
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



1 between 10:00 p.m. and 6:00 a.m. if a watchperson is
2 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	Gross Vehicle Weight Rating	Front	Rear
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 between 10:00 p.m. and 6:00 a.m. if a
18 watchperson is continuously on duty to ensure safety. Any
19 switch permitting the audible reverse warning system to be
20 manually disengaged shall automatically turn off when the
21 transmission is shifted out of reverse and automatically engage
22 the audible reverse warning system. The director of



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

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 Statutory material to be repealed is bracketed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

8 SECTION 4. This Act shall take effect on July 1, 2008.



Report Title:

Motor Vehicles; Reverse Warning Systems

Description:

Allows audible reverse warning system to be manually turned off for noise control purposes only between 10:00 p.m. and 6:00 a.m.; requires a watchperson who is continuously on duty to ensure safety; requires any switch permitting the audible reverse warning system to be manually disengaged to automatically turn off when the transmission is shifted out of reverse and automatically engage the audible reverse warning system. (SD1)

