

JAN 23 2009

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

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

1 SECTION 1. Section 291-14, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§291-14 Pickup trucks; passenger restrictions.** (a) [No
4 ~~person shall stand in the bed or load-carrying area of any motor~~
5 ~~vehicle commonly known as a pickup truck while the vehicle is in~~
6 ~~operation. No operator of any pickup truck shall operate the~~
7 ~~vehicle with a passenger seated in the bed or load-carrying area~~
8 ~~of the vehicle unless:~~

- 9 ~~(1) There is no seating available in the cab of the~~
10 ~~vehicle;~~
11 ~~(2) The side racks of the vehicle are securely attached~~
12 ~~and the tailboard or tailgate is securely closed;~~
13 ~~(3) Every passenger in the bed or load-carrying area of~~
14 ~~the vehicle is seated on the floor and does not~~
15 ~~attempt to control unlashd cargo.] No operator of
16 any pickup truck may operate the vehicle with any
17 passenger in the bed or load-carrying area of the~~



1 vehicle, except if the vehicle is operated in a
2 parade.

3 [~~(b) This section shall not apply to persons or~~
4 ~~corporations operating a business or businesses that serve the~~
5 ~~public, who or which are subject to the jurisdiction,~~
6 ~~supervision, and regulations prescribed by state agencies or~~
7 ~~departments nor to their agents or employees when engaged in the~~
8 ~~business of such persons or corporations.~~

9 ~~(c) No operator of any pickup truck may operate the~~
10 ~~vehicle with any passenger twelve years of age or under in the~~
11 ~~bed or load-carrying area of the vehicle, unless one of the~~
12 ~~following applies:~~

13 ~~(1) An emergency exists that threatens the life of the~~
14 ~~passenger being transported in the bed or load-~~
15 ~~carrying area of the vehicle; or~~

16 ~~(2) The vehicle is being operated in parades, caravans, or~~
17 ~~exhibitions which are officially authorized or~~
18 ~~otherwise permitted by law.]~~

19 [~~(d)~~] (b) Any person who violates this section shall be
20 subject to a fine of [~~\$25~~] \$50 for each violation[~~; provided~~
21 ~~that any person who violates subsection (c) shall be subject to~~
22 ~~a fine of \$50 for each separate violation].~~



1 [~~e~~] (c) As used in this section, "pickup truck" means a
2 light truck that has a cab on the front part of the vehicle
3 covering the driver's seat and an open bed behind the cab
4 designed primarily to transport property or cargo, with sides
5 and a tailgate to retain the contents within the confines of the
6 bed, and has a maximum gross vehicle weight rating (GVWR) of
7 11,000 pounds or less."

8 SECTION 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act shall take effect on July 1, 2009.

11

INTRODUCED BY:

Will Espino
Nike Gabbaro



Report Title:

Pickup Trucks; Passenger Restrictions

Description:

Expands ban on passengers 12 and under from riding in the bed or load-carrying area of a pickup truck to include passengers of any age. Increases fine for passenger violations from \$25 to \$50.

