

JAN 20 2010

A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. Chapter 291, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§291- Towing safety apparatus. (a) No driver of a
5 motor vehicle shall tow on any highway any trailer, semitrailer,
6 or pole trailer, or any combination thereof, unless the trailer,
7 semitrailer, or pole trailer, or any combination thereof, is
8 safely secured by a towing safety apparatus to the motor vehicle
9 that is towing the trailer, semitrailer, or pole trailer, or any
10 combination thereof.

11 (b) For purposes of this section, a trailer, semitrailer,
12 or pole trailer, or any combination thereof, that breaks away
13 from the motor vehicle that is towing the trailer, semitrailer,
14 or pole trailer, or any combination thereof, shall be prima
15 facie evidence of a violation of this section. The driver of
16 the motor vehicle that is towing a trailer, semitrailer, or pole
17 trailer, or any combination thereof, may be subject to a traffic



1 stop by any law enforcement officer authorized to enforce this
2 chapter for purposes of inspection of the towing safety
3 apparatus.

4 (c) This section shall not apply to towing companies.

5 (d) For purposes of this section, "towing safety
6 apparatus" means a standard set-up of a trailer receiver hitch
7 connected to a ball mount or draw bar that is secured with a
8 locking pin, and chains or cables for added security to keep the
9 trailer safely connected to the motor vehicle if the trailer
10 becomes unhitched from the ball mount or draw bar while being
11 towed.

12 (e) Any person who violates this section shall be fined
13 not less than \$1,000 and not more than \$5,000 per violation."

14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Will Evers
Mike Hubbard
Michelle N. Tidani
Asad Ylge
Chris Johnson



Report Title:

Motor Vehicles; Trucks; Trailers; Towing Safety Apparatus

Description:

Requires motor vehicles and trucks to be equipped with towing safety apparatus to safely secure a towed trailer.

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