

SB-586-SD-2

Submitted on: 3/26/2023 8:34:48 AM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tommy Penrose	Canterbury Place Association Of Apartment Owners	Support	Written Testimony Only

Comments:

I am the Vice-President of the Canterbury Place Association of Apartment Owners and I am providing testimony for our association. We are located on the corner of Ala Moana Blvd and Ena Road. We are often bombarded with loud vehicles (cars, trucks, motorcycles, and mopeds) that have either had their muffles removed or have external products attached to the exhaust systems that raise the noise level produced by the vehicle. On the weekends many motorcycle clubs consisting of more than one motorcycle come to Waikiki via Ala Moana Blvd like rolling thunder and scare tourist and make living here very uncomfortable. There has been numerous complaints to the Waikiki Neighborhood Board. Passing this bill will assist in reducing noise in Waikiki and along the routes going to Waikiki. The Star-Advertiser printed an article titled "Noise pollution harms mind, body" on February 20th, 2023. This article should clearly show you why we are so adamant in reducing noise.

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Submitted on: 3/24/2023 1:47:36 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Don Baluran	Individual	Support	Written Testimony Only

Comments:

I am in full **SUPPORT** of this bill.

Noisy mufflers and exhaust systems from cars, mopeds, trucks, motorcycles are a constant in my neighborhood and is annoying and unbearable. I live in a condo and it doesnt help that the sounds echo and bounce off other buildings and amplifies the noise. I recently heard and saw a car driving along Kapiolani Blvd that would purposely make loud explosion noises that sound like bombs and gunfire. These loud noises could give someone a heart attack and/or hearing loss.

Please pass this bill. Mahalo!

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Submitted on: 3/24/2023 4:01:10 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Noise pollution is a big problem in our town areas. Please support this bill. Mahalo.

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Submitted on: 3/26/2023 4:12:24 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Becky Faunce	Individual	Support	Written Testimony Only

Comments:

Thank you for supporting SB 586 which seeks to protect us from the damaging and disruptive noise generated by motorcycles and mopeds with clearly illegal muffler systems. They make the outdoor style of living that we enjoy in Hawaii nearly impossible. Thank you for your kind support of this important legislation.

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Submitted on: 3/27/2023 10:44:14 AM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Scofield	Individual	Support	Written Testimony Only

Comments:

Excessive noise from autos is a significant problem for residents and visiting tourists. If I visited Honolulu as a tourist and heard the loud auto noise I would seek alternative vacation locations. As a resident the noise level from auto's is excessive and unacceptable for an island that advertises itself as a "Paradise." I support this initiative wholeheartedly. Richard Scofield

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Submitted on: 3/27/2023 10:33:52 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Clarence Regalado	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Takayama, and members of the Committee on Judiciary & Hawaiian Affairs,

Thank you so much for this opportunity to testify in opposition of SB586.

The intent of SB586 is to address noise complaints stemming from noisy mufflers or exhaust systems of motorcycles, mopeds, and motor vehicles. Currently, police officers can issue citations for excessively loud exhaust/muffler systems as they witness these offenses.

SB586 will (1) reclassify noisy muffler/exhaust offenses to petty misdemeanors; and (2) will place a burden on safety inspection stations to determine if a muffler/exhaust is “noisy,” with very little guidance as to what “noisy” means, and with repercussions (i.e., revocation of their inspection licenses) to these safety inspection stations.

The language in the bill as presented is problematic. I respectfully ask for the following points to be considered:

- Definition. Section 291-24/291-24.5 defines a “noisy” muffler/muffler modification as one that “will noticeably increase the noise emitted by a motor vehicle above that emitted by the vehicle as equipped from factory.” In the past, police officers have cited vehicles for this as they witness the noise based on their own discretion (e.g., listening to a loud exhaust from a car drive down Waikiki).
 - SB586 will pass this burden to determine “noisy” mufflers and exhaust systems onto safety inspection stations. As written in this bill, the safety inspection station must determine:
 - What “as equipped from factory” means; and
 - What the parameters of “noticeably” are.
 - Without appropriate guidelines, these definitions may change from inspection station to inspection station, or even from inspector to inspector.
 - Furthermore, the language of “as equipped from factory” is problematic. Many newer cars can come from the factory with performance hardware option add-ons (BMW M-series cars; Chevrolet Corvettes as examples). The options may include an exhaust system designed and distributed by the car manufacturer but is louder than normally equipped on base car models. While technically compliant with the bill, it is a “noisier” exhaust system.

- Safety inspections may now require that a motor vehicle put on a lift to inspect an exhaust/muffler system to determine how/if a vehicle has been modified, and if such modifications are “acceptable.” This may affect inspection times and/or availability.
- Factory drive option settings. Further, many new vehicles have drive settings (economy, normal, sport, sport plus) that alter a vehicle’s drive properties. These settings may affect the tone and volume of a vehicle’s exhaust without any additional hardware modifications. As such, even without a modified exhaust system, a vehicle may come from factory with the ability to increase its noise when operating in certain RPMs.
- Differences between vehicles. A factory Porsche 911 Carrera GTS, a Kia Forte, a Ducati motorcycle, a Toyota Camry, and a diesel work truck all operate at different noise levels. A Toyota Camry with a modified muffler will not be as loud as a stock Porsche 911 Carrera GTS. Despite this, the Toyota Camry may be in violation of SB586 while the Porsche is compliant. In the end, the compliant Porsche will be noisier than the uncompliant modified Toyota Camry. A ban on modified hardware in and of itself will not accomplish what this bill wishes to accomplish.
 - In a previous testimony to the Senate’s TCA committee regarding SB586 (2/9/2023), Christian Robinson, speaking on behalf of the Specialty Equipment Market Association (SEMA) echoed this sentiment:
 - “In their stock configurations, a Honda sedan may emit 70-db of muffler noise, while a Porsche 911 puts out 95-db. Similarly, that Honda’s owner could install an aftermarket muffler that raises its noise output to 80-db, rendering the vehicle illegal while still emitting less noise than [sic] other, unmodified, legal vehicles on the road.”
- Responsible use. Modified exhaust/mufflers by themselves do not constitute noise pollution. No matter what modification is made to the vehicle, it is up to the operator to drive the vehicle responsibly and in consideration for others.
 - Loud exhaust noise may occur when operating a vehicle in a certain RPM range and/or with certain throttle position; or revving a vehicle at high RPMs at idle.
 - Legislation should be aimed at addressing these behaviors during unreasonable times of the day rather than simply making modified exhaust systems outright illegal.
- Court system burden. In the past, a penalty of having a noisy exhaust system was a fine. Although SB587 has suggested increasing the minimum and maximum fines for noisy mufflers, having to go to court seems unnecessarily excessive for this offense.

There are many factors that affect how loud a vehicle is. Engine size and characteristics; drive mode; engine modifications; and operator input. This bill focuses solely on modified hardware (exhaust), which will not effectively address the core issue of noise pollution and creates an unnecessary burden on vehicle inspection stations.

I do agree that we must address the issue of loud exhausts at certain times of the day; however, this bill is not the vehicle to do so and will produce unintended unfavorable results. Further discussion should be had through future legislation to address operator behavior rather than focusing solely on modified vehicles.

I hope that this future discussion includes input from the automotive industry, as well as the community and law enforcement. I do not believe that SB586, with any amount of changes this legislative session, will achieve what its introducers have set out to do.

Thank you again for the opportunity to testify.

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Submitted on: 3/28/2023 11:56:05 AM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gav	Individual	Oppose	Written Testimony Only

Comments:

I oppose S.B. 586! This bill is highly unlikely to be enforced! What is identical to their factory setting ? Depending on the brand and model of the vehicle in question, the exhaust sound will be different! Not all vehicles have the exact same exhaust tone and sound! How are we to determine what is noticeably increase the noise and mufflers identical to factory setting? Some factory exhaust are louder than others, ie Ford Mustang, Dodge Challenger, Chevrolet Corvette, just to name a few! Maybe a Decibal level limit is a better way to address this! Of course you would need to do research on the decibal level of all factory exhaust, especially all factory performance vehicles! They usually have a higher decibal level factory exhaust than a economy vehicle!

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Submitted on: 3/28/2023 9:17:24 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB 586

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Submitted on: 3/28/2023 9:23:09 PM

Testimony for JHA on 3/29/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB586