

JAN 19 2018

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.

3 The purpose of this Act is to promote the health and
4 welfare of residents of the State by prohibiting the use of
5 audible reverse warning systems by vehicles in residential zones
6 or within one hundred feet of residential zones after 8:00 p.m.
7 or before 8:00 a.m. on any day.

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

11 **"§342F- Audible reverse warning systems; quiet hours.**

12 (a) In any urban land use district, as designated pursuant to
13 section 205-2, it shall be unlawful for a person operating a
14 vehicle in a residential zone or within one hundred feet of a
15 residential zone to:

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

20 (b) The driver of a vehicle equipped with an audible
21 reverse warning system operating before 8:00 a.m. or after



1 8:00 p.m. on any day shall reverse or back up the vehicle only
2 when directed by another person employed by the same entity as
3 the driver.

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

10 (e) 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 the audible reverse warning systems,
15 the 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.

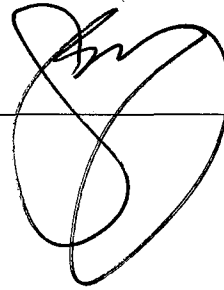


S.B. NO. 2706

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

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INTRODUCED BY: _____

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S.B. NO. 2706

Report Title:

Audible Reverse Warning System; 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. 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.

