

JAN 20 2023

A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that many residents
2 throughout the State have complained of the growing noise
3 pollution and disturbances from loud mufflers on motor vehicles,
4 predominantly motorcycles. The complainants claim that the
5 noise level adversely affects their sleep, particularly in the
6 early morning hours or late at night. As such, the noise may
7 have impacts on public health and safety, as well as peaceful
8 enjoyment and quality of life.

9 The legislature further finds that while existing law
10 prohibits vehicle owners from installing mufflers that increase
11 the noise of their vehicle, the penalties are minimal and do
12 little to deter violators of the existing muffler laws, and in
13 fact, violators are known to add the enhanced noise mufflers
14 after they have passed the county vehicle safety check.

15 Accordingly, the purpose of this Act is to enhance the
16 current laws by increasing the fines that may be issued for
17 violation of loud muffler laws and to also authorize police



1 officers with probable cause, as provided by law, to stop
2 vehicles with noticeably noisy mufflers and inspect and examine
3 them for any violations.

4 SECTION 2. Section 291-23, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§291-23 Penalty.** Whoever is convicted of violating any
7 of the provisions of section 291-22 shall be fined not more than
8 [~~\$100.~~] \$300."

9 SECTION 3. Section 291-24, Hawaii Revised Statutes, is
10 amended by amending subsection (c) to read as follows:

11 "(c) Whoever violates this section shall be fined not more
12 than [~~\$100.~~] \$300."

13 SECTION 4. Section 291-24.5, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "~~[+]~~ **§291-24.5** ~~[+]~~ **Motor vehicle muffler.** (a) No person
16 shall use on a public highway, sell, alter or install a muffler
17 which will noticeably increase the noise emitted by a motor
18 vehicle above that emitted by the vehicle as equipped from the
19 factory.

20 (b) Any violation of this section shall constitute a
21 violation and shall be enforceable by police officers. The fine



1 for this violation shall be not less than [~~\$25~~] \$100 nor more
2 than [~~\$250~~] \$300 for each separate offense. Any person who
3 violates the provisions of this section may be issued a summons
4 or citation for such violation.

5 (c) Any enforcement officer of the State shall have the
6 authority to conduct examinations and inspections if the officer
7 has probable cause, as provided by law, to believe that a
8 vehicle's excessively noisy muffler is evidence of violations of
9 subsection (a). No person shall refuse any enforcement officer
10 of the State such examination and inspection."

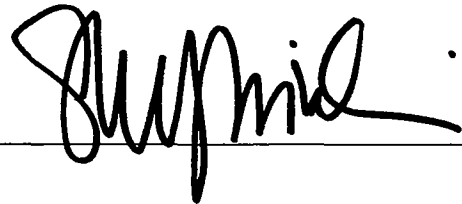
11 SECTION 5. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 6. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect upon its approval.

17

INTRODUCED BY:



S.B. NO. 587

Report Title:

Noisy Mufflers; Fine Increase; Noise Emissions; Noise Pollution;
Probable Cause; Police Officer

Description:

Increases the minimum and maximum fines for violating provisions relating to the installation of noisy mufflers. Authorizes police with probable cause to stop vehicles with noisy mufflers to inspect their mufflers.

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

