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# A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that, as part of the  
2 increased development of Hawaii's towns and cities, there has  
3 been an increase in noise pollution. One of the contributors to  
4 noise pollution is the loud beeping sound emitted by large  
5 vehicles when they are reversing. State law requires certain  
6 large vehicles to be equipped with an audible reverse warning  
7 system to warn pedestrians and others that the vehicle is about  
8 to reverse. However, when these vehicles operate late at night  
9 or near hospitals or hotels, the loud noise is disruptive,  
10 irritating, and inevitably raises complaints. Although the  
11 department of health has rules to control vehicular noise, these  
12 rules exempt audible reverse warning systems.

13           The purpose of this Act is to provide an option to turn off  
14 the audible reverse warning system for noise control purposes  
15 between the hours of 10:00 p.m. and 6:00 a.m., provided the  
16 vehicle, when reversing, is guided by a person other than the  
17 driver.



1 SECTION 2. Section 291-35.1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§291-35.1 Regulation of bumper height[-]; reverse warning**  
4 **systems.** (a) Maximum bumper heights of motor vehicles shall be  
5 determined by the weight category of gross vehicle weight rating  
6 (GVWR) as measured from a level surface to the highest point on  
7 the bottom of the bumper. Maximum heights are as follows:

8	<b>Gross Vehicle Weight Rating</b>	<b>Front</b>	<b>Rear</b>
9	Passenger vehicles	22 inches	22 inches
10	4,500 lbs. and under	29 inches	29 inches
11	4,501 lbs. to 7,500 lbs.	33 inches	33 inches
12	7,501 lbs. to 10,000 lbs.	35 inches	35 inches

13 For any vehicle with bumpers or attaching components which  
14 have been modified or altered from the original manufacturer's  
15 design to conform with the maximum bumper height requirements of  
16 this section, the bumper height shall be measured from a level  
17 surface to the bottom of the bumper. The vehicle frame rail,  
18 measured from a level surface to the bottom of the vehicle frame  
19 rail, shall not exceed the attached bumper height. The maximum  
20 distance between vehicle body to vehicle frame rail shall not  
21 exceed three inches. The distance between the vehicle body to  
22 vehicle frame rail shall be measured from the vehicle body mount



1 seat to the vehicle frame rail mount seat. "Bumper", for  
2 purposes of this section means a horizontal load bearing  
3 protective system installed on a motor vehicle which is  
4 constructed of sturdy materials that will not shatter or split  
5 upon moderate impact and provides adequate protection against  
6 damages to the front and rear external lighting and reflective  
7 devices, hood, trunk, doors, painted surfaces, cooling system,  
8 exhaust system, and other components during a low speed impact.

9 (b) Any vehicle that exceeds the Vehicle Equipment Safety  
10 Commission - Regulation 12 recommended bumper height, based on  
11 the gross vehicle weight rating, shall be equipped with an  
12 audible reverse warning system[-]; provided that an audible  
13 reverse warning system may be manually turned off when the  
14 vehicle is reversing (for noise control purposes) between the  
15 hours of 10:00 p.m. and 6:00 a.m., if the vehicle's driver is  
16 assisted by another person, who is positioned behind the vehicle  
17 with a clear view of the vehicle's rearward path and the  
18 vehicle's driver; provided that the reversing vehicle shall be  
19 guided by a responsible adult. Any switch permitting the  
20 audible reverse warning system to be manually disengaged shall  
21 automatically turn itself off after a fixed period of time as  
22 specified by rule and automatically re-engage the audible



1 reverse warning system. The director of transportation shall  
 2 adopt rules under chapter 91 to implement this subsection. The  
 3 audible reverse warning system is not required on any open cab  
 4 vehicle with a distance of less than four feet from the rear of  
 5 the driver's seating position to the rear most part of the  
 6 vehicle body."

7 SECTION 3. Statutory material to be repealed is bracketed  
 8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2006.

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**Report Title:**

Motor Vehicles; Reverse Warning Systems

**Description:**

Permits motor vehicle backup warning beepers to be disabled between 10:00 p.m. and 6:00 a.m. if the vehicle's driver is assisted by a responsible adult while reversing.

