

JAN 25 2006

S.B. NO. 2456

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	Gross Vehicle Weight Rating	Front	Rear
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. Any switch permitting the audible reverse
19 warning system to be manually disengaged shall automatically
20 turn itself off after a fixed period of time as specified by
21 rule and automatically re-engage the audible reverse warning
22 system. The director of transportation shall adopt rules under



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

5 SECTION 3. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

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

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SB2456

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 another person while reversing.

