THE SENATE
TWENTY-NINTH LEGISLATURE, 2017
STATE OF HAWAII

S.R. NO. 51

MAR 10 2017

SENATE RESOLUTION

REQUESTING THE COUNTIES TO REVISE THEIR PRACTICES TO ALLEVIATE THE EFFECTS OF AUDIBLE REVERSE WARNING SYSTEMS, OR BACK-UP BEEPERS, ON REFUSE COLLECTION VEHICLES.

WHEREAS, the regulations of the Occupational Safety and Health Administration concerning the use of backup beepers, at 29 C.F.R. 1926.601(b)(4), do not specifically address refuse collection vehicles; and

WHEREAS, among the industries that the Occupational Safety and Health Administration does regulate, such as construction, vehicles with an obstructed view to the rear are permitted to reverse by either using an audible reverse warning system or an observer who signals that it is safe to reverse the motor vehicle; and

WHEREAS, in a 2010 report entitled *Technology for a Quieter America*, the National Academy of Engineering cited backup beepers as one of the six top noise sources people associated with behavioral and emotional consequence; and

WHEREAS, while the standard back-up beeper uses a single tone, typically at a volume of ninety-seven to one hundred twelve decibels, and can be heard from blocks away, the effectiveness of back-up beepers is diminished due to background noise, unconscious adjustment to the overuse of alarms, and the difficulty of the listener in pinpointing its location; and

WHEREAS, the National Institute for Occupational Safety and Health's recommended exposure limit for occupational noise exposures of workers was first established in 1998 and is set at eighty-five decibels, A-weighted (db(A)) for an eight-hour time-weighted average, meaning a person continuously exposed to eighty-five dB(A) over an eight-hour work shift will reach one hundred per cent of the person's daily noise dose; and

WHEREAS, there are existing alternative technologies that are less intrusive than the standard back-up beeper, including ambient-sensitive, self-adjusting backup alarms that increase or

decrease their volume based on background noise levels, manually-adjusted alarms, broadband beepers, backup cameras, and radar systems; and

WHEREAS, the Federal Highway Administration, as part of its "Making Work Zones Work Better" workshop series, identified several noise control options for construction equipment back-up beepers, including self-adjusting alarms, manually-adjusted alarms, using an observer instead of an alarm, and configuring traffic patterns to minimize backing movement; and

WHEREAS, in Hawaii's noise pollution law at section 342F-1, Hawaii Revised Statutes, "excessive noise" is defined in part as noise emitted at "a volume or in quantities and for durations which endangers human health, welfare or safety, animal life, or property or which unreasonably interferes with the comfortable enjoyment of life and property"; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017, that the Legislature finds that reducing refuse collection vehicles' use of back-up beepers and instead having a co-worker direct the reversing vehicle will increase the quality of residents' lives without reducing safety; and

BE IT FURTHER RESOLVED that county practices be revised to utilize alternative methods of signaling when backing up refuse collection vehicles, other than an audible reverse warning system, between 10:00 p.m. and 7:00 a.m. on any day of the week; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Mayor and Chairperson of the Council of each county, all of whom are, in turn, requested to transmit copies to the head of each department or agency, as the case may be, within their respective jurisdictions.

OFFERED BY: _____