

JAN 20 2011

A BILL FOR AN ACT

RELATING TO PASSENGER SAFETY FOR PICKUP TRUCKS.

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

1 SECTION 1. Hawaii law prohibits the operation of a pickup
2 truck with any passenger twelve years of age or under in the bed
3 or load-carrying area of the truck. However, the legislature
4 finds that recent accidents resulting in the death of or injury
5 to persons riding in pickup truck beds underlines the need to
6 strengthen Hawaii law.

7 The purpose of this Act is to additionally require that no
8 pickup truck may be operated unless all passengers seated in the
9 bed or load-carrying area of the truck are restrained by a seat
10 belt assembly and seated in a secured mounted seat that is in
11 full compliance with state and federal safety laws, rules,
12 regulations, and guidelines. This Act does not affect the
13 exception currently provided under section 291-14(b), Hawaii
14 Revised Statutes, that is applicable to persons or corporations
15 operating a business or businesses that serve the public.

16 SECTION 2. Section 291-14, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:



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

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

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

10 (3) ~~[Every passenger]~~ The passengers in the bed or load-
11 carrying area of the vehicle ~~[is seated on the floor~~
12 ~~and does]~~ do not attempt to control unlashd cargo[-];
13 and

14 (4) Every passenger in the bed or load-carrying area of
15 the vehicle is restrained by a seat belt assembly, as
16 defined in section 291-11.6 and seated in a securely
17 mounted seat. The department of transportation shall
18 adopt rules to carry out the purposes of this
19 paragraph that are in compliance with federal and
20 state safety laws, rules, regulations, and
21 guidelines."
22



S.B. NO. 59

1 SECTION 3. This Act shall be self-executing without regard
2 to whether administrative rules have been adopted by the
3 effective date of this Act for regulation of a secured mounted
4 seat for purposes of this Act.

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on January 1, 2012.

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INTRODUCED BY:

Will Eyo
Mike Galt
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Report Title:

Pickup Trucks; Passenger Restraints; Secured Mounted Seat

Description:

Prohibits pickup truck passengers from riding in the bed or load-carrying area unless securely fastened by approved passenger restraint system and seated in a secured mounted seat. Eff. 1/1/2012.

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

