

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. 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 and these rules exempt audible reverse warning systems,
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:

SB HMS 2008-5204



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

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

11 "**§291-35.1 Regulation of bumper height[-]; reverse warning**
 12 **systems.** (a) Maximum bumper heights of motor vehicles shall be
 13 determined by the weight category of gross vehicle weight rating
 14 (GVWR) as measured from a level surface to the highest point on
 15 the bottom of the bumper. Maximum heights are as follows:

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

21 For any vehicle with bumpers or attaching components which
 22 have been modified or altered from the original manufacturer's



1 design to conform with the maximum bumper height requirements of
2 this section, the bumper height shall be measured from a level
3 surface to the bottom of the bumper. The vehicle frame rail,
4 measured from a level surface to the bottom of the vehicle frame
5 rail, shall not exceed the attached bumper height. The maximum
6 distance between vehicle body to vehicle frame rail shall not
7 exceed three inches. The distance between the vehicle body to
8 vehicle frame rail shall be measured from the vehicle body mount
9 seat to the vehicle frame rail mount seat.

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

18 (b) Any vehicle that exceeds the Vehicle Equipment Safety
19 Commission - Regulation 12 recommended bumper height, based on
20 the gross vehicle weight rating, shall be equipped with an
21 audible reverse warning system. The audible reverse warning
22 system may be manually turned off for noise control purposes



1 between the hours of 10:00 p.m. and 6:00 a.m. if the vehicle is
2 also:

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

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



S.B. NO. 720

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.
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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.

