

JAN 17 2014

A BILL FOR AN ACT

RELATING TO PICKUP TRUCKS.

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

SECTION 1. Section 291-14, Hawaii Revised Statutes, is amended to read as follows:

"§291-14 Pickup trucks; passenger restrictions. (a) No person shall stand in the bed or load-carrying area of any motor vehicle commonly known as a pickup truck while the vehicle is in operation. No operator of any pickup truck shall operate the vehicle with a passenger seated in the bed or load-carrying area of the vehicle ~~[unless:~~

~~(1) There is no seating available in the cab of the vehicle;~~

~~(2) The side racks of the vehicle are securely attached and the tailboard or tailgate is securely closed;~~

~~(3) Every passenger in the bed or load-carrying area of the vehicle is seated on the floor and does not attempt to control unlash cargo.~~

~~(b) This section shall not apply to persons or corporations operating a business or businesses that serve the public, who or which are subject to the jurisdiction,~~



1 ~~supervision, and regulations prescribed by state agencies or~~
2 ~~departments nor to their agents or employees when engaged in the~~
3 ~~business of such persons or corporations.~~

4 ~~(c) No operator of any pickup truck may operate the~~
5 ~~vehicle with any passenger twelve years of age or under in the~~
6 ~~bed or load-carrying area of the vehicle,] unless one of the~~
7 following applies:

8 (1) The vehicle is being driven on any public street,
9 road, or highway other than an interstate freeway at a
10 speed no greater than thirty-five miles per hour;

11 ~~[(1)]~~ (2) An emergency exists that threatens the life of
12 the passenger being transported in the bed or load-
13 carrying area of the vehicle; or

14 ~~[(2)]~~ (3) The vehicle is being operated in parades,
15 caravans, or exhibitions which are officially
16 authorized or otherwise permitted by law.

17 (b) No operator of any pickup truck shall operate the
18 vehicle with a passenger seated in the bed or load-carrying area
19 of the vehicle on an interstate freeway unless an emergency
20 exists that threatens the life of any passenger.

21 (c) No person shall hang on or otherwise attach the
22 person's self to the outside, top, hood, or fenders of any motor



1 vehicle or to any other portion thereof, other than the specific
2 enclosed portion of such vehicle intended for passengers or
3 while in a sitting position in the cargo area of a vehicle if
4 such area is fully or partially enclosed on all four sides,
5 while the vehicle is in motion. This subsection shall not apply
6 to parades, caravans, or exhibitions that are officially
7 authorized or otherwise permitted by law.

8 (d) Any person who violates this section shall be subject
9 to a fine of [~~\$25~~] \$100 for each [~~violation; provided that any~~
10 ~~person who violates subsection (c) shall be subject to a fine of~~
11 ~~\$50 for each separate~~] violation.

12 (e) As used in this section, "pickup truck" means a light
13 truck that has a cab on the front part of the vehicle covering
14 the driver's seat and an open bed behind the cab designed
15 primarily to transport property or cargo, with sides and a
16 tailgate to retain the contents within the confines of the bed,
17 and has a maximum gross vehicle weight rating (GVWR) of 11,000
18 pounds or less."

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval.

2 INTRODUCED BY: Michelle Sidani



S.B. NO. 2325

Report Title:

Pickup Truck Passengers; Vehicle Safety

Description:

Prohibits operation of a pickup truck with a passenger in the bed or load-carrying area on interstate freeways, except in life-threatening emergency situations. Permits the operation of a pickup truck with a passenger in the bed or load-carrying area when driving on a public street, road, or highway other than an interstate freeway at a speed of no more than 35 miles per hour. Prohibits individuals from hanging on to the outside of any vehicle other than the enclosed portion intended for passengers. Increases the fine for violations.

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