

HB1189 HD1 RELATING TO TRANSPORTATION

Clarifies the prohibition on the modification of the exhaust system of a moped that amplifies or increases the noise emitted by the muffler originally installed on the moped. Effective January 1, 2014.

HEARING DATE: Monday, February 25, 2013

LOCATION: STATE CAPITOL Room 325

TESTIMONY SUBMITTED BY: Robert Rodman

This Bill is a step in the right direction towards quieting down our streets from the existing war zone level of sounds put out by these noise making vehicles, but where are the penalties and shouldn't motorcycles be included too? Without including substantial penalties for not having a muffler at all or a modified one on motorcycles and mopeds, this Bill is a toothless tiger and a waste of time.

AND, the Committee should realize that the real sources of our problem with motorcycles and moped vehicles constantly parading through our neighborhoods **WITHOUT ANY required mufflers** are the Licensed Official State of Hawaii Vehicle Inspection Stations who *fraudulently* issue **Official State Vehicle Inspection Stickers** to Motorcycles and Mopeds who don't have the size and type of muffler that the manufacturer was required to install on it by the US Department of Transportation.

I have attached 5 photos of such motorcycles seen recently in Waikiki which have **NO required muffler** attached to the vehicle's exhaust system. All three of these vehicles were creating ear splitting sounds when their drivers obnoxiously revved and revved their motors at stop lights and during accelerations. These ear splitting noises could be heard blocks away and are amplified by tall towers so that the residents and visitors in the upper units of the towers have to endure the amplified HUGE VOLUME put out by these Licensed vehicles bearing fraudulently issued State of Hawaii Vehicle Inspection Stickers.

This bill needs to be amended to include the following PENALTIES for violating the muffler requirements:

1. Any Licensed **Official Hawaii State Vehicle Inspection Station** that issues a new Inspection Sticker to a motorcycle or moped vehicle that DOES NOT have the size and type of muffler required by the US Department of Transportation for the vehicle shall be subject to these penalties:
First Offence - \$5,000;
Second Offence - \$20,000 and suspension of Inspection Station License for six (6) months;
Third Offense - \$50,000, one year in jail (for the person or employee who issued the fraudulent Inspection Sticker), Permanent Prohibition of the person(s) who owned the Inspection Station from obtaining a license to operate an Official State of Hawaii Vehicle Inspection Station and forfeiture of the property used to fraudulently Issue the Hawaii State Inspection Sticker.
2. Any operator of a motorcycle or moped vehicle that does not have the US Department of Transportation required muffler attached to the vehicle's exhaust system and who is operating their vehicle on public streets or roadways in the State of Hawaii shall be subject to these penalties:
First Offense - \$500;
Second Offense - \$2,000
Third Offense - \$10,000, one year in jail, forfeiture of the vehicle by the owner on the spot.





