

RCW 46.44.095 Temporary additional tonnage permits—Fees. When a combination of vehicles has been licensed to a total gross weight of 80,000 pounds or when a three or more axle single unit vehicle has been licensed to a total gross weight of 40,000 pounds, a temporary

additional tonnage permit to haul loads in excess of these limits may be issued. This permit is valid for periods of not less than five days at two dollars and eighty cents per day for each two thousand pounds or fraction thereof. The fee may not be prorated. The permits shall authorize the movement of loads not exceeding the weight limits set forth in RCW 46.44.041 and 46.44.042. [1993 c 102 s 5; 1990 c 42 s 108; 1989 c 398 s 3; 1988 c 55 s 1; 1983 c 68 s 2; 1979 c 158 s 159; 1977 ex.s. c 151 s 33; 1975-'76 2nd ex.s. c 64 s 17; 1974 ex.s. c 76 s 1; 1973 1st ex.s. c 150 s 3; 1969 ex.s. c 281 s 55; 1967 ex.s. c 94 s 15; 1967 c 32 s 51; 1965 ex.s. c 170 s 38; 1961 ex.s. c 7 s 15; 1961 c 12 s 46.44.095. Prior: 1959 c 319 s 31; 1957 c 273 s 18; 1955 c 185 s 1; 1953 c 254 s 13; 1951 c 269 s 39; prior: 1949 c 221 s 3, part; 1947 c 200 s 7, part; 1945 c 177 s 1, part; 1937 c 189 s 55, part; Rem. Supp. 1949 s 6360-55, part.]

Effective date of 1993 c 102 and c 123—1993 sp.s. c 23: See note following RCW 46.16A.455.

Purpose—Effective dates—Application—Implementation—1990 c 42: See notes following RCW 46.68.090.

Federal requirements—1977 ex.s. c 151: See RCW 47.98.070.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.096 Special permits—Determining fee—To whom paid. In determining fees according to RCW 46.44.0941, mileage on state primary and secondary highways shall be determined from the planning survey records of the department of transportation, and the gross weight of the vehicle or vehicles, including load, shall be declared by the applicant. Overweight on which fees shall be paid will be gross loadings in excess of loadings authorized by law or axle loadings in excess of loadings authorized by law, whichever is the greater. Loads which are overweight and oversize shall be charged the fee for the overweight permit without additional fees being assessed for the oversize features.

Special permits issued under RCW 46.44.047, 46.44.0941, or 46.44.095, may be obtained from offices of the department of transportation, ports of entry, or other agents appointed by the department.

The department may appoint agents for the purposes of selling special motor vehicle permits, temporary additional tonnage permits, and log tolerance permits. Agents so appointed may retain three dollars and fifty cents for each permit sold to defray expenses incurred in handling and selling the permits. If the fee is collected by the department of transportation, the department shall certify the fee so collected to the state treasurer for deposit to the credit of the motor vehicle fund.

The department may select a third party contractor, by means of competitive bid, to perform the department's permit issuance function, as provided under RCW 46.44.090. Factors the department shall consider, but is not limited to, in the selection of a third party contractor are economic benefit to both the department and the motor carrier industry, and enhancement of the overall level of permit

service. For purposes of this section, "third party contractor" means a business entity that is authorized by the department to issue special permits. The department of transportation may adopt rules specifying the criteria that a business entity must meet in order to qualify as a third party contractor under this section.

Fees established in RCW 46.44.0941 shall be paid to the political body issuing the permit if the entire movement is to be confined to roads, streets, or highways for which that political body is responsible. When a movement involves a combination of state highways, county roads, and/or city streets the fee shall be paid to the department of transportation. When a movement is confined within the city limits of a city or town upon city streets, including routes of state highways on city streets, all fees shall be paid to the city or town involved. A permit will not be required from city or town authorities for a move involving a combination of city or town streets and state highways when the move through a city or town is being confined to the route of the state highway. When a move involves a combination of county roads and city streets the fee shall be paid to the county authorities, but the fee shall not be collected nor the county permit issued until valid permits are presented showing that the city or town authorities approve of the move in question. When the movement involves only county roads the fees collected shall be paid to the county involved. Fees established shall be paid to the political body issuing the permit if the entire use of the vehicle during the period covered by the permit shall be confined to the roads, streets, or highways for which that political body is responsible. [2006 c 334 s 19; 1996 c 92 s 1; 1993 c 102 s 6; 1989 c 398 s 4; 1984 c 7 s 56; 1975-'76 2nd ex.s. c 64 s 18; 1971 ex.s. c 248 s 4; 1969 ex.s. c 281 s 31; 1961 c 12 s 46.44.096. Prior: 1955 c 185 s 2; 1951 c 269 s 40; prior: 1949 c 221 s 3, part; 1947 c 200 s 7, part; 1945 c 177 s 1, part; 1937 c 189 s 55, part; Rem. Supp. 1949 s 6360-55, part.]

Effective date—2006 c 334: See note following RCW 47.01.051.

Effective date of 1993 c 102 and c 123—1993 sp.s. c 23: See note following RCW 46.16A.455.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.098 Increase in federal limits on sizes and weights—Increases by commission. If the congress of the United States further amends section 127, Title 23 of the United States Code, authorizing increased sizes and weights, the Washington state department of transportation may authorize the operation of vehicles and combinations of vehicles upon completed portions of the interstate highway system and other designated state highways if determined to be capable of accommodating the increased sizes and weights in excess of those prescribed in RCW 46.44.041, or as provided in RCW 46.44.010 and 46.44.037. The permitted increases shall not in any way exceed the federal limits which would jeopardize the state's allotment of federal funds. [1984 c 7 s 57; 1975-'76 2nd ex.s. c 64 s 19; 1965 c 38 s 1.]

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.101 Interstate travel by specialized equipment. The department of transportation may, within the provisions set forth in this chapter, adopt rules for size and weight criteria relating to vehicles considered to be specialized equipment by the federal highway administration for interstate travel or as determined by the department for intrastate travel. [2005 c 189 s 3.]

RCW 46.44.105 Enforcement procedures—Penalties—Exception—Rules. (1)(a) Except as provided in (c) of this subsection, a violation of any of the provisions of this chapter is a traffic infraction, and upon the first finding thereof shall be assessed a basic penalty of not less than fifty dollars; and upon a second finding thereof shall be assessed a basic penalty of not less than seventy-five dollars; and upon a third or subsequent finding shall be assessed a basic penalty of not less than one hundred dollars.

(b)(i) Except as provided in (c) of this subsection, in addition to the penalties imposed in (a) of this subsection, any person violating RCW 46.44.041, 46.44.042, 46.44.047, 46.44.090, 46.44.091, or 46.44.095 shall be assessed a penalty for each pound overweight, as follows:

(A) One pound through four thousand pounds overweight is three cents for each pound;

(B) Four thousand one pounds through ten thousand pounds overweight is one hundred twenty dollars plus twelve cents per pound for each additional pound over four thousand pounds overweight;

(C) Ten thousand one pounds through fifteen thousand pounds overweight is eight hundred forty dollars plus sixteen cents per pound for each additional pound over ten thousand pounds overweight;

(D) Fifteen thousand one pounds through twenty thousand pounds overweight is one thousand six hundred forty dollars plus twenty cents per pound for each additional pound over fifteen thousand pounds overweight;

(E) Twenty thousand one pounds and more is two thousand six hundred forty dollars plus thirty cents per pound for each additional pound over twenty thousand pounds overweight.

(ii) Upon a first violation in any calendar year, the court may suspend the penalty for five hundred pounds of excess weight for each axle on any vehicle or combination of vehicles, not to exceed a two thousand pound suspension. Except as specified in (c) of this subsection, in no case may the basic penalty assessed in (a) of this subsection or the additional penalty assessed in (b) of this subsection, except as provided for the first violation, be suspended.

(c)(i) The penalties in (a) and (b) of this subsection are not applicable and a written warning must be issued when a traffic infraction for a violation of RCW 46.44.041 occurs and the following applies:

(A) A vehicle or combination of vehicles carrying farm products, as defined in RCW 7.48.310, from the field where the farm product was grown or harvested, exceeds the gross vehicle weight limits in RCW 46.44.041 by five percent or less; and

(B) The driver of the vehicle has not been issued a traffic infraction or has received no more than one written warning for a violation of RCW 46.44.041 within the calendar year in which the violation occurs.

(ii) The state patrol must track the issuance of written warnings issued for RCW 46.44.041 for the purposes of determining whether a violation of RCW 46.44.041 is the first in a calendar year.

(2) Any person found to have violated any posted limitations of a highway or section of highway shall be assessed a monetary penalty of not less than one hundred fifty dollars, and the court shall in addition thereto upon second violation within a twelve-month period involving the same power unit, suspend the certificate of license registration for not less than thirty days.

(3) It is unlawful for the driver of a vehicle to fail or refuse to stop and submit the vehicle and load to a weighing, or to fail or refuse, when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section. It is unlawful for a driver of a commercial motor vehicle as defined in RCW 46.32.005, other than the driver of a bus as defined in RCW 46.32.005(3) or a vehicle with a gross vehicle weight rating or gross combination weight rating of 7,257 kilograms or less (16,000 pounds or less) and not transporting hazardous materials in accordance with RCW 46.32.005(4), to fail or refuse to stop at a weighing station when proper traffic control signs indicate scales are open. However, unladen tow trucks regardless of weight and farm vehicles carrying farm produce with a gross vehicle weight rating or gross combination weight rating of 11,794 kilograms or less (26,000 pounds or less) may fail or refuse to stop at a weighing station when proper traffic control signs indicate scales are open.

Any police officer is authorized to require the driver of any vehicle or combination of vehicles to stop and submit to a weighing either by means of a portable or stationary scale and may require that the vehicle be driven to the nearest public scale. Whenever a police officer, upon weighing a vehicle and load, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable location and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to the limit permitted by law. If the vehicle is loaded with grain or other perishable commodities, the driver shall be permitted to proceed without removing any of the load, unless the gross weight of the vehicle and load exceeds by more than ten percent the limit permitted by this chapter. The owner or operator of the vehicle shall care for all materials unloaded at the risk of the owner or operator.

Any vehicle whose driver or owner represents that the vehicle is disabled or otherwise unable to proceed to a weighing location shall have its load sealed or otherwise marked by any police officer. The owner or driver shall be directed that upon completion of repairs, the vehicle shall submit to weighing with the load and markings and/or seal intact and undisturbed. Failure to report for weighing, appearing for weighing with the seal broken or the markings disturbed, or removal of any cargo prior to weighing is unlawful. Any person so convicted shall be fined one thousand dollars, and in addition the certificate of license registration shall be suspended for not less than thirty days.

(4) Any other provision of law to the contrary notwithstanding, district courts having venue have concurrent jurisdiction with the

superior courts for the imposition of any penalties authorized under this section.

(5) For the purpose of determining additional penalties as provided by subsection (1)(b) of this section, "overweight" means the poundage in excess of the maximum allowable gross weight or axle/axle grouping weight prescribed by RCW 46.44.041, 46.44.042, 46.44.047, 46.44.091, and 46.44.095.

(6) The penalties provided in subsection (1)(a) and (b) of this section shall be remitted as provided in chapter 3.62 RCW or RCW 10.82.070. For the purpose of computing the basic penalties and additional penalties to be imposed under subsection (1)(a) and (b) of this section, the convictions shall be on the same vehicle or combination of vehicles within a twelve-month period under the same ownership.

(7) Any state patrol officer or any weight control officer who finds any person operating a vehicle or a combination of vehicles in violation of the conditions of a permit issued under RCW 46.44.047, 46.44.090, and 46.44.095 may confiscate the permit and forward it to the state department of transportation which may return it to the permittee or revoke, cancel, or suspend it without refund. The department of transportation shall keep a record of all action taken upon permits so confiscated, and if a permit is returned to the permittee the action taken by the department of transportation shall be endorsed thereon. Any permittee whose permit is suspended or revoked may upon request receive a hearing before the department of transportation or person designated by that department. After the hearing the department of transportation may reinstate any permit or revise its previous action.

Every permit issued as provided for in this chapter shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any law enforcement officer or authorized agent of any authority granting such a permit.

Upon the third finding within a calendar year of a violation of the requirements and conditions of a permit issued under RCW 46.44.095, the permit shall be canceled, and the canceled permit shall be immediately transmitted by the court or the arresting officer to the department of transportation. The vehicle covered by the canceled permit is not eligible for a new permit for a period of thirty days.

(8) For the purposes of determining gross weights the actual scale weight taken by the arresting officer is prima facie evidence of the total gross weight.

(9) It is a traffic infraction to direct the loading of a vehicle with knowledge that it violates the requirements in RCW 46.44.041, 46.44.042, 46.44.047, 46.44.090, 46.44.091, or 46.44.095 and that it is to be operated on the public highways of this state.

(10) The chief of the state patrol, with the advice of the department, may adopt reasonable rules to aid in the enforcement of this section. [2019 c 439 s 1; 2007 c 419 s 13. Prior: 2006 c 297 s 1; 2006 c 50 s 4; 2002 c 254 s 1; 1999 c 23 s 1; 1996 c 92 s 2; 1993 c 403 s 4; 1990 c 217 s 1; 1985 c 351 s 6; 1984 c 258 s 327; 1984 c 7 s 58; 1979 ex.s. c 136 s 75; 1975-'76 2nd ex.s. c 64 s 23.]

Rules of court: *Monetary penalty schedule—IRLJ 6.2.*

Findings—Short title—2007 c 419: See notes following RCW 46.16A.010.

Court Improvement Act of 1984—Effective dates—Severability—Short title—1984 c 258: See notes following RCW 3.30.010.

Intent—1984 c 258: See note following RCW 3.34.130.

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

RCW 46.44.110 Liability for damage to highways, bridges, etc. (1) Any person operating any vehicle or moving any object or conveyance upon any public highway in this state or upon any bridge or elevated structure that is a part of any such public highway is liable for all damages that the public highway, bridge, elevated structure, or other state property may sustain, as well as payment for vehicle recovery, impound, and storage charges to any registered tow truck operator dispatched by law enforcement or other agency, as a result of any illegal operation of the vehicle or the moving of any such object or conveyance or as a result of the operation or moving of any vehicle, object, or conveyance weighing in excess of the legal weight limits allowed by law.

(2) This section applies to any person operating any vehicle or moving any object or contrivance in any illegal or negligent manner or without a special permit as provided by law for vehicles, objects, or contrivances that are overweight, overwidth, overheight, or overlength. Any person operating any vehicle is liable for any damage to any public highway, bridge, elevated structure, or other state property sustained, as well as payment for vehicle recovery, impound, and storage charges to any registered tow truck operator dispatched by law enforcement or other agency, as the result of any negligent operation thereof. When the operator is not the owner of the vehicle, object, or contrivance but is operating or moving it with the express or implied permission of the owner, the owner and the operator are jointly and severally liable for any such damage.

(3)(a) Such damage to any state highway, structure, or other state property may be recovered in a civil action instituted in the name of the state of Washington by the department of transportation or other affected state agency. Any measure of damage determined by the department of transportation to its highway, bridge, elevated structure, or other property under this section is prima facie the amount of damage caused thereby and is presumed to be the amount recoverable in any civil action therefor. The damages available under this section include the incident response costs, including traffic control, incurred by the department of transportation.

(b) Costs attributable to vehicle recovery, impound, and storage charges for any registered tow truck operator dispatched by law enforcement or other state or local agency may be recovered in a civil action instituted by the registered tow truck operator. The amount of nonpayment for vehicle recovery, impound, and storage charges to any registered tow truck operator dispatched by law enforcement or other agency under this section is presumed to be the amount recoverable in any civil action therefor and must not exceed the amounts established under the fee schedule adopted pursuant to RCW 46.55.118. [2024 c 320

s 1; 2009 c 393 s 1; 1984 c 7 s 59; 1961 c 12 s 46.44.110. Prior: 1937 c 189 s 57; RRS 6360-57.]

RCW 46.44.120 Liability of owner, others, for violations. Whenever an act or omission is declared to be unlawful in chapter 46.44 RCW, the owner or lessee of any motor vehicle involved in such act or omission is responsible therefor. Any person knowingly and intentionally participating in creating an unlawful condition of use, is also subject to the penalties provided in this chapter for such unlawful act or omission.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee. [1980 c 104 s 2; 1971 ex.s. c 148 s 1; 1969 ex.s. c 69 s 1.]

RCW 46.44.130 Farm implements—Gross weight and size limitation exception—Penalty. The limitations of RCW 46.44.010, 46.44.020, 46.44.030, and 46.44.041 shall not apply to the movement of farm implements of less than forty-five thousand pounds gross weight, a total length of seventy feet or less, and a total outside width of fourteen feet or less when being moved while patrolled, flagged, lighted, signed, and at a time of day in accordance with rules hereby authorized to be adopted by the department of transportation and the statutes. Violation of a rule adopted by the department as authorized by this section or a term of this section is a traffic infraction. [1979 ex.s. c 136 s 76; 1975-'76 2nd ex.s. c 64 s 20; 1975 1st ex.s. c 168 s 3; 1973 1st ex.s. c 1 s 1.]

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16A.455.

Effective date—1975 1st ex.s. c 168: See note following RCW 46.44.091.

RCW 46.44.140 Farm implements—Special permits—Penalty. In addition to any other special permits authorized by law, special permits may be issued by the department of transportation for a quarterly or annual period upon such terms and conditions as it finds proper for the movement of (1) farm implements used for the cutting or threshing of mature crops; or (2) other farm implements that may be identified by rule of the department of transportation. Any farm implement moved under this section must comply with RCW 46.44.091, have a gross weight of less than sixty-five thousand pounds, and have a total outside width of less than twenty feet while being moved, and such movement must be patrolled, flagged, lighted, signed, at a time of day, and otherwise in accordance with rules hereby authorized to be adopted by the department of transportation for the control of such movements.

Applications for and permits issued under this section shall provide for a description of the farm implements to be moved, the approximate dates of movement, and the routes of movement so far as they are reasonably known to the applicant at the time of application, but the permit shall not be limited to these circumstances but shall be general in its application except as limited by the statutes and rules adopted by the department of transportation.

A copy of the governing permit shall be carried on the farm implement being moved during the period of its movement. The department shall collect a fee as provided in RCW 46.44.0941.

Violation of a term or condition under which a permit was issued, of a rule adopted by the department of transportation as authorized by this section, or of a term of this section is a traffic infraction. [2008 c 76 s 1; 1984 c 7 s 60; 1979 ex.s. c 136 s 77; 1973 1st ex.s. c 1 s 2.]

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

RCW 46.44.150 Highway improvement vehicles—Gross weight limit excesses authorized—Limitations. The state, county, or city authority having responsibility for the reconstruction or improvement of any public highway may, subject to prescribed conditions and limitations, authorize vehicles employed in such highway reconstruction or improvement to exceed the gross weight limitations contained in RCW 46.44.041 and 46.44.042 without a special permit or additional fees as prescribed by chapter 46.44 RCW, but only while operating within the boundaries of project limits as defined in the public works contract or plans. [1983 c 3 s 121; 1975 1st ex.s. c 63 s 1.]

RCW 46.44.170 Mobile home or park model trailer movement special permit and decal—Responsibility for taxes—License plates—Rules. (1) Any person moving a mobile home as defined in RCW 46.04.302 or a park model trailer as defined in RCW 46.04.622 upon public highways of the state must obtain:

(a) A special permit from the department of transportation and local authorities pursuant to RCW 46.44.090 and 46.44.093 and must pay the proper fee as prescribed by RCW 46.44.0941 and 46.44.096; and

(b) For mobile homes constructed before June 15, 1976, and already situated in the state: (i) A certification from the department of labor and industries that the mobile home was inspected for fire safety; or (ii) an affidavit in the form prescribed by the department of commerce signed by the owner at the county treasurer's office at the time of the application for the movement permit stating that the mobile home is being moved by the owner for his or her continued occupation or use; or (iii) a copy of the certificate of title together with an affidavit signed under penalty of perjury by the certified owner stating that the mobile home is being transferred to a wrecking yard or similar facility for disposal. In addition, the destroyed mobile home must be removed from the assessment rolls of the county and any outstanding taxes on the destroyed mobile home must be removed by the county treasurer.

(2) A special permit issued as provided in subsection (1) of this section for the movement of any mobile home or a park model trailer that is assessed for purposes of property taxes is not valid until the county treasurer of the county in which the mobile home or park model trailer is located must endorse or attach his or her certificate that all property taxes which are a lien or which are delinquent, or both, upon the mobile home or park model trailer being moved have been satisfied. Further, any mobile home or park model trailer required to have a special movement permit under this section must display an easily recognizable decal. However, endorsement or certification by the county treasurer and the display of the decal is not required:

(a) When a mobile home or park model trailer is to enter the state or is being moved from a manufacturer or distributor to a retail sales outlet or directly to the purchaser's designated location or between retail and sales outlets;

(b) When a signed affidavit of destruction is filed with the county assessor and the mobile home or park model trailer is being moved to a disposal site by a landlord as defined in RCW 59.20.030 after (i) the mobile home or park model trailer has been abandoned as defined in RCW 59.20.030; or (ii) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the mobile home or park model trailer and title has been lawfully transferred to the landlord. The mobile home or park model trailer will be removed from the tax rolls and, upon notification by the assessor, any outstanding taxes on the destroyed mobile home or park model trailer will be removed by the county treasurer; or

(c) When a signed affidavit of destruction is filed with the county assessor by any mobile home or park model trailer owner or any property owner with an abandoned mobile home or park model trailer, the same must be removed from the tax rolls and upon notification by the assessor, any outstanding taxes on the destroyed mobile home or park model trailer must be removed by the county treasurer.

(3) Except as provided in RCW 84.56.335(1), if the landlord of a manufactured/mobile home park takes ownership of a manufactured/mobile home or park model trailer with the intent to resell or rent the same under RCW 59.20.030 after (a) the manufactured/mobile home or park model trailer has been abandoned as defined in RCW 59.20.030; or (b) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the manufactured/mobile home or park model trailer and title has been lawfully transferred to the landlord, the outstanding taxes become the responsibility of the landlord.

(4) It is the responsibility of the owner of the mobile home or park model trailer subject to property taxes or the agent to obtain the endorsement and decal from the county treasurer before a mobile home or park model trailer is moved.

(5) This section does not prohibit the issuance of vehicle license plates for a mobile home or park model trailer subject to property taxes, but plates may not be issued unless the mobile home or park model trailer subject to property taxes for which plates are sought has been listed for property tax purposes in the county in which it is principally located and the appropriate fee for the license has been paid.

(6) The department of transportation, the department of labor and industries, and local authorities are authorized to adopt reasonable rules for implementing the provisions of this section. The department

of transportation must adopt rules specifying the design, reflective characteristics, annual coloration, and for the uniform implementation of the decal required by this section. The department of labor and industries must adopt procedures for notifying destination local jurisdictions concerning the arrival of mobile homes that failed safety inspections. [2013 c 198 s 2; 2010 c 161 s 1118; 2005 c 399 s 1; 2004 c 79 s 4; 2003 c 61 s 1; 2002 c 168 s 6; 1986 c 211 s 4. Prior: 1985 c 395 s 1; 1985 c 22 s 1; 1980 c 152 s 1; 1977 ex.s. c 22 s 2.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Severability—1977 ex.s. c 22: See note following RCW 46.04.302.

RCW 46.44.173 Notice to treasurer and assessor of county where mobile home or park trailer to be located. (1) Upon validation of a special permit as provided in RCW 46.44.170, the county treasurer shall forward notice of movement of the mobile home or park model trailer subject to property taxes to the treasurer's own county assessor and to the county assessor of the county in which the mobile home or park model trailer will be located.

(2) When a single trip special permit not requiring tax certification is issued, the department of transportation or the local authority shall notify the assessor of the county in which the mobile home or park model trailer is to be located. When a continuous trip special permit is used to transport a mobile home or park model trailer not requiring tax certification, the transporter shall notify the assessor of the county in which the mobile home or park model trailer is to be located. Notification is not necessary when the destination of a mobile home or park model trailer is a manufacturer, distributor, retailer, or location outside the state.

(3) A notification under this section shall state the specific, residential destination of the mobile home or park model trailer. [2002 c 168 s 7; 1984 c 7 s 61; 1977 ex.s. c 22 s 3.]

Severability—1977 ex.s. c 22: See note following RCW 46.04.302.

RCW 46.44.175 Penalties—Hearing. (1) Failure of any person or agent acting for a person who causes to be moved or moves a mobile home as defined in RCW 46.04.302 upon public highways of this state and failure to comply with any of the provisions of RCW 46.44.170 and 46.44.173 is a traffic infraction for which a penalty of not less than one hundred dollars or more than five hundred dollars shall be assessed. In addition to the above penalty, the department of transportation or local authority may withhold issuance of a special permit or suspend a continuous special permit as provided by RCW 46.44.090 and 46.44.093 for a period of not less than thirty days.

(2) Any person who shall alter, reuse, transfer, or forge the decal required by RCW 46.44.170, or who shall display a decal knowing it to have been forged, reused, transferred, or altered, shall be guilty of a gross misdemeanor.

(3) Any person or agent who is denied a special permit or whose special permit is suspended may upon request receive a hearing before the department of transportation or the local authority having jurisdiction. The department or the local authority after such hearing may revise its previous action. [2003 c 53 s 239; 1995 c 38 s 11; 1994 c 301 s 15; 1985 c 22 s 2; 1979 ex.s. c 136 s 78; 1977 ex.s. c 22 s 4.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Acts of municipal officers ratified and confirmed—1995 c 38: See note following RCW 3.02.045.

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

Severability—1977 ex.s. c 22: See note following RCW 46.04.302.

RCW 46.44.180 Operation of mobile home pilot vehicle without insurance unlawful—Amounts—Exception—Penalty. (1) It is unlawful for a person, other than an employee of a dealer or other principal licensed to transport mobile homes within this state acting within the course of employment with the principal, to operate a pilot vehicle accompanying a mobile home, as defined in RCW 46.04.302, being transported on the public highways of this state, without maintaining insurance for the pilot vehicle in the minimum amounts of:

(a) One hundred thousand dollars for bodily injury to or death of one person in any one accident;

(b) Three hundred thousand dollars for bodily injury to or death of two or more persons in any one accident; and

(c) Fifty thousand dollars for damage to or destruction of property of others in any one accident.

(2) Satisfactory evidence of the insurance shall be carried at all times by the operator of the pilot vehicle, which evidence shall be displayed upon demand by a police officer.

(3) Failure to maintain the insurance as required by this section is a gross misdemeanor.

(4) Failure to carry or disclose the evidence of the insurance as required by this section is a misdemeanor. [2003 c 53 s 240; 1980 c 153 s 3.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

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 s 1; 2002 c 231 s 1; 2001 c 262 s 3.]

RCW 46.44.200 Vehicles or combination of vehicles with weight rating over forty thousand pounds and transporting cattle—Mandatory stops at state patrol-operated ports of entry—Exception—Penalty—Application. (1) Upon entering the state, any vehicle or combination of vehicles with a gross vehicle weight rating of more than forty thousand pounds and transporting cattle must immediately stop at a port of entry, which is operated by the Washington state patrol.

(2) The requirement of subsection (1) of this section does not apply to the operator of a vehicle in possession of a pasture permit or cattle consigned to a public auction or sales yard. Nothing in this subsection shall be construed to authorize a vehicle to bypass an open weigh station or port of entry.

(3) Operation of any vehicle or combination of vehicles in violation of this section is prima facie evidence that the owner of the vehicle or combination of vehicles caused or permitted the vehicle or combination of vehicles to be so operated, and the owner is liable for any penalties imposed under this section.

(4) The penalty for failure to comply with this section is one thousand dollars. All fines collected under this section must be deposited in the motor vehicle fund established under RCW 46.68.070 to be used for road maintenance purposes.

(5) The requirements and penalties in this section apply only in a county located east of the crest of the Cascade mountains with a population of at least four hundred fifty thousand and an adjacent county with a population of at least thirteen thousand but less than fifteen thousand.

(6) The Washington state patrol must provide a one-time written notification of the requirements of this section to affected carriers known to have previously entered the state of Washington in the

counties described in subsection (5) of this section. The notification requirement is not a defense for a driver from enforcement action if found in violation of this section. Notification must be provided by August 1, 2011. [2011 c 242 s 1.]