

STAND. COM. REP. NO.

284

Honolulu, Hawaii

Feb 18, 2009

RE: H.B. No. 60  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 60 entitled:

"A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS,"

begs leave to report as follows:

The purpose of this bill is to control excessive vehicular noises, while maintaining safety, by:

- (1) Providing drivers an option to turn off audible reverse warning systems if the vehicle is guided while reversing by a person, other than the driver, who has a clear view of both the vehicle's rearward path and the driver; and
- (2) Requiring that any mechanism permitting the audible reverse warning system to be manually disengaged automatically turn itself off after a fixed period of time and automatically re-engage the audible reverse warning system.

The Department of Transportation supported the intent of this bill. The Hawaii Transportation Association submitted comments on this measure.

Noise pollution has become a big problem in Hawaii. Many of the sources of this noise can be attributed to motor vehicles, in particular warning devices that are used when a vehicle is reversing. While these warning devices are intended to provide

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safety when a vehicle is backing up, allowing reverse audible warning devices to be disengaged under certain conditions may reduce noise without compromising safety.

Your Committee recognizes that different reversing situations may demand different periods of time to reverse and requiring a set period of time for the system to re-engage may not be feasible. Your Committee also realizes that not all persons guiding a vehicle are qualified individuals and thus a driver may be held liable for guiding errors. Accordingly, your Committee has amended this bill by:

- (1) Stipulating that the reverse warning system be re-engaged when the vehicle's transmission is shifted out of reverse rather than after a fixed period of time;
- (2) Inserting language assigning liability to a guide for any damages, injuries, or fatalities that occur while guiding a vehicle; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 60, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 60, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,

  
\_\_\_\_\_  
JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

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**Record of Votes of the Committee on Transportation**

<b>Bill/Resolution No.:</b> <i>HB 60</i>	<b>Committee Referral:</b> <i>TRN, JUD</i>	<b>Date:</b> <i>2/11/09</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	✓			
2. AWANA, Karen Leinani (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HANOHANO, Faye P.	✓			
5. KEITH-AGARAN, Gilbert S.C.		✓		
6. LEE, Marilyn B.	✓			
7. NAKASHIMA, Mark M.	✓			
8. RHOADS, Karl	✓			
9. SAIKI, Scott K.	✓			
10. TAKUMI, Roy M.				✓
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
<b>TOTAL (12)</b>	<b>9</b>	<b>1</b>	<b>0</b>	<b>2</b>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> <i>Karen Awana</i>				
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