



**LATE TESTIMONY** testimony by:

FORD N. FUCHIGAMI  
DIRECTOR

Deputy Directors  
JADE T. BUTAY  
RDSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 26, 2016  
2:00 P.M.  
State Capitol, Room 325

**H.B. 1753, H.D. 2  
RELATING TO MOPEDS**

House Committee on Judiciary

The Department of Transportation (DOT) provides **comments with amendments** for this bill that requires the Director of Finance to issue moped number plates, requires annual registration of mopeds and stipulates registration fee for a moped shall be \$50.00.

DOT believes that there is not a need for the Director of Transportation to adopt rules regarding the regulation and specification of moped number plates since rules do not exist for the issuance of all other number license plates issued by the county director of finance.

In addition, DOT believes that amending section 249-7, Hawaii Revised Statutes (HRS) will accomplish the intent of the two proposed new sections within Section 2 of the bill entitled:

- Mopeds; number plates; and
- Fraudulent use of moped number plates; penalties.

Therefore, DOT recommends the deletion of the proposed two new sections identified in the paragraph above and replace it with the below amendments that adds language to subsection (a) and adds language that creates a new subsection (f) to section 249-7, HRS in Section 2 of this bill.

SECTION 2. Section 249-7, Hawaii Revised Statutes, is amended to read as follows:

§249-7 Number plates. (a) Upon receipt of the tax the director of finance shall number and register the vehicle in the owner's name in a permanent record or book to be kept by the director for this purpose, and shall furnish the owner thereof with a receipt showing upon its face the license number issued for the vehicle and the fact that the license tax has been paid thereon for the whole or the remainder of the current year

Dear Chair Rhodes,

I am writing to offer testimony in support of HB 1753. The issue of noise generated by excessively loud mopeds has been a constant complaint in McCully-Moiliili for years.

Including the four points listed below in HB 1753 would be a good first step in alleviating the serious problem of loud mopeds.

**1. Require an annual safety inspection**

Annual safety inspections would detect illegal modifications and help reduce the number of modified mopeds on the public roads.

**2. Authorize police to require inspection and correction of mopeds suspected of illegal alterations.**

This is another way to deter these illegal moped modifications. Police officers, when they have reasonable belief that a moped is unsafe or is not equipped as required by law, can require the owner or driver to submit the moped to an inspection or make the necessary corrections or repairs.

**3. Require license plates for easier detection of violators.**

In addition to proof of registration decal stickers, a license plate would be more visible and allow the police and public to identify mopeds suspected of a violation.

**4. Increase fines for modifying moped motors and mufflers.**

Tougher penalties may help deter violators and help reduce unlawful modifications.

Please help improve the quality of life on Oahu by including these points in HB 1753 and by supporting the bill.

Respectfully,  
Klement Kondratovich

747 Wiliwili Street  
1701  
Honolulu, HI 96826

**TESTIMONY OF**  
**LARRY S VERAY**  
**TO THE HOUSE COMMITTEE ON JUDICIARY**  
**ON HB1753 HD2 RELATING TO LEGISLATION OF MOPEDS**  
**FEBRUARY 24, 2016**

Aloha Chair Rhoades and members of the Committee on Judiciary. Thank you for allowing me the opportunity to provide testimony in support of HB1753 HD2. I am Chair for the Pearl City Neighborhood Board and I represent the many citizens who are negatively impacted by excessive moped exhaust noise and that loud noise waking individuals and families at all hours of the day. Our citizens deserve the best quality of life in Hawaii. The Pearl City Neighborhood Board unanimously passed a resolution in support of legislation to help reduce noise from illegally modified mopeds. Our Board submits and requires the following provisions:

- **Require annual moped safety inspections.**  
These inspections examine mufflers for modifications that increase moped noise, according to the State Department of Transportation's Moped Inspection Handbook.
- **Allow police to require an inspection or correction of mopeds suspected of illegal modifications.**  
This authorization would ensure compliance with the safety check process by citing people who might modify their mopeds after a safety inspection.
- **Increase fines for illegally modifying moped motors and mufflers.**  
Higher fines are justified when moped owners intentionally break the law by modifying their motor and muffler, which results in higher than allowed speeds and excessive noise. This is an abuse of the moped vehicle category.
- **Require license plates for easier identification of violators.**  
This ensures more accountability for moped drivers' actions.

In closing, I urge you to pass HB1753 HD2 and mandate annual safety inspections, police law enforcement, increase fines for illegally modified mopeds and initiate license plates at time of moped registration. These initiatives may prevent the loss of life from moped excessive speeds on our roads and mitigating excessive moped exhaust noise. Thank you for your support.

Very respectfully,

Larry S. Veray



**LILIIHA/ PUUNUI/ ALEWA/ KAMEHAMEHA HEIGHTS NEIGHBORHOOD BOARD NO. 14**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov/nco>

**RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL AND THE HAWAII STATE LEGISLATURE  
TO ENACT LAWS THAT REDUCE EXCESSIVE MOPED NOISE**

**WHEREAS**, there are more than 36,000 registered mopeds on Oahu; and

**WHEREAS**, neighborhood boards across Oahu have reported numerous complaints about excessive moped noise in their communities over the years; and

**WHEREAS**, excessive moped noise negatively impacts citizens' quality of life, as well as the visitor experience, both essential to our state's economic vitality; and

**WHEREAS**, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures for this vehicle type; and

**WHEREAS**, it is currently illegal to modify a moped exhaust system that increases its noise above the original manufacturer equipment, but existing fines are negligible and there is no law allowing officers the ability to submit mopeds to inspections when there is reasonable cause to believe there is a violation; and

**WHEREAS**, mopeds are not required to display clearly identifiable license plates and, consequently, are difficult for concerned citizens to report them on infractions of law; and

**WHEREAS**, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

**WHEREAS**, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now, therefore

**BE IT RESOLVED**, the Liliha/ Puunui/ Alewa/ Kamehameha Heights Neighborhood Board No. 14 requests the Honolulu City Council to adopt Bill 83 (2015), and the state legislature to pass legislation, to require annual safety inspections of mopeds; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not equipped as required by law, comparable to requirements for other motorized vehicles using public roadways; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to increase the fines for violations of motor and muffler modifications exceeding the manufacturer limits; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to statutorily distinguish mopeds from bicycles, such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

**BE IT FINALLY RESOLVED**, that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the Department of Transportation Services, House members in Districts 17-51; Senators in Districts 9-25, the Director of the State Department of Transportation, and the Chairs of the Neighborhood Boards.

INTRODUCED BY:

Tyler Dos Santos-Tam  
Board Member

**LATE**

DATE OF INTRODUCTION: Monday, February 8, 2016



DIAMOND HEAD/KAPAHULU/ST. LOUIS HEIGHTS NEIGHBORHOOD BOARD NO. 5  
c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL AND THE HAWAII STATE  
LEGISLATURE TO ENACT LAWS THAT REDUCE EXCESSIVE MOPED NOISE

WHEREAS, there are reportedly more than 36,000 mopeds on Oahu; and

WHEREAS, neighborhood boards across Oahu have reported numerous complaints about excessive moped noise in their communities over the years; and

WHEREAS, excessive moped noise negatively impacts citizens' quality of life, as well as the visitor experience, both essential to our state's economic vitality; and

WHEREAS, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures for this vehicle type; and

WHEREAS, it is currently illegal to modify a moped exhaust system that increases its noise above the original manufacturer equipment, but existing fines are negligible and there is no law allowing officers the ability to submit mopeds to inspections when there is reasonable cause to believe there is a violation; and

WHEREAS, mopeds are not required to display clearly identifiable license plates and, consequently, are difficult for concerned citizens to report them on infractions of law; and

WHEREAS, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

WHEREAS, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now, therefore

BE IT RESOLVED, the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5 requests the Honolulu City Council to adopt Bill 83 (2015) to require annual safety inspections of mopeds; and

BE IT FURTHER RESOLVED, the Board requests the state legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not equipped as required by law, comparable to requirements for other motorized vehicles using public roadways; and

BE IT FURTHER RESOLVED, the Board requests the state legislature to increase the fines for violations of motor and muffler modifications exceeding the manufacturer limits; and

BE IT FURTHER RESOLVED, the Board requests the state legislature to statutorily distinguish mopeds from bicycles, such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

BE IT FINALLY RESOLVED, that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the Department of Transportation Services, House members in Districts 17-51; Senators in Districts 9-25, the Director of the State Department of Transportation, and the Chairs of the Neighborhood Boards.

INTRODUCED BY:

*K. Russell Ho For*

George West, Chair

DATE OF INTRODUCTION: January 14, 2016



**PEARL CITY NEIGHBORHOOD BOARD NO. 21**

C/o NEIGHBORHOOD COMMISSION OFFICE • 530 SO. KING STREET, RM. 406 • HONOLULU, HAWAII 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**Board Officers:**

**Chair:**  
Larry Veray.

**Vice-Chair:**  
Blake Yokotake

**Secretary:**  
Kelaey Poaha

**Treasurer:**  
Miles Murakami

**Board Members:**

Myrtle Nyuha  
Sol-Ray Duncan  
Cruz Vina Jr.  
Roger Clemente  
Mitsuko Hayakawa  
Andrew Itsuno  
Guy Inouye

**RESOLUTION REQUESTING HONOLULU CITY COUNCIL AND HAWAII STATE LEGISLATURE TO ENACT LAWS THAT REDUCE EXCESSIVE MOPED NOISE**

**WHEREAS**, there are reportedly more than 36,000 mopeds on Oahu; and

**WHEREAS**, neighborhood boards across Oahu have reported numerous complaints about excessive moped noise in their communities over the years; and

**WHEREAS**, excessive moped noise negatively impacts citizens' quality of life, as well as the visitor experience, both essential to our state's economic vitality; and

**WHEREAS**, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures for this vehicle type; and

**WHEREAS**, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures for this vehicle type; and

**WHEREAS**, it is currently illegal to modify a moped exhaust system that increases its noise above the original manufacturer equipment, but existing fines are negligible and there is no law allowing officers the ability to submit mopeds to inspections when there is reasonable cause to believe there is a violation; and

**WHEREAS**, mopeds are not required to display clearly identifiable license plates and, consequently, are difficult for concerned citizens to report them on infractions of law; and

**WHEREAS**, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

**WHEREAS**, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now, therefore

**BE IT RESOLVED**, the Pearl City Neighborhood Board No. 21 requests the Honolulu City Council and support from the State Legislature to adopt Bill 83 (2015) to require annual safety inspections of mopeds; and

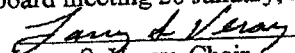
**BE IT FURTHER RESOLVED**, the Board requests the state legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not equipped as required by law, comparable to requirements for other motorized vehicles using public roadways; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to increase the fines for violations of motor and muffler modifications exceeding the manufacturer limits; and

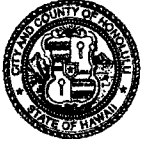
**BE IT FURTHER RESOLVED**, the Board requests the state legislature to statutorily distinguish mopeds from bicycles, such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

**BE IT FINALLY RESOLVED**, that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the Department of Transportation Services, House members in Districts 17-51; Senators in Districts 9-25, the Director of the State Department of Transportation, and the Chairs of the Neighborhood Boards.

**Adopted** by the Pearl City Neighborhood Board No. 21 at its regular board meeting 26 January, 2016 by Board vote 11-0-0.

  
Larry S. Veray, Chair





**McCULLY/MO'ILI'ILI NEIGHBORHOOD BOARD NO. 8**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII, 96813  
TELEPHONE: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL AND THE HAWAII STATE LEGISLATURE TO ENACT LAWS THAT REDUCE EXCESSIVE MOPED NOISE**

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**WHEREAS**, excessive moped noise negatively impacts citizens' quality of life, as well as the visitor experience, both essential to our state's economic vitality; and

**WHEREAS**, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures for this vehicle type; and

**WHEREAS**, it is currently illegal to modify a moped exhaust system that increases its noise above the original manufacturer equipment, but existing fines are negligible and there is no law allowing officers the ability to submit mopeds to inspections when there is reasonable cause to believe there is a violation; and

**WHEREAS**, mopeds are not required to display clearly identifiable license plates and, consequently, are difficult for concerned citizens to report them on infractions of law; and

**WHEREAS**, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

**WHEREAS**, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now, therefore

**BE IT RESOLVED**, the McCully-Moiliili Neighborhood Board No. 8 requests the Honolulu City Council to adopt Bill 83 (2015), and the state legislature to pass legislation, to require annual safety inspections of mopeds; and

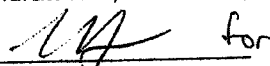
**BE IT FURTHER RESOLVED**, the Board requests the state legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not equipped as required by law, comparable to requirements for other motorized vehicles using public roadways; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to increase the fines for violations of motor and muffler modifications exceeding the manufacturer limits; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to statutorily distinguish mopeds from bicycles, such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

**BE IT FINALLY RESOLVED**, that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the Department of Transportation Services, House members in Districts 17-51; Senators in Districts 9-25, the Director of the State Department of Transportation, and the Chairs of the Neighborhood Boards.

**Adopted** by the McCully-Moiliili Neighborhood Board No. 8 at its regular board meeting February 4, 2016 by Board vote 12-0-0. (Agbannawag; Choe; Edwards; Kawamoto; Kondratovich; Lockwood; Manutai; Nash; Streitz; Tomita; Yamaguchi; Zibakalam)

  
Ronald N. Lockwood, Chair





**PALOLO NEIGHBORHOOD BOARD NO. 6**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL AND THE HAWAII STATE LEGISLATURE  
TO ENACT LAWS THAT REDUCE EXCESSIVE MOPED NOISE**

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**WHEREAS**, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures for this vehicle type; and

**WHEREAS**, it is currently illegal to modify a moped exhaust system that increases its noise above the original manufacturer equipment, but existing fines are negligible and there is no law allowing officers the ability to submit mopeds to inspections when there is reasonable cause to believe there is a violation; and

**WHEREAS**, mopeds are not required to display clearly identifiable license plates and, consequently, are difficult for concerned citizens to report them on infractions of law; and

**WHEREAS**, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

**WHEREAS**, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now, therefore

**BE IT RESOLVED**, the Pālolo Neighborhood Board No. 6 requests the Honolulu City Council to adopt Bill 83 (2015), and the state legislature to pass legislation, to require annual safety inspections of mopeds; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not equipped as required by law, comparable to requirements for other motorized vehicles using public roadways; and

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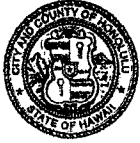
**BE IT FURTHER RESOLVED**, the Board requests the state legislature to statutorily distinguish mopeds from bicycles, such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

**BE IT FINALLY RESOLVED**, that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the Department of Transportation Services, House members in Districts 17-51; Senators in Districts 9-25, the Director of the State Department of Transportation, and the Chairs of the Neighborhood Boards.

INTRODUCED BY:  
Andrew H.D.T Chung

DATE OF INTRODUCTION: February 10, 2016

*This resolution was ADOPTED UNANIMOUSLY at the February 10, 2016 Pālolo Neighborhood Board No. 6 regular meeting, 10-0-0 (Aye: Aronowitz, Chung, Hack, Heskett, Holtrop, Jerlow, Mau, Nakayama, Shiraki, and Weinstein; No: None; Abstain: None).*



**MILILANI/ WAIPIO/ MELEMANU NEIGHBORHOOD BOARD NO. 25**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 408 • HONOLULU, HAWAII, 96813  
PHONE: (808) 527-5749 • FAX: (808) 527-5760 • INTERNET: <http://www.honolulu.gov/nco>

**RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL AND THE  
HAWAII STATE LEGISLATURE TO ENACT LAWS THAT REDUCE  
EXCESSIVE MOPED NOISE**

**WHEREAS**, there are reportedly more than 36,000 mopeds on Oahu; and

**WHEREAS**, neighborhood boards across Oahu have reported numerous complaints about excessive moped noise in their communities over the years; and

**WHEREAS**, excessive moped noise negatively impacts citizens' quality of life as well as the visitor experience, both of which are essential to our state's economic vitality; and

**WHEREAS**, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures and enforcement for this vehicle type; and

**WHEREAS**, while it is currently illegal to modify a moped exhaust system that increases its noise above the original manufacturer equipment, existing fines are negligible and there is no law allowing officers the ability to submit mopeds to inspections when there is reasonable cause to believe there is a violation; and

**WHEREAS**, mopeds are not required to display clearly identifiable license plates and, consequently, are difficult for concerned citizens to report them on infractions of law; and

**WHEREAS**, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

**WHEREAS**, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now therefore,

**BE IT RESOLVED**, the Mililani/Waipio/Melemanu Neighborhood Board No. 25 requests the Honolulu City Council to adopt Bill 83 (2015) to require annual safety inspections of mopeds; and

**BE IT FURTHER RESOLVED** that the Board requests the Hawaii State Legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not properly equipped as required by law; and

**BE IT FURTHER RESOLVED** that the Board requests the Hawaii State Legislature to increase the fines for violations of motor and muffler modifications exceeding the manufacturer limits; and

**BE IT FURTHER RESOLVED** that the Board requests the Hawaii State Legislature to statutorily distinguish mopeds from bicycles such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

**BE IT FINALLY RESOLVED** that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the City and County Department of Transportation Services, area legislators, the Director of the State Department of Transportation, and all neighborhood board chairs.

*Adopted by Mililani/Waipio/Melemanu Neighborhood Board No. 25 at its regular meeting of January 27, 2016, by a vote of 19-2-1.*



Richard G. Poirier, Chair



**KAILUA NEIGHBORHOOD BOARD NO. 31**

519 WANA'AO ROAD • KAILUA, HAWAII 96734  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: www.honolulu.gov/nco

**RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL AND THE HAWAII STATE LEGISLATURE TO ENACT LAWS THAT REDUCE EXCESSIVE MOPED NOISE**

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**WHEREAS**, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now, therefore

**BE IT RESOLVED**, that the Kailua Neighborhood Board No. 31 requests the Honolulu City Council to adopt Bill 83 (2015) to require annual safety inspections of mopeds; and

**BE IT FURTHER RESOLVED**, the Board requests the state legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not equipped as required by law, comparable to requirements for other motorized vehicles using public roadways; and

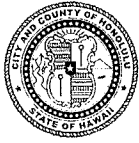
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**BE IT FINALLY RESOLVED**, that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the Department of Transportation Services, House members in Districts 17-51; Senators in Districts 9-25, the Director of the State Department of Transportation, and the Chairs of the Neighborhood Boards.

*Accepted on Thursday, February 4, 2016 by a vote of 12 Aye, 1 Nay, and 2 Abstain.*

*Amenda Eche*  
Chair, Chuck Prentiss for



DIAMOND HEAD/KAPAHULU/ST. LOUIS HEIGHTS NEIGHBORHOOD BOARD NO. 5

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
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WHEREAS, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

WHEREAS, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now, therefore

BE IT RESOLVED, the Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5 requests the Honolulu City Council to adopt Bill 83 (2015) to require annual safety inspections of mopeds; and

BE IT FURTHER RESOLVED, the Board requests the state legislature to authorize police departments the ability to require moped owners to submit their vehicle to an inspection if there is reasonable cause to believe it is unsafe or not equipped as required by law, comparable to requirements for other motorized vehicles using public roadways; and

BE IT FURTHER RESOLVED, the Board requests the state legislature to increase the fines for violations of motor and muffler modifications exceeding the manufacturer limits; and

BE IT FURTHER RESOLVED, the Board requests the state legislature to statutorily distinguish mopeds from bicycles, such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

BE IT FINALLY RESOLVED, that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the Department of Transportation Services, House members in Districts 17-51; Senators in Districts 9-25, the Director of the State Department of Transportation, and the Chairs of the Neighborhood Boards.

INTRODUCED BY:

*K. Russell Ho FOR*

George West, Chair

DATE OF INTRODUCTION: January 14, 2016

## Moped Noise Mitigation Working Group

tstreitz.nb8@gmail.com

February 25, 2016

Dear Chair Rhoads and Members of the Committee on Judiciary:

Thank you for taking the time to address moped issues. On behalf of the Moped Noise Mitigation Working Group (MNMWG), **we are in support of HB 1753 with amendments.** We propose amendments that require annual moped safety inspections and increase fines for illegally modified moped motors and mufflers. We also urge you to evaluate whether the \$50 annual registration fee could be lower, in order to minimize the financial impacts on all moped drivers.

Community members from across Oahu have participated in and provided valuable input through the MNMWG. The MNMWG held two meetings this past January that resulted in a consensus on the proposals listed below, which are already in place for other vehicles using public roads. We support legislation to help reduce noise from illegally modified mopeds that include the following provisions:

- **Require annual moped safety inspections.**  
These inspections examine mufflers for modifications that increase moped noise, according to the State Department of Transportation's Moped Inspection Handbook.
- **Allow police to require an inspection or correction of mopeds suspected of illegal modifications.**  
This authorization would ensure compliance with the safety check process by citing people who might modify their mopeds after a safety inspection.
- **Increase fines for illegally modifying moped motors and mufflers.**  
Higher fines are justified when moped owners intentionally break the law by modifying their motor and muffler, which results in higher than allowed speeds and excessive noise. This is an abuse of the moped vehicle category.
- **Require license plates for easier identification of violators.**  
This ensures more accountability for moped drivers' actions.

The specific language that effectuates our amendments is contained in HB 1848.

Numerous neighborhood boards across Oahu have formally adopted resolutions requesting the legislature to pass legislation for all of the listed items. The City and County of Honolulu Neighborhood Commission Office has records of the adopted resolutions in case you have not received copies.

We also note that the Hawaii State Association of Counties included in its 2016 legislative package, agreed upon by all four County Councils, a bill to require annual safety inspections for mopeds.

I look forward to a continued dialog on getting a bill passed this year that addresses moped noise concerns, while recognizing these items will address road/vehicle safety as well. The moped noise problem has been going on for far too long in our communities. Mahalo for your support.

Sincerely,  
Tim Streitz  
Moped Noise Mitigation Working Group



MILILANI/ WAIPIO/ MELEMANU NEIGHBORHOOD BOARD NO. 25

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813  
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

**RESOLUTION REQUESTING THE HONOLULU CITY COUNCIL AND THE HAWAII STATE LEGISLATURE TO ENACT LAWS THAT REDUCE EXCESSIVE MOPED NOISE**

**WHEREAS**, there are reportedly more than 36,000 mopeds on Oahu; and

**WHEREAS**, neighborhood boards across Oahu have reported numerous complaints about excessive moped noise in their communities over the years; and

**WHEREAS**, excessive moped noise negatively impacts citizens' quality of life as well as the visitor experience, both of which are essential to our state's economic vitality; and

**WHEREAS**, the majority of excessive vehicle noise is generated by moped owners modifying their engine and/or muffler due to a lack of sufficient control measures and enforcement for this vehicle type; and

**WHEREAS**, while it is currently illegal to modify a moped exhaust system that increases its noise above the original manufacturer equipment, existing fines are negligible and there is no law allowing officers the ability to submit mopeds to inspections when there is reasonable cause to believe there is a violation; and

**WHEREAS**, mopeds are not required to display clearly identifiable license plates and, consequently, are difficult for concerned citizens to report them on infractions of law; and

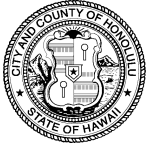
**WHEREAS**, the State Department of Transportation has adopted administrative rules to regulate moped safety inspections, which include within the scope excessive noise from exhaust systems, for counties that make them mandatory; and

**WHEREAS**, the City and County of Honolulu does not require moped safety inspections, although its City Council has introduced Bill 83 (2015) to require such inspections; now therefore,

**BE IT RESOLVED**, the Mililani/Waipio/Melemanu Neighborhood Board No. 25 requests the Honolulu City Council to adopt Bill 83 (2015) to require annual safety inspections of mopeds; and

**BE IT FURTHER RESOLVED** that the Board requests the Hawaii State Legislature to authorize police departments the ability to require moped owners to submit their vehicle to an





**MILILANI/ WAIPIO/ MELEMANU NEIGHBORHOOD BOARD NO. 25**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813  
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

inspection if there is reasonable cause to believe it is unsafe or not properly equipped as required by law; and

**BE IT FURTHER RESOLVED** that the Board requests the Hawaii State Legislature to increase the fines for violations of motor and muffler modifications exceeding the manufacturer limits; and

**BE IT FURTHER RESOLVED** that the Board requests the Hawaii State Legislature to statutorily distinguish mopeds from bicycles such that mopeds shall be required to display a clearly identifiable license plate, similar in size to motorcycles, as part of their registration; and

**BE IT FINALLY RESOLVED** that copies of this resolution be forwarded to the Mayor and members of the City Council of the City and County of Honolulu; the Director of the City and County Department of Transportation Services, Area legislators, the Director of the State Department of Transportation, and all neighborhood board chairs.

*Adopted by Mililani-Waipio-Melemanu Neighborhood Board No. 25 at its regular meeting of January 27, 2016, by a vote of 19-2-1.*

A handwritten signature in black ink, appearing to read "Richard G. Poirier".

Richard G. Poirier, Chair





**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 23, 2016 1:19 PM  
**To:** JUDtestimony  
**Cc:** rustonu@gmail.com  
**Subject:** \*Submitted testimony for HB1753 on Feb 26, 2016 14:00PM\*

**HB1753**

Submitted on: 2/23/2016

Testimony for JUD on Feb 26, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ruston Utu	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 23, 2016 11:53 AM  
**To:** JUDtestimony  
**Cc:** refrey2001@yahoo.com  
**Subject:** \*Submitted testimony for HB1753 on Feb 26, 2016 14:00PM\*

**HB1753**

Submitted on: 2/23/2016

Testimony for JUD on Feb 26, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Richard Frey	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 25, 2016 11:52 AM  
**To:** JUDtestimony  
**Cc:** annsfreed@gmail.com  
**Subject:** Submitted testimony for HB1753 on Feb 26, 2016 14:00PM

**HB1753**

Submitted on: 2/25/2016

Testimony for JUD on Feb 26, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Individual	Support	No

Comments: Aloha Chair Rhoads, Vice Chair and members, I strongly support this bill. I am a member of Neighborhood Board 25 and we voted on a resolution in support. Mopeds have become a menace to the public. With their virtually unregulated status too many owners have modified their mufflers to create high levels of noise in previously quiet residential communities. In addition since they are not required to be licensed, it is difficult to enforce even the noise ordinance, let alone ensuring that they are actually safe to drive. For the public good please pass this bill. Mahalo, Ann Freed

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Testimony of Bob Kern In Favor of Bill 1753  
House Judiciary Committee  
February 26, 2016

Aloha Chair Rhodes and members of the Committee. I am testifying today as a citizen who is tired – literally – of being wakened at all hours of the night by the sound of illegally modified mopeds.

I support Bill 1753 and encourage that it be amended to require annual inspections for mopeds. License plates, expanded police authority to require mopeds suspected of being modified be inspected as well as fines for violators should be maintained. These four points will help mitigate the sound of illegally modified mopeds.

The legislature has found public safety to be a state priority. Modified mopeds create a safety hazard for riders who modify their moped to make them go faster than they are designed to go. The process of modifying the moped results in a much noisier vehicle. Noise, too, is a public safety issue that affects many more people than just the individual moped rider. One noisy moped can disrupt the sleep of a neighborhood extending the public safety hazard as sleepless and angry citizens drive to work.

The noise of modified mopeds is irritating. What I find even more irritating than the noise itself is knowing that much of it is the result of illegal behavior. More irritating still, is the feeling of being helpless against it.

Annual inspections, license plates, expanded police authority and fines will protect citizens against the noise of modified mopeds and help us sleep better and be safer.

Please amend bill 1753 to require mopeds to be inspected every year.

Thank you for considering my concerns.

Respectfully,

Bob Kern  
1615 Wilder Avenue, #601  
Honolulu, Hawaii 96822  
808 943 9241

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 25, 2016 12:49 AM  
**To:** JUDtestimony  
**Cc:** foodsovereignty@gmail.com  
**Subject:** Submitted testimony for HB1753 on Feb 26, 2016 14:00PM

**HB1753**

Submitted on: 2/25/2016

Testimony for JUD on Feb 26, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mitsuko Hayakawa	Individual	Support	No

Comments: Mahalo for hearing this bill HB1753 to require vehicle registration for mopeds. I have heard modified mopeds loudly run in front of my house late at night and would greatly appreciate that the state better regulate mopeds for safety and easy identification. Please support this bill.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 25, 2016 1:31 PM  
**To:** JUDtestimony  
**Cc:** pitahui@yahoo.com  
**Subject:** Submitted testimony for HB1753 on Feb 26, 2016 14:00PM

**HB1753**

Submitted on: 2/25/2016

Testimony for JUD on Feb 26, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Philip Pearson	Individual	Oppose	No

Comments: I am opposed to this bill. This is just another attempt by the legislature to reach into the pockets of the public and use their wallets as an ATM. I don't see how putting a license plate on a moped makes them any safer. How many moped accidents are cause by unsafe mopeds vs unsafe moped drivers? Who is going to enforce unsafe mopeds on public roads as it is not being enforced now. Even with cars, once the owner gets their safety inspection, they put back their big tires, blinding lights, tinted license plate covers and drive merrily down the road and are rarely if ever stopped. I see cars and trucks like that on the road every single day with no enforcement. Before you reach in our pockets to take more of our hard earned money we need an accounting of where the money you have already taken is being spent. It sure isn't going to fix the roads or synchronizing the traffic lights.

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To: **Committee on Judiciary**

**LATE TESTIMONY**

From: **George West, Moped Noise Mitigation Working Group/Chair NB No. 5**

**February 26, 2016**

**Chair Rhoads and Members of the Committee on Judiciary**

I am a participant in the Moped Noise Mitigation Working Group (MNMWG), and Chair of the Diamond Head/Kapahulu/ St Louis Heights Neighborhood Board No. 5. Thank you for taking the time to address moped ownership and operational issues and for this opportunity to present testimony on behalf of both entities in support of HB 1753 with amendments that would (1) require annual safety inspections and (2) increase fines for illegally modified engine/exhaust components.

The MNMWG, comprised of neighborhood board members and concerned community, has been meeting since last year to gather information and develop recommendations to establish new regulation aimed at improving the safe, quiet operation of mopeds both for operators and the community. Speed beyond manufacturer design has resulted in increased accidents, some very severe including death, while the attendant excessive noise from modified mopeds is extremely disruptive to community peace, health and welfare.

The MNMWG has developed four key proposals to address the issue and recommends that:

- Annual safety inspections are required
- Police are allowed to require inspection of mopeds suspected of illegal modification.
- Fines for illegally modified mopeds are increased with escalation for repeat offenses.
- License plates are required for easier identification of violators.

The Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5 is one of approximately 30% of system-wide neighborhood boards thus far that have adopted resolutions in support of increased moped regulation to effect safer, quieter operation in our communities. The Neighborhood Commission Office has records of these resolutions.

This issue of excessive moped noise has been of long-standing community concern as evidenced by inclusion on neighborhood board agendas for many years. Thank you for thoughtfully addressing the issue and we look forward to passage of a bill that addresses excessive and disruptive noise while also improving overall safe moped operation as well.

Mahalo,

George West

Moped Noise Mitigation Working Group

Chair, Diamond Head/Kapahulu/St. Louis Heights NB. No. 5