

JAN 23 2008

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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 noise pollution has  
2 increased as a result of the increasing development of Hawaii's  
3 towns and cities. One contributor to noise pollution is the  
4 loud beeping sound emitted by large vehicles while reversing.  
5 As a safety measure, state law requires certain large vehicles  
6 to be equipped with an audible reverse warning system, in order  
7 to warn pedestrians and others behind a large vehicle that the  
8 vehicle is about to reverse. However, when these vehicles  
9 operate in areas of high population density or near hospitals or  
10 hotels, the loud noise can be very irritating and inevitably  
11 raises complaints. Although the department of health has rules  
12 to control vehicular noise, these rules exempt audible reverse  
13 warning systems, and the department has no authority to compel  
14 compliance.

15           The purpose of this Act is to provide an option to turn off  
16 the audible reverse warning system for noise control purposes if  
17 the vehicle is equipped with a rearview camera system that



1 continues to operate whenever the vehicle is reversing or if a  
2 watchperson is continuously on duty to ensure safety.

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

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

10	<b>Gross Vehicle Weight Rating</b>	<b>Front</b>	<b>Rear</b>
11	Passenger vehicles	22 inches	22 inches
12	4,500 lbs. and under	29 inches	29 inches
13	4,501 lbs. to 7,500 lbs.	33 inches	33 inches
14	7,501 lbs. to 10,000 lbs.	35 inches	35 inches

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



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

12 (c) Any vehicle that exceeds the Vehicle Equipment Safety  
13 Commission - Regulation 12 recommended bumper height, based on  
14 the gross vehicle weight rating, shall be equipped with an  
15 audible reverse warning system[~~-~~]; provided that the audible  
16 reverse warning system may be manually turned off for noise  
17 control purposes if:

- 18 (1) The vehicle is equipped with a rearview camera system  
19 that operates whenever the vehicle is reversing; or  
20 (2) A watchperson is continuously on duty to ensure  
21 safety.



1 Any switch permitting the audible reverse warning system to be  
 2 manually disengaged shall automatically turn off after a fixed  
 3 period of time and automatically engage the audible reverse  
 4 warning system. The director of transportation shall adopt  
 5 rules under chapter 91 to implement this subsection. The  
 6 audible reverse warning system is not required on any open cab  
 7 vehicle with a distance of less than four feet from the rear of  
 8 the driver's seating position to the rear most part of the  
 9 vehicle body."

10 SECTION 3. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 2008.  
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INTRODUCED BY:

*Clarence K. Richiben*  
*Ray L. Ar*  
*J. J. J.*

*John Trumble*  
*Carol Furmaga*  
*David J. J.*  
*Mike Gabbard*  
*Bob J.*  
*Francis J. J.*  
*Will J.*  
*Norman Sorenson*  
*Burrows. Kohl*

*Thomas Chum Adland*  
*James J. J.*  
*John J.*



**Report Title:**

Motor Vehicles; Reverse Warning Systems

**Description:**

Permits motor vehicle backup warning beepers to be disabled if the vehicle is equipped with a rear view camera system or a watchperson is on duty.

