

JAN 22 2007

S.B. NO. 1237

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. This is due to a state law
6 that requires certain large vehicles to be equipped with an
7 audible reverse warning system. This safety measure is meant to
8 warn pedestrians and others in the back of a large vehicle that
9 the vehicle is about to reverse. When these vehicles operate
10 late at night or near hospitals or hotels, however, the loud
11 noise can be very irritating and inevitably raises complaints.
12 Although the department of health has rules to control vehicular
13 noise, these rules exempt audible reverse warning systems, and
14 the department has no authority to compel compliance. The
15 purpose of this Act is to provide an option to turn off the
16 audible reverse warning system for noise control purposes
17 between the hours of 10:00 p.m. and 6:00 a.m., provided that the
18 vehicle is:

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- 1 (1) Equipped with a rearview camera system in the rear
- 2 that operates whenever the vehicle is reversing;
- 3 (2) Equipped with flashing lights in the rear of the
- 4 vehicle which are activated when a vehicle is
- 5 reversing; or
- 6 (3) Guided by a person, other than the driver of the
- 7 vehicle, who is positioned behind the vehicle with a
- 8 clear view of both the vehicle's rearward path and the
- 9 vehicle's driver.

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

12 "§291-35.1 Regulation of bumper height[-]; reverse warning
 13 systems. (a) Maximum bumper heights of motor vehicles shall be
 14 determined by the weight category of gross vehicle weight rating
 15 (GVWR) as measured from a level surface to the highest point on
 16 the bottom of the bumper. Maximum heights are as follows:

17	Gross Vehicle Weight Rating	Front	Rear
18	Passenger vehicles	22 inches	22 inches
19	4,500 lbs. and under	29 inches	29 inches
20	4,501 lbs. to 7,500 lbs.	33 inches	33 inches
21	7,501 lbs. to 10,000 lbs.	35 inches	35 inches

1 For any vehicle with bumpers or attaching components which
2 have been modified or altered from the original manufacturer's
3 design to conform with the maximum bumper height requirements of
4 this section, the bumper height shall be measured from a level
5 surface to the bottom of the bumper. The vehicle frame rail,
6 measured from a level surface to the bottom of the vehicle frame
7 rail, shall not exceed the attached bumper height. The maximum
8 distance between vehicle body to vehicle frame rail shall not
9 exceed three inches. The distance between the vehicle body to
10 vehicle frame rail shall be measured from the vehicle body mount
11 seat to the vehicle frame rail mount seat.

12 [~~"Bumper", for~~] For the purposes of this section, "bumper"
13 means a horizontal load bearing protective system installed on a
14 motor vehicle which is constructed of sturdy materials that will
15 not shatter or split upon moderate impact and provides adequate
16 protection against damages to the front and rear external
17 lighting and reflective devices, hood, trunk, doors, painted
18 surfaces, cooling system, exhaust system, and other components
19 during a low speed impact.

20 (b) Any vehicle that exceeds the Vehicle Equipment Safety
21 Commission -- Regulation 12 recommended bumper height, based on
22 the gross vehicle weight rating, shall be equipped with an



1 audible reverse warning system[-]; provided that the audible
2 reverse warning system may be manually turned off for noise
3 control purposes between the hours of 10:00 p.m. and 6:00 a.m.
4 if the vehicle is also:

5 (1) Equipped with a rearview camera system that provides
6 the driver with a clear view of the vehicle's rearward
7 path that operates whenever the vehicle is reversing;

8 (2) Equipped with flashing lights in the rear of the
9 vehicle which are activated by, and continue to operate
10 whenever a vehicle is reversing; or

11 (3) Guided by a person, other than the driver of the
12 vehicle, who is positioned behind the vehicle with a
13 clear view of both the vehicle's rearward path and the
14 vehicle's driver.

15 Any switch permitting the audible reverse warning system to be
16 manually disengaged shall itself automatically turn off after a
17 fixed period of time and automatically engage the audible
18 reverse warning system. The director shall adopt rules under
19 chapter 91 to implement this subsection. The audible reverse
20 warning system is not required on any open cab vehicle with a
21 distance of less than four feet from the rear of the driver's
22 seating position to the rear most part of the vehicle body."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

4

INTRODUCED BY: Carol Furmaga



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 certain conditions are met.

