THE SENATE TWENTY-FOURTH LEGISLATURE, 2007 STATE OF HAWAII

S.B. NO. 20

JAN 1 7 2007

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 increased development in Hawaii, there has been an increase in 2 3 noise pollution. One of the contributors to noise pollution is the loud beeping sound emitted by large vehicles when they are 4 5 reversing. State law requires certain large vehicles to be 6 equipped with an audible reverse warning system to warn pedestrians and others in the close vicinity of a large vehicle 7 that the vehicle is about to reverse. When these vehicles 8 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, audible reverse warning systems are exempt and the department 13 has no authority to compel compliance. 14

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 the vehicle is

18 guided by a person other than the driver of the vehicle. SB LRB 07-0921.doc

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

3 "\$291-35.1 Regulation of bumper height[-]; reverse warning
4 <u>systems. (a)</u> Maximum bumper heights of motor vehicles shall be
5 determined by the weight category of gross vehicle weight rating
6 (GVWR) as measured from a level surface to the highest point on
7 the bottom of the bumper. Maximum heights are as follows:

8	Gross Vehicle Weight Rating	Front	Rear
9	Passenger vehicles	22 inches	22 inches
10	4,500 lbs. and under	29 inches	29 inches
11	4,501 lbs. to 7,500 lbs.	33 inches	33 inches
12	7,501 lbs. to 10,000 lbs.	35 inches	35 inches

13 For any vehicle with bumpers or attaching components which 14 have been modified or altered from the original manufacturer's 15 design to conform with the maximum bumper height requirements of 16 this section, the bumper height shall be measured from a level 17 surface to the bottom of the bumper. The vehicle frame rail, 18 measured from a level surface to the bottom of the vehicle frame 19 rail, shall not exceed the attached bumper height. The maximum 20 distance between vehicle body to vehicle frame rail shall not 21 exceed three inches. The distance between the vehicle body to 22 vehicle frame rail shall be measured from the vehicle body mount



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seat to the vehicle frame rail mount seat. "Bumper", for 1 2 purposes of this section means a horizontal load bearing 3 protective system installed on a motor vehicle which is constructed of sturdy materials that will not shatter or split 4 5 upon moderate impact and provides adequate protection against damages to the front and rear external lighting and reflective 6 7 devices, hood, trunk, doors, painted surfaces, cooling system, 8 exhaust system, and other components during a low speed impact. 9 (b) Any vehicle that exceeds the Vehicle Equipment Safety Commission - Regulation 12 recommended bumper height, based on 10 11 the gross vehicle weight rating, shall be equipped with an 12 audible reverse warning system [-]; provided that an audible 13 reverse warning system may be manually turned off for noise 14 control purposes between the hours of 10:00 p.m. and 6:00 a.m., if the vehicle is quided by a person other than its driver, who 15 16 is positioned behind the vehicle and has a clear view of both 17 the vehicle's rearward path and the vehicle's driver. Any 18 mechanism permitting the audible reverse warning system to be 19 manually disengaged shall automatically turn itself off and re-20 engage the audible reverse warning system after a fixed period 21 of time specified by rule. The director of transportation shall adopt rules under chapter 91 to implement this subsection. 22



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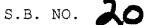
1 [The] <u>An</u> audible reverse warning system is not required on any 2 open cab vehicle with a distance of less than four feet from the 3 rear of the driver's seating position to the rear most part of 4 the vehicle body."

5 SECTION 3. Statutory material to be repealed is bracketed6 and stricken. New statutory material is underscored.

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

INTRODUCED BY: Maine &. Anomp

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Report Title: Audible Reverse Warning Systems

Description:

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

