

THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 197, "An Act to add Chapter II-A to Title XXIV of the Government Code of Guam relative to size, weight and load limitations of vehicles, and restricting of certain vehicles from the highway", was on the 18th day of April, 1975, duly and regularly passed.

Joseph F. Ada  
JOSEPH F. ADA  
Speaker

ATTESTED:

Concepcion C. Barrett  
CONCEPCION C. BARRETT  
Legislative Secretary

This Act was received by the Governor this 2nd day of May, 1975 at 11:45 o'clock A.M.

Ruth F. Won-Pat  
RUTH F. WON PAT  
Assistant Staff Officer  
Governor's Office

APPROVED:

Ricardo J. Bordallo  
RICARDO J. BORDALLO  
Governor of Guam  
DATED: MAY 7 1975  
11:58 A.M.  
J.L. 13-16

THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

Substitute  
Bill No. 197

Introduced by

J. H. Underwood  
F. R. Santos

AN ACT TO ADD CHAPTER II-A TO  
TITLE XXIV OF THE GOVERNMENT  
CODE OF GUAM RELATIVE TO SIZE,  
WEIGHT AND LOAD LIMITATIONS OF  
OF VEHICLES, AND RESTRICTION OF  
CERTAIN VEHICLES FROM THE HIGHWAY.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. Chapter II-A is hereby added to Title XXIV  
3 of the Government Code of Guam, to read as follows:

4 "Chapter II-A

5 Size, Weight and Load Limitations, and  
6 Restriction of Certain Vehicles.

7 Section 23200. Definitions. As used in this Chapter,  
8 the following definitions will hold true:

9 Axle: The common axis of rotation of one or more  
10 wheels, whether in one or more segments, and regardless of  
11 the number of wheels carried thereon.

12 Axle Group: An assemblage of two or more consecutive  
13 axles considered together in determining their combined  
14 load effect on a bridge or pavement structure.

15 Axle Load: The total load transmitted to the road  
16 by all wheels whose centers are included between the two  
17 parallel transverse vertical planes forty (40) inches  
18 apart, extending across the full width of the vehicle.

19 Connecting Mechanism: An arrangement of parts  
20 inter-connecting two or more consecutive axles to the  
21 frame of a vehicle in such a manner as to equalize the  
22 load between the axles.

23 Gross Weight: The weight of a vehicle and/or  
24 vehicle combination without load, plus the weight of any

1 load thereon.

2 Height: The total vertical dimension of any vehicle  
3 above the ground surface including any load and load  
4 holding device thereon.

5 Highway: The entire width between the boundary lines  
6 of every publicly maintained surface, when any part  
7 thereof is open to the use of the public for purposes of  
8 vehicular travel; synonymous and interchangeable in usage  
9 with 'street'.

10 Length: The total longitudinal dimension of any  
11 vehicle or combination of vehicles, including any load  
12 or load holding devices thereon.

13 Load: A weight or quantity of anything resting upon  
14 a support.

15 Motor Vehicle: A vehicle which is self-propelled or  
16 propelled by electric power obtained from overhead trolley  
17 wires, but not operating upon rails.

18 Owner: A person, other than a lien holder, having the  
19 property in or title to a vehicle, including a person  
20 entitled to use and possession of a vehicle subject to a  
21 security interest in another person, but excluding a  
22 lessee under a lease not intended as security.

23 Scale Tolerance: An allowable variation in the  
24 static weight of an axle load in accordance with, but not  
25 exceeding, the precision of the scale involved.

26 Semi-Trailer: A vehicle designed for carrying  
27 persons or property and drawn by a truck-tractor on which  
28 parts of its weight and load rests.

29 Single Axle: An assembly of two or more wheels, whose  
30 centers are on one transverse vertical plane or may be  
31 included between two parallel transverse vertical planes

1            forty (40) inches apart extending the full width of the  
2            vehicle.

3            **Single Axle Weight:** The total weight transmitted to  
4            the road by a single axle.

5            **Special Permit:** A written authorization to move or  
6            operate on a highway, a vehicle or vehicles with  
7            indivisible load of a size and/or weight exceeding the  
8            limits prescribed for vehicles in regular operation.

9            **Tandem Axle:** Any two or more consecutive axles whose  
10           centers are more than forty (40) inches but less than  
11           ninety-six (96) inches apart, and are individually  
12           attached and/or articulated from a common attachment to  
13           the vehicle including a connecting mechanism designed to  
14           equalize the load between the axles.

15           **Tandem Axle Weight:** The total weight transmitted to  
16           the road by two or more consecutive axles whose centers  
17           may be included between parallel transverse planes spaced  
18           forty (40) inches but less than ninety-six (96) inches  
19           apart, extending the full width of the vehicle.

20           **Trailer:** A vehicle designed for carrying persons or  
21           property and drawn by a motor vehicle which carries no  
22           part of the weight and load of the trailer on its own  
23           wheels.

24           **Truck:** A motor vehicle designed, used or maintained  
25           primarily for the transportation of property.

26           **Truck-Tractor:** A motor vehicle designed for drawing  
27           other vehicles, but not for a load other than a part of  
28           the weight of the vehicle and load drawn.

29           **Vehicle:** A device in, upon or by which any person or  
30           property may be transported or drawn upon a highway.

1           **Vehicle Combination:** A truck-tractor and semi-trailer,  
2 either with or without a full trailer, or a truck with one  
3 or more full trailers.

4           **Width:** The total outside transverse dimension of a  
5 vehicle, including any load or load holding devices thereon,  
6 but excluding approved safety devices and tire bulge due to  
7 load.

8           **Section 23201. Size, Weight and Load Limitations.**

9           (a) It is unlawful for any person to drive or move,  
10 or for the owner to cause or knowingly permit to be driven  
11 or moved on any highway, any vehicle or vehicles of a size,  
12 weight or a load exceeding or otherwise failing to comply  
13 with the limitations or requirements stated in this chapter.

14           (b) The provisions of this chapter governing size,  
15 weight and load shall not apply to a vehicle operated  
16 under the terms of a special permit issued as herein  
17 provided.

18           **Section 23202. Width of Vehicles and Loads.** No  
19 vehicle, including any load and load holding device  
20 thereon shall exceed a total width of one hundred two  
21 (102) inches.

22           **Section 23203. Height of Vehicles and Loads.** No  
23 vehicle, including any load and load holding devices  
24 thereon, shall exceed a total height of thirteen (13) feet  
25 and six (6) inches.

26           **Section 23204. Length of Vehicles and Loads.**

27           (a) No vehicle, including any load and load holding  
28 devices, shall exceed a total length of forty (40) feet  
29 extreme overall dimension, inclusive of front and rear  
30 bumpers.

1 (b) A bus, equipped with three (3) axles, shall not  
2 exceed an equal overall length, inclusive of front and rear  
3 bumpers, of forty (40) feet.

4 (c) No combination of two (2) vehicles coupled to-  
5 gether, including any load thereon, shall have an overall  
6 length, inclusive of front and rear bumpers, in excess of  
7 sixty (60) feet, except as otherwise provided in respect  
8 to the use of a pole or pipe dolly as authorized in  
9 Subsection 23204 (f) of this Chapter.

10 (d) No other combinations of vehicles shall consist  
11 of more than two (2) units, except that one (1) truck-  
12 tractor semi-trailer may haul one (1) full trailer. No  
13 such combinations, including any load, shall exceed an  
14 overall length, inclusive of front and rear bumpers of  
15 sixty-five (65) feet.

16 (e) Subject to the foregoing provisions of this  
17 Chapter limiting the length of vehicles and loads, the  
18 load upon any vehicle operated alone, or the load upon the  
19 front vehicle of a combination of vehicles shall not  
20 exceed more than three (3) feet beyond the foremost part  
21 of that vehicle. The load upon any vehicle operated alone,  
22 or the load upon the rear vehicle of a combination of  
23 vehicles shall not extend more than six (6) feet beyond  
24 the rear of the fixed bed or body of the vehicle, unless  
25 that vehicle is followed by an escort vehicle with a  
26 rotating yellow beacon, and a sign stating 'Long Load'.

27 (f) The limitations as to the length of vehicles and  
28 loads heretofore stated in Section 23204 shall not apply  
29 to any load upon a pole or pipe dolly as defined in  
30 Subsection 23001 (y). No poles or pipes or structural

1 materials or crane which cannot be dismembered, provided,  
2 that no pole or pipe or material or crane exceeds eighty  
3 (80) feet in length, shall be so transported unless a  
4 permit has first been obtained as authorized in Section  
5 23213.

6 Section 23205. Trailers and Towed Vehicles.

7 (a) When one (1) vehicle is towing another the  
8 drawbar or other connection shall be of sufficient strength  
9 to pull all weight towed thereby, and said drawbar or other  
10 connection shall not exceed fifteen (15) feet from one  
11 vehicle to the other, except the connection between any  
12 two (2) vehicles transporting poles, pipes, machinery  
13 or other objects of a structural nature which cannot  
14 readily be dismembered.

15 (b) When one (1) vehicle is towing another, and the  
16 connection consists of a chain, rope or cable, that  
17 connection shall be not less than ten (10) feet, and no  
18 more than fifteen (15) feet, and there shall be displayed  
19 upon such a connection, a white flag or cloth, not less  
20 than twelve (12) inches on an edge. When one (1) vehicle  
21 is towing another, their speed shall not exceed twenty-  
22 five (25) miles per hour or the posted speed limit, which-  
23 ever is lower.

24 Section 23206. Maximum Permissible Load Limit.

25 Vehicle Gross Weight: The total gross weight imposed  
26 on the highway surface by a vehicle, or combination of  
27 vehicles, shall be determined by the application of

28 Table I:

TABLE I

Max Load per Axle (1000 lbs)	Max Load per Tandem Axle (1000 lbs)	2-Axle Single Unit	3-Axle Single Unit	2-Axle Tractor 1-Axle Trailer	2-Axle Tractor 2-Axle Trailer	3-Axle Tractor 2-Axle Trailer	Maximum Gross Weight
20	36	36	56	54	68	76.8	76.8

1 Section 23207. Performance Requirements.

2 (a) Brake performance shall conform to the require-  
 3 ments set forth in the most recent Uniform Vehicle Code of  
 4 the National Committee on Uniform Traffic Laws and  
 5 Ordinances.

6 (b) Linkage between any combination of vehicles  
 7 shall conform to the current recommended practice of the  
 8 Society of Automotive Engineers.

9 (c) Vehicles in regular operations shall be  
 10 permissible only when such loads are transmitted to the  
 11 highway surface through wheels equipped with pneumatic tires,  
 12 and no such tire equipment shall be designed for use or  
 13 used with an operating inflation pressure in excess of one  
 14 hundred and five (105) pounds per square inch.

15 (d) Vehicles in regular operation shall be  
 16 permissible only when on said vehicles, the wheels of the  
 17 last axle in contact with the highway surface are covered  
 18 by fendering and/or mud flaps, or a similar device that  
 19 will deflect any object thrown by the wheels in motion.

20 (e) Vehicles in regular operation shall have their



1 identification numbers painted in a contrasting color and  
2 at a minimum height of three (3) inches. These numbers  
3 shall be in a conspicuous place on the front and rear of  
4 that vehicle. The company name will be clearly displayed  
5 on the side doors of all vehicles in regular operation.  
6 Numbers, license plates and all lights shall be wiped  
7 clean before any and all hauls.

8 (f) No person shall operate on any highway, any  
9 vehicle with any load unless said load and covering thereon  
10 is securely fastened so as to prevent said load or  
11 covering from being loosened, detached or in any manner  
12 creating litter or constituting a hazard to other users  
13 of the highway.

14 Section 23208. Authority to Stop, Inspect and Weigh  
15 Vehicles; Removal of Excess Loads.

16 (a) Any police officer observing conditions of  
17 vehicle appearance, operation or cargo storage, which  
18 might represent a potential or actual hazard, is  
19 authorized to stop the driver, and submit the vehicle to  
20 an immediate inspection.

21 (b) Whenever an officer, upon inspection of a vehicle  
22 and/or load, determines the existence of a minor  
23 infraction, a citation will be issued and the vehicle  
24 allowed to proceed to its own shop for correction. A  
25 vehicle found to be hazardous to the driver or the public,  
26 the officer has the authority to direct the discontinuance  
27 of the vehicle passage and require the vehicle to be moved  
28 to a storage area or Government facility, and said  
29 vehicle shall remain there until such repairs or  
30 corrections as stated can be effected either there, or  
31 its own shop. Such vehicle will not be allowed back into

normal operation until corrections are made.

1  
2 (c) Any police officer having reason to believe  
3 that the weight of a vehicle, either unladen or with load,  
4 is unlawful, is authorized to require the driver to stop  
5 and submit to a weighing of same by means of portable  
6 scales, and should a question of weight arise, the  
7 officer will require that such vehicles be driven to the  
8 nearest official scales.

9 (d) Whenever an officer, upon weighing a vehicle and  
10 load, as provided above, determines that the weight is  
11 unlawful, such officer will require the driver to stop the  
12 vehicle in a suitable place and remain standing until such  
13 portion of the load is removed as may be necessary to  
14 reduce the weight of such vehicle such limit as permitted  
15 under this Chapter. A two thousand (2000) pound tolerance  
16 over and above the maximum permissible weight will be  
17 allowed before the removal of load will be required. All  
18 material so unloaded shall be cared for by the owner or  
19 driver of such vehicle at the risk of said owner or driver.

20 (e) Any driver of a vehicle who fails or refused to  
21 stop and submit the vehicle, either unladen or with load,  
22 to an inspection and/or weighing, or who fails or refuses  
23 when directed by the officer upon inspection and/or  
24 weighing of the vehicle to stop, the vehicle and otherwise  
25 comply with the provisions of this Section shall be  
26 subject to arrest and fine not to exceed One Thousand  
27 Dollars (\$1,000.00) or be imprisoned for not more than  
28 one (1) year, or both.

29 Section 23209. Restriction of Certain Vehicles.

30 (a) It is unlawful for any person to drive or move,  
31 or the owner to cause or knowingly permit to be driven on  
32 any highway, off-road heavy construction equipment, steel

1           rollers, solid rubber tires, sheepsfoot, tracks, tracks  
2           with lugs, tires that incorporate steel mats or chains  
3           and/or any other wheel, vehicle or contrivance that the  
4           Director of Public Works, or his authorized representative  
5           deems harmful or destructive to the highway surface,  
6           except for those vehicles that are engaged in actual work  
7           on or near the highway.

8           (b) The provisions of this Section governing  
9           restrictions of certain vehicles from the highway shall not  
10          apply to any said vehicle or vehicles that are transported  
11          by trailer, so long as the total gross weight does not  
12          exceed the maximum allowable weight provided in Section  
13          23206.

14          Section 23210. Liability for Damage to Highways or  
15          Structures.

16          (a) Any person driving or moving any vehicle, object  
17          or contrivance, including any person operating or moving  
18          a vehicle or combination of vehicles, either legally or  
19          under a special permit authorized in Section 23213, shall  
20          be liable for all damage any highway or highway structure  
21          may sustain as the result of any careless, negligent or  
22          illegal driving or moving of said vehicle, combination of  
23          vehicles, object or contrivance.

24          (b) Any person driving or moving any vehicle, object  
25          or contrivance, including any person operating or moving  
26          a vehicle or combination of vehicles either legally or  
27          under a special permit authorized in Section 23213, shall  
28          be liable for all damage to structures spanning the  
29          highway, or a part of the highway, by reason of vehicles  
30          or load heights in excess of that which such structure

1 will permit, when the clearance height of the vehicle or  
2 load or load-holding device thereon is in excess of  
3 thirteen (13) feet six (6) inches.

4 (c) Any person driving or moving any vehicle, object  
5 or contrivance, including any person operating or moving  
6 a vehicle or combination of vehicles either legally or  
7 under a special permit authorized in Section 23213, shall  
8 be liable for all damage to structures spanning the  
9 highway, or part of the highway, by reason of vehicles or  
10 load width in excess of that which such structure will  
11 permit and, in any event, where the width of the vehicle  
12 or load is in excess of one hundred and two (102) inches.

13 (d) Any vehicle or combination of vehicles of an  
14 unusually large size or weight shall be required to obtain  
15 a special hauling permit at least forty-eight (48) hours  
16 in advance of the expected moving date. At this time the  
17 owner of said vehicle or combination of vehicles will  
18 provide proof that arrangements have been made for the  
19 removal and replacement of overhead and off-road  
20 obstructions, routing, authorized testing of the highway  
21 surface, police escort and any other requirements deemed  
22 necessary for moving by the Director of Public Works or  
23 his authorized representative. All costs shall be borne  
24 by the owner.

25 (e) Whenever such driver or mover is not the owner of  
26 any vehicle or combination of vehicles, object or  
27 contrivance, but is so driving or moving same with the  
28 express or implied permission of the owner, then the owner  
29 and driver or mover shall be jointly and severally liable  
30 for any damage.

1 (f) Any such damage may be recovered in a civil  
2 action.

3 Section 23211. Penalties.

4 (a) Every person convicted of a violation of any of  
5 the provisions of this Chapter for which another penalty is  
6 not provided shall, for a first conviction thereof, be  
7 punished by a fine of not more than Twenty-Five Dollars  
8 (\$25.00) and \$0.01/pound over the maximum allowable load as  
9 authorized in Section 23206, or by imprisonment for not  
10 more than two (2) days, or both such fine and imprisonment;  
11 for a second such conviction within one (1) year thereafter,  
12 such person shall be punished by a fine of not less than  
13 Twenty-Five Dollars (\$25.00) and \$0.01/pound, but not more  
14 than Fifty Dollars (\$50.00) and \$0.02/pound, or by  
15 imprisonment for not more than five (5) days, or by both  
16 such fine and imprisonment; upon a third or subsequent  
17 conviction within one (1) year after the first conviction  
18 such person shall be punished by a fine of not less than  
19 Fifty Dollars (\$50.00) and \$0.02/pound but not more than  
20 One Hundred Dollars (\$100.00) and \$0.05/pound, or by  
21 imprisonment for not more than seven (7) days, or by both  
22 such fine and imprisonment.

23 (b) All permit fees and fines shall be deposited in  
24 the Territorial Highway Fund.

25 Section 23212. Proceedings to Make Owner Co-Defendant.  
26 In any provision, limitation or requirement of this Chapter  
27 of an Employee of the owner of the vehicle concerning  
28 which the violation occurred, employed to operate the  
29 vehicle, the court shall, on the request of such employee,  
30 take appropriate action to make the owner of the vehicle a

1 co-defendant. In the event it is found that the employee  
2 has reasonable grounds to believe that the vehicle or  
3 vehicles operated by him as such employee did not violate  
4 any provision, limitation or requirement, the court may  
5 dismiss the charges against the employee.

6 Section 23213. Permits for Excess Size and Weight.

7 (a) A surety bond in a minimum amount of Five Hundred  
8 Dollars (\$500.00), or proper evidence of adequate insurance,  
9 must be filed with the Director of Public Works before a  
10 permit will be issued for transporting over-width, over-  
11 length or over-weight loads on the highway, except when the  
12 applicant is a Territorial or Federal Government Agency.

13 (b) The Director of Public Works, or his authorized  
14 representative, may in his discretion, upon application, in  
15 writing good cause being shown therefore, issue a special  
16 permit in writing authorizing the applicant to operate or  
17 move a vehicle or combination of vehicles of a size or  
18 weight exceeding the maximum specified in this Chapter, or  
19 otherwise not in conformity with the provisions of this  
20 Chapter, upon the highways of Guam. A permit issued under  
21 this Section shall not authorize the operation or moving  
22 of any vehicle or combination of vehicles without the  
23 compliance with Chapter 3 of this Title.

24 (c) The application for any such permit shall  
25 specifically describe the vehicle or combination of vehicles  
26 and load to be operated or moved, and the particular  
27 highways for which the permit to operate is requested, and  
28 whether such permit is requested for a single trip, or for  
29 continuous operation for a designated period of time.

30 (d) The Director of Public Works, or his authorized

1 representative is authorized to issue or withhold such  
2 permit at his discretion, or, if such a permit is issued,  
3 to limit the number of trips or to establish time  
4 limitations within which the vehicles described may be  
5 operated, or to prescribe conditions of operations of  
6 such vehicle or vehicles when necessary to assure against  
7 undue damage to the highway foundations, surfaces or  
8 structures, and may require such undertaking or other  
9 security as may be deemed necessary to compensate for any  
10 injury to any such highway foundations, surfaces or  
11 structure. Each permit shall be valid only for a designated  
12 number of consecutive calendar days as specified in the  
13 permit, but in no event shall a permit be granted for a  
14 period longer than ten (10) days.

15 (e) At the discretion of the Director of Public  
16 Works or his authorized representative, blanket permits  
17 will be issued for over-sized vehicles presently on island,  
18 and said over-sized vehicles may be subject to time-of-  
19 operations restrictions.

20 (f) Every such permit shall be carried in the vehicle  
21 or combination of vehicles to which it refers, and shall be  
22 open to inspection by any police officer. It shall be  
23 unlawful for any person to violate any of the terms or  
24 conditions of such permits.

25 (g) A fee of Five Dollars (\$5.00) shall be charge for  
26 each permit and no such permit shall be issued until said  
27 fee has been paid.

28 (h) Any vehicle issued with a permanent special  
29 equipment license, or requiring a special permit, as  
30 required under this Chapter, shall be prohibited from

1 operating on the highways during the hours of 7:00 to 9:00  
2 a.m., 12:00 to 1:00 p.m., and 4:00 to 6:00 p.m. Mondays  
3 through Fridays, except in cases of emergencies, or at the  
4 direction of the Director of Public Works.

5 (i) In the event of disputes over Department of  
6 Public Works policy an Appeal Board shall be convened  
7 upon written request to the chairman of the Appeal Board.  
8 The Board shall consist of three (3) members. One (1)  
9 member from the Guam Contractors Association, or a member  
10 from the community at large, the Director of Public Safety,  
11 or his authorized representative and the Chairman of the  
12 Guam Transit Authority, who shall serve as chairman of this  
13 Appeal Board. The decision of the Appeal Board shall be  
14 binding on all parties.

15 Section 23214. When the Director of Public Works may  
16 Restrict the Use of Highways.

17 (a) The Director of Public Works, or his authorized  
18 representative, may prohibit the operations of certain  
19 vehicles upon any highway, or impose restrictions as to the  
20 weight of vehicles to be operated upon any highway,  
21 whenever any highway, by reason of deterioration, rain or  
22 other climatic conditions which will seriously damage the  
23 highway unless the use of vehicles thereon is prohibited  
24 or the weight thereon is reduced. Such prohibition or  
25 restriction shall be effective when notice thereof are  
26 erected upon the highway affected and/or effected when  
27 notice is given by publication.

28 (b) Effective Date. This Act shall be effective  
29 immediately provided that those provisions of this Act  
30 which limits height, width and length as defined in  
31 Section 23200 shall not be applicable to vehicles which  
32 were duly registered on the date that this Act became  
33 law until April 30, 1982. "