

JAN 17 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
2 increased development in Hawaii, there has been an increase in
3 noise pollution. One of the contributors to noise pollution is
4 the loud beeping sound emitted by large vehicles when they are
5 reversing. State law requires certain large vehicles to be
6 equipped with an audible reverse warning system to warn
7 pedestrians and others in the close vicinity of a large vehicle
8 that the vehicle is about to reverse. When these vehicles
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,
13 audible reverse warning systems are exempt and the department
14 has no authority to compel compliance.

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.



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

3 "**§291-35.1 Regulation of bumper height[-]; reverse warning**
4 **systems.** (a) 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



1 seat to the vehicle frame rail mount seat. "Bumper", for
2 purposes of this section means a horizontal load bearing
3 protective system installed on a motor vehicle which is
4 constructed of sturdy materials that will not shatter or split
5 upon moderate impact and provides adequate protection against
6 damages to the front and rear external lighting and reflective
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
10 Commission - Regulation 12 recommended bumper height, based on
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.,
15 if the vehicle is guided by a person other than its driver, who
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
22 adopt rules under chapter 91 to implement this subsection.



1 [The] An 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 bracketed
6 and stricken. New statutory material is underscored.

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

8

INTRODUCED BY: *James R. Inouye*



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.

