

JAN 23 2009

A BILL FOR AN ACT

RELATING TO TRAFFIC VIOLATIONS.

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

1 SECTION 1. The legislature finds that, as part of
2 increased development in Hawaii, there has been an increase in
3 noise pollution. One of the contributors to noise pollution is
4 the loud beeping sound emitted by large vehicles when they are
5 reversing. State law requires certain large vehicles to be
6 equipped with an audible reverse warning system to warn
7 pedestrians and others in the close vicinity of a large vehicle
8 that the vehicle is about to reverse. When these vehicles
9 operate late at night or near hospitals or hotels, however, the
10 loud noise of the audible reverse warning system can be very
11 irritating and inevitably raises complaints. Although the
12 department of health has rules to control vehicular noise,
13 audible reverse warning systems are exempt and the department
14 has no authority to compel compliance.

15 The purpose of this Act is to allow audible reverse warning
16 systems to be turned off for noise control purposes between the
17 hours of 10:00 p.m. and 6:00 a.m.; provided that the vehicle is



1 guided while reversing by a person other than the driver of the
2 vehicle.

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[-]; reverse warning
6 systems. (a) Maximum bumper heights of motor vehicles shall be
7 determined by the weight category of gross vehicle weight rating
8 [~~(GVWR)~~] as measured from a level surface to the highest point
9 on the bottom 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 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]~~ For purposes of this section, "bumper"
5 means a horizontal load bearing protective system installed on a
6 motor vehicle [~~which~~] that is constructed of sturdy materials
7 that will not shatter or split upon moderate impact and provides
8 adequate protection against damages to the front and rear
9 external lighting and reflective devices, hood, trunk, doors,
10 painted surfaces, cooling system, exhaust system, and other
11 components during a low speed impact.

12 (b) 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 [~~.—The~~]; provided that an audible
16 reverse warning system may be manually turned off for noise
17 control purposes between the hours of 10:00 p.m. and 6:00 a.m.,
18 if the vehicle is guided while reversing by a person other than
19 its driver, who is positioned behind the vehicle and has a clear
20 view of both the vehicle's rearward path and the vehicle's
21 driver. Any mechanism permitting the audible reverse warning
22 system to be manually disengaged shall automatically turn itself



1 off and re-engage the audible reverse warning system after a
 2 fixed period of time as specified by rule. The director of
 3 transportation shall adopt rules under chapter 91 to implement
 4 this subsection. An audible reverse warning system is not
 5 required on any open cab vehicle with a distance of less than
 6 four feet from the rear of the driver's seating position to the
 7 rear most part of the vehicle body."

8 SECTION 3. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

Audible Reverse Warning Systems

Description:

Allows motor vehicle audible reverse warning system to be manually turned off between the hours of 10:00 p.m. and 6:00 a.m.; provided that the vehicle is guided while reversing by a person other than the driver of the vehicle.

