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## A BILL FOR AN ACT

RELATING TO TRAFFIC SAFETY.

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

1 SECTION 1. Section 291-11.6, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Except as otherwise provided by law, no person:

4 (1) Shall operate a motor vehicle upon any public highway  
5 unless ~~[the person is]~~ restrained by a seat belt  
6 assembly ~~[and all passengers in the front or back seat~~  
7 ~~of the motor vehicle are restrained by a seat belt~~  
8 ~~assembly if between the ages of eight and fourteen, or~~  
9 ~~are restrained pursuant to section 291-11.5 if under~~  
10 ~~eight years of age;]~~;

11 (2) If under eight years of age, shall be a passenger in  
12 the front or back seat of a motor vehicle being  
13 operated upon any public highway unless restrained  
14 pursuant to section 291-11.5;

15 (3) If between the ages of eight and seventeen inclusive,  
16 shall be a passenger in the front or back seat of a  
17 motor vehicle being operated upon any public highway  
18 unless restrained by a seat belt assembly;



1       ~~[(2)]~~ (4) If [~~fifteen~~] eighteen years of age or more, shall  
2       be a passenger in the front seat of a motor vehicle  
3       being operated upon any public highway unless [~~such~~  
4       ~~person is~~] restrained by a seat belt assembly; [~~and~~  
5       ~~(3) If between the ages of fifteen and seventeen, shall be~~  
6       ~~a passenger in the back seat of a motor vehicle being~~  
7       ~~operated upon any public highway unless such person is~~  
8       ~~restrained by a seat belt assembly.]~~ or  
9       (5) Shall be a passenger in the bed or load-carrying area  
10       of any pickup truck being operated upon any public  
11       highway unless restrained by a seat belt assembly and  
12       all of the other requirements of section 291-14 are  
13       met.

14       As used in this section:

15       "Pickup truck" has the same meaning as defined in section  
16       291-14(e).

17       "Restrained" means that the seat belt assembly is worn as  
18       it was designed and intended to be worn.

19       "Seat belt assembly" means [~~the~~]:

20       (1) The seat belt assembly that is required to be in the  
21       motor vehicle under any federal motor vehicle safety  
22       standard issued pursuant to Public Law 89-563, the



1 National Traffic and Motor Vehicle Safety Act of 1966,  
2 as amended, unless original replacement seat belt  
3 assemblies are not readily available. If replacement  
4 assemblies are not readily available, seat belts of  
5 federally approved materials with similar protective  
6 characteristics may be used. Such replacement seat  
7 belt assemblies shall be permanently marked by the  
8 belt manufacturer indicating compliance with all  
9 applicable federal standards[-]; or

10 (2) In the case of the bed or load-carrying area of a  
11 pickup truck, any safety restraint that secures and  
12 protects passengers in a manner substantially  
13 equivalent to seat belt assemblies described in  
14 paragraph (1)."

15 SECTION 2. Section 291-14, Hawaii Revised Statutes, is  
16 amended by amending subsection (a) to read as follows:

17 "(a) No person shall stand in the bed or load-carrying  
18 area of any motor vehicle commonly known as a pickup truck while  
19 the vehicle is in operation. No operator of any pickup truck  
20 shall operate the vehicle with a passenger seated in the bed or  
21 load-carrying area of the vehicle unless:



- 1 (1) There is no seating available in the cab of the
- 2 vehicle;
- 3 (2) The side racks of the vehicle are securely attached
- 4 and the tailboard or tailgate is securely closed;
- 5 (3) Every passenger in the bed or load-carrying area of
- 6 the vehicle is seated [~~on the floor~~] and does not
- 7 attempt to control unlashed cargo[-]; and
- 8 (4) Every passenger in the bed or load-carrying area of
- 9 the vehicle is restrained by a seat belt assembly
- 10 pursuant to section 291-11.6(a)(5)."

11 SECTION 3. Statutory material to be repealed is bracketed  
 12 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: Calvin L. Say  
 (By Request) f

JAN 21 2011



**Report Title:**

Seat belts; Pickup Trucks

**Description:**

Requires passengers in the bed or load-carrying area of a pickup truck to use seat belts.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

