



Street Bikers United Hawaii (SBU) Submissions

Dated: February 5, 2020

Hearing: Feb 07, 2020 - Rm 225 at 12:00 P.M.

Bill SB No. 2762 RELATED TO NOISE

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Introducer(s): GABBARD, Baker, Inouye, Keith-Agaran, Shimabukuro, L. Thielen

Report Title: Motor Vehicle Mufflers; Noise Emissions

Description: Prohibits use, sale, alteration, or installation of motor vehicle mufflers that emit more than 95 decibels of sound.

SECTION I

SBU Recommends Its Members Oppose Bill SB #2762 As (1) Disproportionately Prejudicial to Motorcycles By Favoring the Preferences and Convenience Of Some Persons While Risking the Lives And Safety of Motorcyclists (Including Motor Scooters) Who Should be an "Excluded Class" From this Legislation For that Reason; And (2) HRS §291-24 Already Deals with Motorcycles Which Specifically Provides for Noise Standards and Penalties Highlighted Below.

The objectionable portion of Senate Bill SB #2762 (the "Bill") to SBU is the failure to expressly exclude Motorcycles (and Motor Scooters, which are classified as Motorcycles) from into Section 291-24 under the new language in the Bill.

"§291-24 **Motorcycles and mopeds, noisy mufflers; penalty.** (a) Every motorcycle and moped moving under its own power on a public highway shall at all times be equipped with a muffler in constant operation to prevent any excessive or unusual noise and no such muffler or exhaust system shall be equipped with a cutout, bypass, or similar device. **No person shall modify the exhaust system of a motorcycle or a moped in a manner which will amplify or increase the noise emitted by the motor of such motorcycle or moped above that emitted by the muffler originally installed on the motorcycle or moped** except a motorcycle or moped that:

- (1) Has three wheels;
- (2) Is powered by an electric motor;
- (3) Has a full body enclosed cab; and
- (4) Has a seat belt assembly or a child restraint system for the driver and passenger;

shall not be required to be equipped with a muffler.

(b) As used in this section, "muffler" means a device consisting of a series of chambers or baffle plates, or other mechanical design, for the purpose of receiving exhaust gas from the engine of the motorcycle or moped, and being effective in reducing noise.

(c) **Whoever violates this section shall be fined not more than \$100.** [L 1949, c 21, §1; RL 1955, §311-27; HRS §291-24; am L 1978, c 222, §7; am L 1986, c 189, §1; am L 1994, c 120, §4

SBU has two basis for its objections to the proposed Bill No. SB 2762 in its present proposed form.

The first objection – It is Both Arbitrary & Discriminatory against Motorcycles (including Motor Scooters) By Its Very Nature.

A. Arbitrariness and Discriminatory Nature of Bill SB 2762 Is Clear

Most people would agree that “Outlaw Mopeds” (see footnote 2), are a nuisance and the public has every reason to complain about the racket they created (no safety aspect for Mopeds). Automobiles with loud exhaust systems, [i.e. 85-100 Decibels (“dbs.”)], may be obnoxious to some persons, and sound very pleasant to others, depending on their personal preferences, but their loudness certainly does not raise safety aspect in any case. It is a matter of normative public policy when setting the dB level for what is a “reasonably tolerable” level of exhaust sound. Motorcycle are special because their loudness is not only part of their normal innate functionality (they are loud by nature, only at higher RPMs – Engine Revolutions per Minute), but Motorcycle’s loudness is actually a safety feature that creates “conspicuity” and that is the positive safety aspect which creates a socially desirable feature by saving lives and preventing injuries to motorcycle riders (see Part B “Safety Submissions” below).

As the Appendices “A” and “B” indicate, the level specified in the proposed Bill No. SB 2762, is with respect to Motorcycles, is both **unreasonably low (for Motorcycles) and thereby arbitrary and discriminatory**, at the ninety-five (95) decibels limit, since: (1) it is actually below the normal exhaust noise volume experienced by a person ordinarily riding a motorcycle, which is one hundred (100) dbs.¹ SBU submits that the ninety-five (95) dBs limit as the enforcement requirements for all motor vehicles (including Motorcycles) would make all Motorcycles illegal in Hawaii (see Appendix “A” riding a Motorcycle is ordinarily at 100 dbs.). This is the same level of sound (or noise) as many common everyday noise related events (i.e. includes “use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, and garbage truck...” – see Appendix “B”) or as examples in Appendix “B” below. There is no risk of injury to any pedestrian, motorist, or even a Motorcycle Rider, since it requires a minimum of eight constant hours of exposure at one hundred (100) dBs noise level for there to be even a risk of the possibility of injury. So it is not a public safety matter for Motorcycle decibel levels of 100 dBs, which would exceed the proposed Bill SB2762 maximum limit of ninety-five (95) dbs. Just like garbage trucks, jackhammers and power lawn mowers (weed trimmers, power washers, power blowers and city buses), Motorcycles are loud. Some persons find them more inconvenient or obnoxious than most of the general population, but they since persons are only exposed for a brief period (i.e. from a few seconds to a few a minutes for Jackhammers, Buses, Garbage Trucks and Motorcycles it is tolerable and certainly not harmful to anyone. Alternatively, power lawn mowers, weed trimmers, power washers, and power blowers may cause persons to be exposed for longer periods possibly 30-60 minutes in most cases.

The first group (“Group #1) including: Garbage Trucks, Buses, jackhammers are tolerated because they are necessary and cannot easily or economically be quieted, and there is usually only seconds of exposure. The second group (Group #2) are also generally tolerated because although they are noisy for prolong periods there are noise bylaws that restrict their use to daylight hours and again there is very little that can be done to quiet these devices down significantly while maintaining their operating efficiency. SBU submits that Motorcycles fit into the Group #1, since they are inherently loud vehicles when operating at

¹ See Appendix “A” and Footnote #5.

freeway/highway speeds (the higher RPMs), but there is very short exposure time to Motorcycles noise for pedestrians, vehicle operators and persons in the general vicinity. Even the loudest Motorcycles can be operated reasonably quietly, if the operator chooses to do so by keeping the RPMs low in a higher gear, such as when cruising through a residential neighborhood at night or early morning. Motorcycles do expose their operators and passengers to loud noise for continuous periods of an hour or two at the most, so again there is never a possibility of damage and hearing loss.

Moreover SBU submits that just as Group #1 vehicles are naturally loud, but are socially tolerated for brief periods of exposure, so to should motorcycles be. However, as with the Group #2 devices, there is actually already legislation in place to deal with unreasonable motorcycle operators who intentionally modify motorcycles to cause them amplify noise beyond that emitted by the original muffler installed on the Motorcycle or Moped under HRS §291-24 (a) – (c), in the same way that noise bylaws control the noise emissions of other devices that are disruptive to neighborhoods. Therefore, SBU submits this existing legislation and the natural fact Motorcycles are loud vehicles at higher operating RPMs, justifies they like Group #1 vehicle be excluded from proposed Bill SB2762, as an “**Excluded Class**”. To include Motorcycles in the definition of “Motor Vehicles” under Bill SB2762, would be arbitrary as there is already both similar exceptions (e.g. Garbage Trucks and City Buses) and also applicable legislation in place that sets noise violation limits and penalties under HRS §291-24 (a) – (c). It is discriminatory because Motorcycles generally operate at 100 dbs. and that would make virtually every Motorcycle in Hawaii illegal under Bill SB2762.

SBU submits that Motorcycles (including Motor Scooters which are hereinafter included in the term “Motorcycles”), deserve “special consideration” that neither Mopeds nor automobiles are entitled to, because only Motorcycles use their inherent noise as a safety mechanism to create “**conspicuity**” and therefore must be measured by a different standard. That standard is not merely what is tolerable or convenient for the “sensitive” person, as a “pleasant” or “moderate” vehicle exhaust volume, but what is reasonably acceptable from a “safety standard” and as an “operational standard”. We point to the fact that proposed Bill SB. 2762, excludes city buses, garbage trucks, and many diesel powered vehicles that are loud as a matter of “operational functionality”, and also “Emergency Vehicles” (i.e. fire engines, police cars, ambulances, etc.) The functionally loud vehicles could be forced to comply with the proposed Bill SB 2762 (i.e. under ninety-five (95) dbs. limit, but it would be expensive and may affect their proper functionality, since those types of vehicles were not designed to be quiet (i.e. no louder than 95 dbs.). Referring to Appendix “B”, a garbage truck (100 dB). These are the same average noise volume levels as riding a motorcycle according to both Appendices “A” and “B”, which each show Motorcycles in the 90 to 100 dbs. range. That is where Motorcycle noise level function generally is and although Motorcycles can be operate at lower noise (dbs.) levels, just like diesel trucks and garbage trucks, they were not designed to be operate functionally at “quiet levels”.

SBU submits that unless the legislature is going to direct all vehicles on the streets, highways and freeways must operate at below 95 dbs. (including buses, garbage trucks, large diesel trucks and many diesel powered vehicles that are loud as a matter of “operational functionality”) it is entirely arbitrary to single out “Motorcycles”, which come within the same category of loud by their nature (their “operational functionality” as we have termed it). SBU submits that Motorcycles must be an “Excluded Class” if proposed Bill SB. 2762 is going to avoid being deemed arbitrary.

The second objection – It is Both Arbitrary & Discriminatory against Motorcycles (including Motor Scooters) Because It Seeks to Increase Safety Risk To Motorcyclists.

- B. Bill SB 2762 Is Discriminatory By Increasing Safety Risks To Motorcycle Riders Yet Allows For Noise as a Conspicuity Safety Mechanism For Emergency Vehicles

THE SAFETY ASPECT IS MOST IMPORTANT OF ALL

Bill SB. 2762 is an “excessive noise type bill”, which fails to differentiate between different types of vehicles and the reasons why a certain db. levels of noise from one type of vehicle may be entirely necessary or justified on “safety basis”, while that same db. level of noise from another type of vehicle may be considered “excessive noise” and without justification on safety grounds and thereby justifiably proscribed by law.² This is very relevant to SBU’s second major objection, related to the safety issues regarding modified exhaust (i.e. stock exhaust or even louder than stock mufflers on many Motorcycles which exceed 95 db. The differences between Motorcycles vis a vis Mopeds and Automobiles (e.g. cars and light trucks) make the loud (i.e. exceeding 95 db.) stock or modified **exhaust systems a “safety issue” for Motorcycles**, but not for Mopeds, which are prohibited from modifying their engines and exhaust systems by law where it would change their characteristics from those expressly provided for to qualify as “Mopeds”.³ Automobiles like Motorcycles, may also legally modify their motors and exhaust

² Pursuant to HRS Section 286-2 Definitions, the following definitions apply to Mopeds, Motorcycles, and Motor Scooters. Based on those definitions “**Motorcycle**” is inclusive of the category of Motor Scooters, which form a subset of Motorcycles. However, Mopeds are expressly excluded from the definitions of Motorcycle and Motor Scooter in the statutory definitions and is therefore excluded from the definition of “Motorcycle”.

§286-2 Definitions. *The following terms whenever used and referred to in this chapter shall have the following meanings unless a different meaning is clearly apparent from the context:*

“Moped” means a device upon which a person may ride which has two or three wheels in contact with the ground, a motor having a maximum power output capability measured at the motor output shaft, in accordance with the Society of Automotive Engineers standards, of two horsepower (one thousand four hundred ninety-two watts) or less and, if it is a combustion engine, a maximum piston or rotor displacement of 3.05 cubic inches (fifty cubic centimeters) and which will propel the moped, unassisted, on a level surface at a maximum speed no greater than thirty miles per hour; and a direct or automatic power drive system which requires no clutch or gear shift operation by the moped driver after the drive system is engaged with the power unit.

“Motorcycle” means every motor vehicle having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground, but excludes a farm tractor and a moped.

“Motor scooter” means every motorcycle with a motor, which produces not more than five horsepower, but excludes a moped.

³ In particular Mopeds generally are different from Motorcycles many ways including the following non-exhaustive list:

- (i) Mopeds are legally restricted to have 2 horsepower (50 cc) motors and cannot exceed 30 mph on flat roads.
- (ii) Mopeds have automatic transmissions and are designed and restricted to carry only the operator (no passenger).
- (iii) Under HRS §249-14 for some purposes Mopeds are treated the same in law as a bicycle under the registration provisions and therefore is permanently registered once by its owner for a \$15.00 fee and once registered as with a bicycle it does not have an annual registration fee (as with Motorcycles and automobiles).
- (iv) Mopeds are required to obey some traffic rules, but are also required/permitted to use bicycle lanes and paths (unlike Motorcycles). Under HRS §291C-198 Mopeds are not permitted on Freeways or allowed to exceed 35 mph at any time.
- (v) Under HRS §291C-194 any valid learner’s permit HRS §286-110 or driver’s license HRS §286-102 qualifies a person to operate a Moped. Therefore in most cases there is no special training required to operate a Moped and any Category of Hawaii Driver’s license qualifies the operator (provided they are over 15 ½ years old have a driver’s instruction permit and person’s under 18 years old have completed a driver education program).
- (vi) As with Motorcycles Moped operators under 18 years of age are subject to mandatory helmet requirements HRS §291-195(a)
- (vii) Although anyone applying for a driver’s license must show the vehicle they intend to drive is duly insured under HRS §286-108(c) once a person over 18 years of age has a valid driver’s license under any license category of HRS §286-102(b)(1)-(4) there is no special skills training or testing for Mopeds, unlike Motorcycles.
- (viii) §291C-206 Modifying Moped motor is strictly prohibited and if detected would result in a \$500.00 fine and reclassifies the Moped to be a Motorcycle as it causes the motor to exceed the 2 hp/50cc limitation under §286-2 Definitions. This would cause the Modified Moped to be licensed, insured, registers and inspected as a Motorcycle

systems, but when doing so it is almost always for “performance reasons” not “safety reasons” as in the case of Motorcycles. This is the fundamental difference between limiting Automobiles and Mopeds to a 95 db. exhausts volume, which makes Mopeds continue to comply the legislative requirements to be a “Moped” and which makes automobiles “quieter”, and might reduce or affect their performance somewhat; but on the other hand that same 95 db. limit on a Motorcycle exhaust system will actually increase the “safety risks” to their operators and put those riders in “harms’ way”. What is the reason the law seeks to limit Motorcycle exhausts to 95 db? If it is merely to placate a group of citizens who are either biased against Motorcycles or just want quieter streets and highways even at the potential cost of lives and safety of Motorcyclists, SBU submits that is both unreasonable and irresponsible. In fact it is discriminatory against Motorcyclists, who are entitled to rely on any and all means of safety at their disposal to protect themselves from serious or fatal injury due to a crash.

The discriminatory nature of Bill SB. 2762 can best be seen by looking at the fact that as a society we expressly exclude any restriction on db. volume for emergency vehicles. Emergency Vehicles (i.e. fire engines, police cars, ambulances, etc.) are usually painted bright colors for “visual conspicuousness” and those same vehicles are given flashing emergency lights (of varying colors depending on type of Emergency Vehicle). Most Emergency Vehicles are also given sirens for “audio conspicuousness”, because it is well known that sometimes the human senses operate at different levels of effectiveness in different people and also under different circumstances. Everyone has seen and heard an “Emergency Vehicle” driving through streets and highways with lights flashing and sirens blaring and everyone seems to hear or see the vehicle and take appropriate action. There are times when an Emergency Vehicle operator is either driving with no lights flashing or siren on, or possibly with only lights flashing, until the Emergency Vehicle either approaches an intersection or a vehicle that does not seem to recognize the presence of the Emergency Vehicle; at that point the Vehicle Operator will turn on the siren and it will generally get all other motorists attention. The Emergency Vehicle siren decibel level is around 115 dBs according to Appendix “A”, somewhat higher than the average Motorcycle at 90-100 db, but some modified Motorcycle exhausts might be slightly higher 100-105 db. These levels will not cause harm to anyone exposed to them unless it is for prolonged periods (e.g. 8 hours or more), which no one inside the emergency vehicle and no motorcycle rider would ordinarily experience much less a bystander or motorist, who would be exposed for only brief seconds. However the advantage for both the “Emergency Vehicle” and the Motorcycle is “audio conspicuousness” (the “**Conspicuity Factor**”), guarantees the greater likelihood of being noticed by other motorists, pedestrians, bicyclists, anyone who is at risk of a collision with the Emergency Vehicle or the Motorcycle and may not have noticed the presence of the Emergency Vehicle or Motorcycle.

The Audio Conspicuity Factor is an added advantage that a siren gives an Emergency Vehicle and a loud (95-105 dBs) exhaust system gives a Motorcycle. The objects of both these vehicles is to be seen and heard by everyone in their vicinity, especially when travelling at highway/freeway speeds or through intersections, where there is very little time for the Emergency Vehicle or Motorcycle to take “evasive action”, when confronted by a motorist, pedestrian or bicyclists who may not have seen them for whatever reason. For a Motorcycle the most classic example of where loud exhaust pipes provide an “**Audio Conspicuity Factor Advantage**” is when a Motorcycle is in a motorist’s “blind spot” on the freeway. Remember an automobile traveling at 65 mph., on the freeway is emitting 77 db., the motorist is also within a sealed automobile, so unless the Motorcycle is generating at least 95-105 db., the motorist

instead of enjoying the exemptions of a Moped. These illegal highly modified Mopeds are sometimes referred to as “**Outlaw Mopeds**”.

- (ix) §291C-206 only three-wheeled Mopeds are required to carry insurance. This makes no sense since two-wheeled Mopeds are no less dangerous or place the operators, passengers, pedestrians or other users of the roadways at any less risk of harm from misuse of a two-wheeled Moped than a three-wheeled Moped.

cannot hear the Motorcycle in his/her blind spot (there is no Audio Conspicuity Factor). Where the motorist can hear the loud exhaust of the Motorcycle (the Audio Conspicuity Factor is present) even though the Motorist does not actually see the Motorcycle. This sound makes the motorist search their mirrors and turn their heads to look for the Motorcycle before pulling right or left into the adjoining lane of traffic and into the path of the unseen Motorcycle, thus averting a collision. Most Motorcyclists can describe this exact event at least once (an more likely many times) and will usually credit both the Motorcycle's loud exhaust pipes and the "conscientious motorist who took a second look" in the vicinity of the exhaust pipe noise they heard by could not see.

The Hurt Report⁴ identified some "Conspicuity Factors" that prevent or at least appear statistically significant in reducing motorcycle accidents. Unfortunately, the outright testing or assessment of loud motorcycle pipes was omitted from the Hurt Report analysis (whether by design or inadvertently has never been addressed), but a surrogate for loud pipes (especially in the late 1970es when this Report was completed was large motorcycles (primarily represented by Harley Davidsons in that time period). Now-a-days European, domestic and Japanese motorcycle manufacturers all make many models of over 750 cc engine displacement motorcycles, but in the time of the Hurt Report it was primarily big displacement Harley Davidsons. It was also generally only Harley Davidsons that were commonly modified even from the factory and from show room floors with aftermarket (or special stock "free-flow exhaust pipes"), which were inevitably louder (or even much louder) than most every other type of motorcycle manufactured at that time. The Hurt Report at page 382 identifies the report parameters for explaining why large displacement motorcycles (which were primarily Harley Davidsons) were statistically significantly less likely to be involved in car/motorcycle collisions. The two report explanations were (a) they were larger and possible easier to see than smaller motorcycles and (b) speculatively suggested, that larger motorcycles were possibly operated by more experienced and better riders, (who were better able to avoid accidents). The Hurt Report "dodged the obvious" explanation which would account for the significant difference between the larger (primarily Harleys) and the smaller primarily imported Japanese bikes, which was that the big Harleys made a lot more noise and this assisted the big bikes to be noticed as an **Audio Conspicuity Factor**. Unfortunately, the Hurt Report was a government-funded report, which was focused primarily on supporting California's Helmet Legislation initiative that was very controversial at the time. For that, reason, no mention of the potential benefits of loud exhaust pipes as a safety item, which the Hurt Report would have described as a "conspicuity factor", was ever likely considered as a matter of political correctness.

An additional and in many ways more important conclusion to draw from the Hurt Report's findings generally is that 2/3's of all accident's in the Hurt Report involving motorcycles and automobiles were the fault of the automobile driver. Of those 2/3 motorists at fault in the accidents, the overwhelming number admitted they never saw (or were aware) that a motorcycle was present in the location of their vehicle's lane of travel at the time when the collision occurred. The Hurt Report singles out conspicuity factors as critical matters in assisting motorists to see (perceive) and most experienced motorcyclists would add, "hear" the motorcycle in their vicinity.

⁴ Motorcycle Accident Cause Factors and Identification of Countermeasures, January 1981. H.H. Hurt, Jr. J.V. Ouellet and D.R Thorn. Traffic Safety Centre, University of Southern California, Los Angeles, California 90007, Contract No. DOT HS-5-01160 (Final Report) Funded by National Highway Traffic Safety Administration, U.S. Department of Transportation. The Hurt Report study involved accidents for the period from 1975 to 1980, and reported in 1981. See pages 392 and 410 regarding "conspicuity factors" and "modified exhaust systems" statistics.

The Hurt Report studied 900 motorcycle accidents on site and 3600 police accident reports involving motorcycles and conducted interviews of 2310 motorcyclists who were involved in those accidents during the period 1975-80. The study comprises 435 pages and generated 55 conclusions. The Hurt Report is outdated in some ways, but it was and remains the most comprehensive Motorcycle statistical and scientific study ever conducted.

Clearly, when such a large percentage of the motorcycle automobile collisions are the fault of the motorists', legislators should be willing to give the motorcyclist the benefit of the doubt on any safety mechanism that might hopefully increase the potential "conspicuity" of the motorcyclists. The vast majority motorcyclists have a reasonable belief that their exhaust pipe noise assists them to be heard/perceived and therefore ultimately seen in avoiding accidents. Unless there is some compelling statistical evidence to the contrary, (i.e. that loud pipes do not provide a safety benefit as a **conspicuity factor**), then motorists and others who complain about (hearing and therefore noticing the loud motorcycle exhaust) should be asked to consider: (1) the safety benefits that noise creates; and (2) that motorcyclists rely on it to potentially save their lives. Motorcyclists should and are expected to respect the rights of non-motorcyclists to reasonable quiet, privacy, enjoyment of life by not making their motorcycles louder than normal operating procedure require by excessively revving their engines at night, at residential intersections or in quiet neighborhoods. It is the balancing of safety concerns with the rights to reasonable quiet, privacy, and enjoyment of life that are at the crux of this debate and it requires some understanding, cooperation and consideration from both sides.

At the crux of the SBU's submissions is that proposed Bill SB. 2762 is Discriminatory, because it fails to treat Motorcyclist as being entitled to the added safety feature (i.e. the "**conspicuity factor**") that "loud" (i.e. over 95 dbs) exhausts systems afford as a safety feature. Just like Emergency Vehicle sirens, that increase "conspicuity" even with bright colors and flashing lights, Motorcyclists want and should be afforded the opportunity to employ loud exhaust pipes (over 95 dbs) to be used as an **Audio Conspicuity Factor**. Emergency Sirens and loud motorcycle pipes are used almost exactly in the same way and for the same basic purpose (i.e. "increased conspicuity") to avoid possibly injury and loss of life to both the Motorcyclists and the others using the roadway.

Points of Objection:

SBU takes the position that the proposed Bill cannot be supported by its members at all for the following reason:

- 1. Moped Operators are not legally entitled to modify their exhaust system by law already, so proposed Bill SB. 2762 does not affect them. Motor Vehicle owners with modified exhaust systems that exceed 95 decibels are for performance not safety reasons. It is a matter of public policy if law makers want to restrict performance enhancements on automobiles and incur the costs of enforcement. It is a policy decision not a safety matter.**
- 2. Motorcycles are a separate and distinct classification of vehicle from Mopeds and Automobiles. Motorcycles are functionally louder vehicles than Mopeds or Automobiles. SBU objects to Bill SB. 2762 on this basis; that unless the legislature is going to direct all loud vehicles on the highway to operate at below 95 dbs (including buses, garbage trucks, large semi-trucks and many diesel powered vehicles that are loud as a matter of "operational functionality"), it is both arbitrary and discriminatory to single out "Motorcycles", which come within the same category as being "loud" by their nature (by their "operational functionality" as we have termed it). Proposed Bill SB. 2762 makes almost all motorcycles illegal since they generally operate at between 90-100 decibels according to industry statistics.**
- 3. SBU further Objects to the Bill SB. 2762 failure to recognize the genuine "Safety Aspect" that "loud" (i.e. over 95 dbs) exhausts systems afford Motorcyclists as a safety feature, just like Emergency Vehicle sirens, which is well known anecdotally by almost every motorcyclists and many motorists to have avoided a collision because of the Audio Conspicuity Factor of loud exhaust pipes overcoming motorists "blind spots" or "momentary periods of inattention" on**

Hawaii’s roads, highways and freeways. This is not true for Mopeds or Automobiles and is the reason why the Bill SB. 2762 must be amended to define Motorcycles (and Motor Scooters) as an “Excluded Class” of motor vehicles, if Bill SB. 2762 is not to be arbitrary and discriminatory, for the reasons stated. SBU respectfully submits that the lifesaving potential justifies some “legislative latitude” on “loud” (i.e. over 95 dbs) exhausts systems that most Motorcycles either originally possess or are added as a modification for safety reasons (i.e. as a “AUDIO CONSPICUITY FACTOR”).

SBU recommends all members oppose the Bill on the three forgoing grounds.

All of which is respectfully submitted on behalf of Street Bikers United Hawaii (SBU).

Bruce Paige

Bruce Paige
SBU State Director

APPENDIX “A”
Noise Level Chart⁵

A noise level chart showing examples of sounds with dB levels ranging from 0 to 180 decibels.

dBA	Example	Home & Yard Appliances	Workshop & Construction
0	healthy hearing threshold		
10	a pin dropping		
20	rustling leaves		
30	whisper		
40	babbling brook	computer	
50	light traffic	refrigerator	
60	conversational speech	air conditioner	
70	shower	dishwasher	
75	toilet flushing	vacuum cleaner	
80	alarm clock	garbage disposal	
85	passing diesel truck	snow blower	
90	squeeze toy	lawn mower	arc welder
95	inside subway car	food processor	belt sander
100	motorcycle (riding)		handheld drill

⁵ <http://www.noisehelp.com/noise-level-chart.html>. Most noise levels are given in dBA, which are decibels adjusted to reflect the ear's response to different frequencies of sound. Sudden, brief impulse sounds, like many of those shown at 120 dB or greater, are often given in dB (with no adjustment).

105	sporting event		table saw
110	rock band		jackhammer
115	emergency vehicle siren		riveter
120	thunderclap		oxygen torch
125	balloon popping		
130	peak stadium crowd noise		
135	air raid siren		
140	jet engine at takeoff		
145	firecracker		
150	fighter jet launch		
155	cap gun		
160	shotgun		
165	.357 magnum revolver		
170	safety airbag		
175	howitzer cannon		
180	rocket launch		
...			
194	sound waves become shock waves		

APPENDIX “B”

COMPARITIVE EXAMPLES OF NOISE LEVELS⁶

Noise Source	Decibel Level	Decibel Effect
Jet take-off (at 25 meters) Recommended product: Outdoor Noise Barriers	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.

⁶ (Source <http://www.industrialnoisecontrol.com/comparative-noise-examples.htm>)

Noise Source	Decibel Level	Decibel Effect
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure.
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB) . Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage in 8 hour exposure.
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hour exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area.	30	One-sixteenth as loud as 70 dB. Very Quiet.
Whisper, rustling leaves	20	
Breathing		

SB-2762

Submitted on: 2/5/2020 9:25:18 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Christian Robinson	Testifying for Specialty Equipment Market Association	Comments	No

Comments:

Dear Members of the Senate Transportation Committee:

On behalf of the Specialty Equipment Market Association (SEMA), I thank Sen. Gabbard for the introduction of SB 2762, which would revise Hawaii's laws regarding the regulation of motor vehicle exhaust noise.

SEMA supports the legislature's effort to adopt a sound limit of 95-decibels for motor vehicles. However, SEMA respectfully requests that such a level be further defined as 95-decibels when tested under Society of Automotive Engineers (SAE) standard J1492. This SAE test procedure is conducted in a controlled environment using objective methodology. It is the only way to fairly measure a vehicle's true exhaust noise and has been adopted by other states, such as California. Asking law enforcement officers to conduct roadside tests would be unfair to motorists, police, and the state. Such a test would be subject to background noise and administration of such a test would require police to be trained and to carry measuring devices.

By way of background, SEMA is a national trade association that represents more than 7,500 mostly small businesses, including 40 in the Aloha State, that manufacture, market and sell specialty automotive aftermarket products, including appearance, performance, comfort, convenience and technology products for motor vehicles. SEMA also hosts the SEMA Show, which is the largest annual gathering of small businesses in the country.

Thank you for your consideration of this request. Please feel free to contact me if you have any questions.

Sincerely,

Christian Robinson

Christian Robinson

Director, State Government Affairs

Specialty Equipment Market Association (SEMA)

1317 F Street, NW, Suite 500, Washington, DC 20004 | christianr@sema.org | (202) 794-8279

LATE

SB-2762

Submitted on: 2/6/2020 4:44:59 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
LIBRADO COBIAN	Testifying for Oahu Motorsports Association	Oppose	Yes

Comments:

We oppose this bill because sound is our biggest safety factor for cars to hear us and see us.

It is bad enough that cars sometimes cant see a motorcycle and as a result either crash into them or side swipe. The sound of our muffler is our biggest safety defence for awarness by other vehicles. To take this away is to increase our chances of getting KILLED. ITS THAT SIMPLE.

LI COBIAN

LATE

SB-2762

Submitted on: 2/6/2020 2:28:31 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ray Pagan	Testifying for Street Bikers United	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 2:56:54 PM
Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Howard Cabral	Testifying for SBU Hawaii	Oppose	No

Comments:

I ride alot to and from work from Maili to Pier 45 and believe ne when i say this. If it wasnt for the exhaust system on my Motorcycle, i would probably not be here to write this. There has been countless times where cars would have run me over because they were not paying attention.

LATE

SB-2762

Submitted on: 2/6/2020 7:42:11 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason M Diaz	Testifying for SBU/ Street Bikers United Oahu	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:05:11 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Keaweaike	Testifying for Sbu	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:15:55 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Felix-Naku	Testifying for Street Bikers United	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 3:05:48 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorna Liko Smith	Testifying for Street Bikers United	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:00:43 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dave Washington	Testifying for Leathernecks MC	Support	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 4:58:16 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lincoln Glenister	Testifying for Special Forces Brotherhood MC Inc - 501(c)19 Veteran Non-Profit Org	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 2:50:22 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Raymond King	Testifying for Pacific Knights MC	Oppose	No

Comments:

SB-2762

Submitted on: 2/5/2020 9:24:55 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelvin N Asahina, DDS	Individual	Oppose	No

Comments:

Restricting vehicle modification inhibits freedom of expression. Furthermore, my noticeably audible exhausts have saved me from inattentive drivers on many occasions. I do not use my exhausts to make excessive noise in areas where quiet is desired such as Waikiki, hospitals and quiet neighborhoods such as my own. Enforcing existing noise laws is acceptable and should be the focus of your efforts. Do not punish everyone for the rude behavior of a few individuals.

SB-2762

Submitted on: 2/4/2020 2:28:13 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Noel Morin	Individual	Comments	No

Comments:

I'm in support of measures that will mitigate issues with pollution of all sorts. Noise is one, but I'm not sure that this is a pressing matter. (It does not seem to be on the Big Island.) There are other issues that might be more important to mitigate - emissions is one. There are vehicles on our roads that visibly emit pollution and there aren't any mechanisms to monitor nor flag vehicles for necessary repairs.

I recommend that this be altered to incorporate emissions testing and enforcement of requirements related to safety, e.g., windshield tint requirements, red light running prevention.

Sincerely,

Noel Morin

SB-2762

Submitted on: 2/6/2020 9:40:21 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Allan Raikes	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 9:44:30 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Palin	Individual	Oppose	No

Comments:

LOUD PIPES SAVE LIVES!!!

There are already more than enough laws to go after the few idiots that go around revving their engines late at night or in quiet residential areas.

I own several bikes some louder than others. From first hand experience, I have never had anyone cut me off when riding my louder bikes. My quieter bikes it is almost a daily occurrence. A lot of people can't see bikes, but most will hear my bike and know I am near.

SB-2762

Submitted on: 2/6/2020 11:07:29 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Malana Paige	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 11:08:24 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Braanna Kunz	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 11:11:14 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kasandra Palmer	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 11:17:04 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce Paige III	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 2:43:32 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Don Greman	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 2:55:11 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Dinneen	Individual	Oppose	No

Comments:

Too many regulations.

SB-2762

Submitted on: 2/6/2020 3:14:56 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Holmberg	Individual	Oppose	No

Comments:

This is an unnecessary regulation and or Law.

LATE

SB-2762

Submitted on: 2/6/2020 3:13:24 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Larry	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 3:06:16 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clayton Tapparra	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 2:47:14 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Foster	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 3:18:25 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimo Miguel	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 3:18:26 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Titcomb	Individual	Oppose	No

Comments:

I would just like to express my personal opinion on this Senate Bill 2762. I understand that the noise of some motorcycles may seem excessively loud, yet for the most part they are alot quieter than some other vehicles on the road. There is also the safety facor that a little noise, wearing neon (not my favorite color) may help keep me more visible and noticable to the other people driving on our roads. I have personally lost track of the number of times that a vehicle has almost run me off the road, apparently not seeing me, or HEARING ME ! I can be doing everything right and still be fatally hurt because "they didn't see or hear me". Please help me to remain a responsible tax paying rider, and remove this Bil that could possible save my life.

LATE

SB-2762

Submitted on: 2/6/2020 3:22:21 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Oliver Avila	Individual	Oppose	No

Comments:

I have had several incidents where the sound of my exhaust grabbed the attention of drivers who did not see me and were about to merge into my lane and come close to hitting me. It's helps in safety when drivers who are not paying attention or fail to check their mirrors or blind spots before changing lanes.

LATE

SB-2762

Submitted on: 2/6/2020 3:24:50 PM
Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tricia Nakamatsu	Individual	Support	No

Comments:

As a private citizen, I strongly support this measure or any measure that could potentially decrease the number of noisy vehicles that roar past my home on a daily basis. Many homes in Honolulu--like mine--are still "single-wall construction," so the noise literally travels through our walls, interrupting our conversations & leisure time, waking up my kids in the middle of the night (and in the day, during naptime), and generally disturbing the peace & quiet of our lives.

With regards to the noise limit of 95 db, I do wonder how or whether this proposed law could be enforced, unless police officers are routinely equipped with decibel meters. If they're not, it may be more practical to limit the noise level to a reasonable distance, similar to Revised Ordinances of Honolulu, Section 41-31.1, Prohibited noise. I believe that ordinance was known as the "boom box law," when passed, and basically prohibits people from playing music in their cars that can be heard more than 30 feet away. While it's also unlikely that a police officer could reliably "eyeball" an exact measurement of 30 feet, they are able to testify (& thus enforce) if they observe the offense from a distance that is clearly greater than 30 feet (e.g. 5 car lengths, 3 houses away, etc).

If the Committee is open to integrating or adopting that type of approach into this bill, it may also be necessary to separate the portion regarding "use on public highways" from the portion regarding "sell, alter or install."

LATE

SB-2762

Submitted on: 2/6/2020 3:55:54 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pete Tingstrom	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 4:23:45 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
James Cooper	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 4:48:33 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cynthia glenister	Individual	Oppose	No

Comments:

As a MC rider I have personally experienced being seen as a result of revving my engine with modified exhaust pipes. Drivers often claim they do not see the small signature of a rider on a motorcycle. Do not support this legislation.

SB-2762

Submitted on: 2/6/2020 4:40:01 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Mulhall	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 4:43:03 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Miller	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:08:37 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
edison	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:20:37 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Plett	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:27:34 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marie Bashaw	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 4:49:02 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lincoln Glenister	Individual	Oppose	No

Comments:

I DO NOT SUPPORT - Although I concur with vehicles not have loud/modified exhaust as they are clearly visible, loud pipes on motorcylces provides added signature to motorist who claim they could not see motorcyclist, regardless of the bright attires and other artifacts worn by bike bikers.

SB-2762

Submitted on: 2/6/2020 5:29:29 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan	Individual	Oppose	No

Comments:

I oppose sb2762. Louder than 95 decible exhaust is helps with cars being aware that I am next to them. I depend on louder than 95 decible exhaust for my commute safety. A slilent bike is an accident waiting to happen.

LATE

SB-2762

Submitted on: 2/6/2020 5:34:24 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Vaughan	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 6:00:06 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 6:01:52 PM
Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Bahar	Individual	Oppose	No

Comments:

OEM spec exhausts are dangerous for motorcycle riders, too quiet. Distracted driving is such an issue here that louder exhausts truly save lives. Please consider the unintended consequences of such a law... you'll be placing motorcycle riders at additional risk of being hit by distracted drivers.

Aloha,

Sean

LATE

SB-2762

Submitted on: 2/6/2020 6:05:58 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ben	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 6:01:23 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alicia Benshoof	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:23:47 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffrey Miller	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 6:52:22 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Davis	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 6:07:03 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vince Chargualaf	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 7:02:36 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Christian R. Ramsey	Individual	Oppose	No

Comments:

Loud pipes save lives! This bill will cause undue safety concerns to motorcycle riders as drivers are more reactive to motorcycles with exhaust that they can hear coming even if they cannot visually see them, much in the same manner as sirens on emergency vehicles.

SB-2762

Submitted on: 2/6/2020 5:37:21 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Roch Leblanc	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 4:45:38 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Sierra	Individual	Oppose	No

Comments:

I oppose Senate Bill SB2762, which seeks to amend HRS §291-24.5 to make all vehicles, (including Motorcycles), limit all exhaust emissions to OEM specification which shall not exceed ninety-five (95) decibels and to use decibel testing meters to enforce those limits.

This is a huge safety issue for motorcycles if this law was amended in this manner. Motorcycles are one of the only vehicles on the road (other than police, fire, ambulance) which uses noise as a safety net to let cars/pedestrians know of our presence. A quiet motorcycle is a death trap.

Nuisance vs Lives.

LATE

SB-2762

Submitted on: 2/6/2020 6:28:15 PM
Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Phillip Kleshick	Individual	Oppose	No

Comments:

Disproportionately

Prejudicial to Motorcycles By Favoring the Preferences and Convenience Of Some Persons While Risking the Lives And Safety of Motorcyclists (Including Motor Scooters) Who Should be an "Excluded Class" From this Legislation For that Reason.

LATE

SB-2762

Submitted on: 2/6/2020 5:45:12 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Frank Lueck	Individual	Oppose	No

Comments:

Dear representatives,

I oppose this Bill, Many time louder pipes save lives of motorcyclist. Especially on the island of Oahu, where there are many visiting drivers from foreign countries that are Not familiar with US road laws and safe practices. I have personally been cut off several times by distracted or unfamiliar drivers. Once I exchanged my pipes for louder ones incidents greatly reduced. Thank you for considering this request in opposition to this bill.

Best Regards,

Frank Lueck

Resident of Waikiki

LATE

SB-2762

Submitted on: 2/6/2020 5:24:59 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tish Rothwell	Individual	Oppose	No

Comments:

Loud pipes save lives

LATE

SB-2762

Submitted on: 2/6/2020 6:55:13 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Gardner	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 8:03:35 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Ernst	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 5:00:37 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Pancho Owens	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 4:53:05 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Price	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 4:45:54 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alicia Nicholson	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 5:10:37 PM
Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anna	Individual	Oppose	No

Comments:

For safety purposes we need our exhausts to be loud . There are too many distracted/inattentive drivers on the road and often times the only reason bikers aren't hit is due to their mufflers being loud enough for people to hear and know they're there. With a quiet muffler you are not seen or heard and 90% of your ride is just dodging cars from hitting you. As long as there are distracted/inattentive drivers on the road (which I see no end in sight) motorcycles need to be hearable. There are enough motorcycle riders getting hit and ran over as it is, but if this bill passes the number of bikers injured or killed by cars will dramatically increase. Please dont sentence motorcycle riders or their families to such dire/fatal consequences.

LATE

SB-2762

Submitted on: 2/6/2020 9:11:32 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Kekahuna Jr	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 10:52:51 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa	Individual	Oppose	No

Comments:

I feel my motorcycle is safer with my exhaust being louder than than a stock motorcycle. Cars are made more aware of me because they can hear me therefore I feel safer.

LATE

SB-2762

Submitted on: 2/6/2020 8:58:01 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachael Loebig	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 10:57:52 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
hytham ahmed	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/7/2020 3:43:07 AM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Aranca	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 9:05:49 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Costa III	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 7:15:41 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Emil Gomez	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 7:21:35 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
James R Sowa	Individual	Oppose	No

Comments:

LATE

SB-2762

Submitted on: 2/6/2020 4:53:07 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacqueline Foster	Individual	Oppose	No

Comments:

SB-2762

Submitted on: 2/6/2020 8:47:16 PM

Testimony for TRS on 2/7/2020 12:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Esperanza	Individual	Oppose	No

Comments: