
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Section 291-24, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§291-24~~ Motorcycles, motor scooters, and mopeds~~[7]~~; noisy
4 mufflers; penalty. (a) Every motorcycle, motor scooter, and
5 moped moving under its own power on a public highway shall at
6 all times be equipped with a muffler that does not emit a noise
7 level of decibels or more, unless the muffler or exhaust
8 system is the muffler or exhaust system originally installed on
9 the motorcycle, motor scooter, or moped. [~~in constant operation~~
10 ~~to prevent any excessive or unusual noise and no~~] No such
11 muffler or exhaust system shall be equipped with a cutout,
12 bypass, or similar device. [~~No person shall modify the exhaust~~
13 ~~system of a motorcycle or a moped in a manner which will amplify~~
14 ~~or increase the noise emitted by the motor of such motorcycle or~~
15 ~~moped above that emitted by the muffler originally installed on~~
16 ~~the motorcycle or moped except]~~

17 (b) Subsection (a) notwithstanding, a motorcycle, motor
18 scooter, or moped that:



- 1 (1) Has three wheels;
- 2 (2) Is powered by an electric motor;
- 3 (3) Has a full body enclosed cab; and
- 4 (4) Has a seat belt assembly or a child restraint system
- 5 for the driver and passenger;
- 6 shall not be required to be equipped with a muffler.

7 ~~[(b)]~~ (c) As used in this section~~["muffler"]~~:

8 "Motorcycle," "motor scooter," and "moped" shall have the

9 same meaning as defined in section 286-2.

10 "Muffler" means a device consisting of a series of chambers

11 or baffle plates, or other mechanical design, for the purpose of

12 receiving exhaust gas from the engine of the motorcycle, motor

13 scooter, or moped, and being effective in reducing noise.

14 ~~[(e)]~~ (d) Whoever violates this section shall be ~~[fined]~~:

15 (1) Required to equip the motorcycle, motor scooter, or

16 moped with a muffler or exhaust system that does not

17 emit a noise level above the decibel level established

18 under subsection (a);

19 (2) Required to obtain a safety inspection to ensure

20 compliance with this section; and

21 (3) Fined not more than [~~\$100.~~] \$200; provided that after

22 the first violation, the fine shall be:



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- 1 (A) \$300 for the second violation; and
- 2 (B) \$500 for the third and for each subsequent
- 3 violation."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

7

INTRODUCED BY: Ony. 2-(AR)

JAN 20 2011



Report Title:

Motorcycles; Motor Scooters; Mopeds; Noise Emission; Mufflers

Description:

Prohibits motorcycle, motor scooter, and moped mufflers from emitting a noise level above an unspecified decibel level. Provides a graduated schedule of fines for first, second, and subsequent violations.

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

