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## A BILL FOR AN ACT

RELATING TO NOISE CONTROL.

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

1           SECTION 1. The legislature finds that inadequately  
2 controlled noise is detrimental to the State's environment and  
3 adversely affects the health, safety, and welfare of the people  
4 of the State.

5           The legislature further finds that large commercial motor  
6 vehicles, such as refuse collection vehicles, tend to operate in  
7 close proximity to residents' homes, often in the early morning  
8 hours when residents are sleeping. One particularly disruptive  
9 noise is that of an audible reverse warning system, or "back up  
10 beeper," that is triggered when a utility vehicle reverses. The  
11 loud, piercing sound of the audible warning system disrupts  
12 residents' sleep, which may affect their productivity throughout  
13 the day and ultimately be harmful to their health.

14           The legislature believes that prohibiting the use of  
15 audible reverse warning systems during evening and early morning  
16 hours, and requiring that a coworker direct the reversing of  
17 large vehicles with obstructed rear views will enhance the



1 quality of residents' lives while continuing to ensure the  
2 safety of surrounding persons and property. The legislature  
3 also believes that restricting the use of very large motor  
4 vehicles with a gross combination weight rating of 26,001 pounds  
5 or more during these hours will similarly promote the health of  
6 residents.

7 The purpose of this Act is to promote the health and  
8 welfare of residents of the State by prohibiting the following  
9 in residential zones or within one hundred feet of residential  
10 zones:

11 (1) The use of audible reverse warning systems by vehicles  
12 after 8:00 p.m. or before 8:00 a.m. on any day; and

13 (2) The operation of motor vehicles with a gross  
14 combination weight rating of 26,001 or more pounds  
15 after 8:00 p.m. or before 8:00 a.m. on any day.

16 SECTION 2. Chapter 342F, Hawaii Revised Statutes, is  
17 amended by adding a new section to part II to be appropriately  
18 designated and to read as follows:

19 "§342F- Audible reverse warning systems; large motor  
20 vehicles; quiet hours. (a) In any urban land use district, as  
21 designated pursuant to section 205-2, it shall be unlawful for a



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1 person operating a vehicle in a residential zone or within one  
2 hundred feet of a residential zone to:

3       (1) Engage an audible reverse warning system; or  
4       (2) Use any other device that emits excessive noise while  
5             the driver is reversing or backing up the vehicle,  
6 except between the hours of 8:00 a.m. and 8:00 p.m. on any day.

7       (b) The driver of a vehicle equipped with an audible  
8 reverse warning system operating before 8:00 a.m. or after  
9 8:00 p.m. on any day shall reverse or back up the vehicle only  
10 when directed by another person employed by the same entity as  
11 the driver.

12       (c) In any urban land use district, as designated pursuant  
13 to section 205-2, it shall be unlawful for a person to operate a  
14 motor vehicle with a gross combination weight rating of 26,001  
15 pounds or more within a residential zone or within one hundred  
16 feet of a residential zone in the State, except between the  
17 hours of 8:00 a.m. and 8:00 p.m. on any day; provided that this  
18 subsection shall not apply to:

19       (1) Ambulances;  
20       (2) Firefighting or rescue vehicles;  
21       (3) Police or other law enforcement vehicles;



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1       (4) Buses as defined at section 286-2; or

2       (5) Vehicles operated by a public utility as defined by  
3       section 269-1.

4       (d) Any violation of this section shall be punishable by a  
5 fine of up to \$1,000 and shall be enforceable by a police  
6 officer. Any person who violates this section may be issued a  
7 summons or citation for a violation of this section.

8       (e) Government entities, and agents acting on behalf of  
9 government entities, shall not be subject to this section.

10       (f) Any county may adopt a rule or ordinance that places  
11 stricter limitations on the use of audible reverse warning  
12 systems than are in this section. In case of a conflict between  
13 the requirements or limitations of this section and any county  
14 rule or ordinance regarding audible reverse warning systems, the  
15 more restrictive requirements shall apply."

16       SECTION 3. This Act does not affect rights and duties that  
17 matured, penalties that were incurred, and proceedings that were  
18 begun before its effective date.

19       SECTION 4. New statutory material is underscored.



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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: *Gradeschinger*  
JAN 17 2019



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**Report Title:**

Noise Control; Audible Reverse Warning System; Large Vehicles;  
Residential Zones; Quiet Hours

**Description:**

Prohibits the use of audible reverse warning systems on vehicles operating in residential zones, except between the hours of 8:00 a.m. and 8:00 p.m. on any day. Requires operators of vehicles equipped with an audible reverse warning system to reverse the vehicle only when another person is available to direct the vehicle's reversing. Prohibits the use of motor vehicle with a gross combination weight rating of 26,001 pounds or more from operating in residential zones, except between the hours of 8:00 a.m. and 8:00 p.m. on any day. Subjects violators to a fine of up to \$1,000.

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

