

JAN 25 2023

A BILL FOR AN ACT

RELATING TO TRUCK BEDS.

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

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

3 (1) By amending subsection (a) to read as follows:

4 "(a) No person shall stand in the bed or load-carrying
5 area of any motor vehicle commonly known as a pickup truck while
6 the vehicle is in operation. No operator of any pickup truck
7 shall operate the vehicle with a passenger seated in the bed or
8 load-carrying area of the vehicle [~~unless:~~

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

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

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

16 except under subsection (c)."

17 (2) By amending subsections (c) and (d) to read as
18 follows:

S.B. NO. 1410

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

5 (1) An emergency exists that threatens the life of the
6 passenger being transported in the bed or load-
7 carrying area of the vehicle; or

8 (2) The vehicle is being operated in parades, caravans, or
9 exhibitions [~~which~~] that are officially authorized or
10 otherwise permitted by law.

11 (d) Any person who violates this section shall be subject
12 to a fine of \$25 for each violation[~~, provided that any person~~
13 ~~who violates subsection (c) shall be subject to a fine of \$50~~
14 ~~for each separate violation]."~~

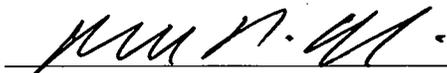
15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: 

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BY REQUEST

S.B. NO. 1410

Report Title:

Pickup Trucks; Passengers in Load-carrying Area or Beds

Description:

Repeals several exemptions from the prohibition on operating a pickup truck with a passenger seated in the bed or load-carrying area, including the exemption that allows passengers over twelve years of age to ride in the bed or load-carrying area.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

SB. NO. 1410

JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO TRUCK BEDS.

PURPOSE: To repeal several exemptions from the prohibition on operating a pickup truck with a passenger seated in the bed or load-carrying area, including the exemption that allows passengers over twelve years of age to ride in the bed or load-carrying area.

MEANS: Amend section 291-14(a), (c), and (d), Hawaii Revised Statutes.

JUSTIFICATION: Cargo areas of motor vehicles with beds, commonly known as pickup trucks, are not designed to transport occupants. When involved in a crash an occupant seated in the cargo area of a pickup truck can be thrown from the bed of the pickup truck and sustain serious injuries or worse.

According to Fatal Analysis Reporting System, from 2015 through 2019, there were two roadway crashes that resulted in four fatalities on our roadways due to the victims riding in the bed of a truck.

Impact on the public: This bill will lessen the impact on occupants involved in crashes.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: TRN-597.

OTHER AFFECTED

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AGENCIES: None.

EFFECTIVE DATE: Upon approval.