

JAN 23 2015

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE NOISE.

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 part II to be appropriately
3 designated and to read as follows:

4 "§291- Prohibited noise; exemptions. (a) No person or
5 persons shall play, use, operate, or permit to be played, used,
6 or operated, any:

7 (1) Radio;

8 (2) Tape recorder;

9 (3) Cassette player;

10 (4) Compact disc player; or

11 (5) Other machine or device for reproducing sound,

12 if it is located in or on any motor vehicle on a public street,

13 highway, or public space and the sound generated is plainly

14 audible at a distance of thirty feet from the device producing

15 the sound.

16 (b) Possession by a person or persons of any of the

17 machines or devices enumerated in subsection (a) shall be prima



1 facie evidence that that person operates, or those persons
2 operate, the machine or device.

3 (c) This section shall not apply to:

4 (1) Operators of motor vehicles used for law enforcement
5 or emergency purposes;

6 (2) Motorists who use a horn or other warning device
7 supplied as part of the motor vehicle's original
8 equipment; or

9 (3) Commercial, religious, political, civic, charitable,
10 athletic, or other organizations or individuals that
11 obtain from a county a permit for activities such as
12 carnivals, parades, fund raisers, fairs, bazaars,
13 public speeches, and meetings.

14 (d) Any violation of this section shall constitute a
15 violation and shall be enforceable by police officers. Any
16 person who violates this section may be issued a summons or
17 citation for the violation.

18 (e) Any person who violates this section shall be punished
19 by a fine of:

20 (1) \$100 for the first offense;



1 (2) \$500 for a second offense within six months of the
 2 first offense; and
 3 (3) \$1,000, or forfeiture of the sound system or
 4 components of the sound system up to \$1,000 in value,
 5 or a combination of forfeiture and fine to total
 6 \$1,000 for conviction of a third offense within one
 7 year of the first offense.

8 (f) As used in this section, "plainly audible" means any
 9 sound that can be detected by a person using unaided hearing
 10 faculties."

11 SECTION 2. This Act does not affect rights and duties that
 12 matured, penalties that were incurred, and proceedings that were
 13 begun before its effective date.

14 SECTION 3. New statutory material is underscored.

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

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S.B. NO. 861

Report Title:

Motor Vehicle Noise; Sound Devices

Description:

Prohibits noise from a radio, tape player, or other sound-making device on a motor vehicle that is audible from thirty feet.

Establishes penalties for violations. Provides exemptions.

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

