

STAND. COM. REP. NO.

2706

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 3055

S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committees on Transportation and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 3055 entitled:

"A BILL FOR AN ACT RELATING TO MOPEDS,"

beg leave to report as follows:

The purpose and intent of this measure is to improve the quality of life in the State by requiring a transition to silent, clean electric mopeds by prohibiting a retailer from selling or offering for sale combustion engine-powered mopeds beginning January 1, 2022.

Your Committees received testimony in support of this measure from the Department of Transportation, Pearl City Neighborhood Board, Big Island Electric Vehicle Association, and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Office of the Attorney General.

Your Committees find that noise pollution is a serious problem affecting quality of life, particularly in urban areas. Loud internal combustion engine mopeds are significant contributors which have raised ongoing concerns in communities throughout the State. Unlike many larger motorcycles with greater engine displacement and robust exhaust baffling, even mopeds with factory mufflers can still be many times louder and noisier than



most vehicles on the road. Your Committees further find that loud internal combustion engine mopeds, particularly extremely inefficient two stroke engines, compose a small fraction of all vehicles but can produce pollution at factors thousands of times higher than other vehicle classes. The particulate matter they produce reduces urban air quality, damages health, and contributes to climate change.

Your Committees further find that cities around the world have already begun to phase out noisy and polluting internal combustion engine mopeds in favor of clean and quiet electric mopeds. Cities as large as Beijing, China, have already completed the conversion, which has significantly reduced urban noise pollution and visibly increased air quality. Clean and quiet electric mopeds without complicated internal combustion engines also allow drivers to reduce their cost of maintenance and, with the ability to recharge the hand-held portable batteries of mopeds at any regular wall outlet, reduce the cost of fuel and operation for drivers compared to internal combustion engines. This measure improves the quality of life in the State by requiring a transition to silent, clean electric mopeds by prohibiting a retailer from selling or offering for sale combustion engine-powered mopeds beginning January 1, 2022.

Your Committees note that the Office of the Attorney General testified that this measure could possibly conflict with the federal Clean Air Act, which preempts states from setting emissions standards for vehicles. Your Committees wish to further discuss this measure and request that the Judiciary Committee examine the conflict issue and determine whether the measure can be written as a regulation on noise rather than emissions. Accordingly, your Committees have amended this measure by inserting an effective date of July 1, 2025, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Transportation and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3055, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3055, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Transportation  
and Commerce, Consumer  
Protection, and Health,

*Rosalyn H Baker*

ROSALYN H. BAKER, Chair

*Lorraine R. Inouye*

LORRAINE R. INOUYE, Chair





