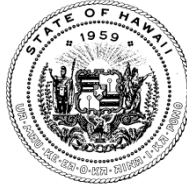


JOSH GREEN, M.D.
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EDWIN H. SNIFFEN
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Deputy Directors
Nā Hope Luna Ho'okele
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STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 6, 2025
10:00 a.m.
State Capitol, Room 224 & Videoconference

H.B. 102 RELATING TO TRANSPORTATION

House Committee on Transportation

The Hawaii Department of Transportation (HDOT) **has comments on H.B. 102**, which prohibits the issuance of a certificate of inspection for a moped or motor vehicle that has been altered, installed, or otherwise modified in any way which will noticeably increase the noise emitted by the motor vehicle or moped above that emitted by the motor vehicle or moped as equipped from the factory.

While the HDOT supports any attempts to reduce the exhaust noise problem, we do want to note that the Hawaii Administrative Rules (HAR), Chapter 19-133 entitled "Periodic Inspection of Vehicles" already prohibit this.

The (Periodic Safety Inspection of Vehicles including Motorcycles) HAR Chapter 19-133.2-36 Inspection of exhaust system: (b) No certificate of inspection shall be issued if the exhaust system components are leaking, not securely fastened, required component parts are missing, equipped with exhaust cut-out or by-pass or similar devices, the muffler emits excessive noise, or exhaust gas is not exiting beyond the passenger compartment, unless such exit was designed by the original motor vehicle manufacturer.

The (Periodic Safety Inspection of Mopeds) HAR Chapter 19-135-28 Scope of inspection, the inspection shall be conducted using the following failure criteria. A moped shall fail the inspection if: (6) On combustion engines, the exhaust system is modified to increase speed or noise, a required component is missing or damaged so function is compromised, loosely mounted, leaking, or gases are not emitted behind the rider. A sound level test shall be used to provide objective evidence of excessive noise. The decibel reading shall be made with the moped outdoors. Determine half throttle with the engine off. With the throttle in the fully closed position, gently turn the throttle grip until the play in the cable ends. At that point, place a mark on the movable portion of the throttle grip and on an adjacent non-movable part. Fully open the throttle and place a mark on the non-movable part that aligns with the mark on the grip. Place a mark on the mid-point of the distance between marks on the non-movable part. This middle mark represents half throttle. The sound meter is to be held above the

examiner's head while standing where the throttle can be moved. Take two decibel measurements by gradually (about two seconds) accelerating the engine to 1/2 throttle, hold it there a second and close it. Record the reading and repeat the process. If either of the two tests shows a decibel reading higher than 100, the muffler shall be failed. No exhaust system shall be modified to amplify or increase the noise emitted by the engine above that emitted by the system originally installed on the moped.

Additionally, some owners remove their non-compliant mufflers for the inspection and replace it after receiving their safety check.

The HDOT will continue to work with our partners in law enforcement to address the excessive noise issue.

Thank you for the opportunity to provide testimony.

HB-102

Submitted on: 2/4/2025 1:02:44 PM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jay Henderson	Citizens Against Noise	Support	Written Testimony Only

Comments:

The members of Citizens Against Noise strongly support this long-overdue bill.

The absolute peace and quiet of our islands before contact are long gone. We are a million people living in a city with power plants, public transportation, roads, shopping malls, etc. So a little noise is acceptable.

But excess noise or noise that disturbs the peace by its volume (too loud) or timing (too late) is unnecessary and should not be allowed.

Motorcycle manufacturers understand that, which is why the mufflers they install on new machines are acceptable from a noise point of view. Unfortunately, there are four easy ways an owner can modify his motorcycle to make it louder: install a different exhaust, modify the carburetor, customize the muffler, or change the ignition. HB102 would prohibit the issuance of a certificate of inspection for a moped or motor vehicle that has been altered, installed, or otherwise modified in any of these four ways or in any other way that would increase the noise being emitted. Bravo for this attempt to restore peace and quiet to our island paradise. Please vote yes on it. Mahalo.



**MOTORCYCLE
INDUSTRY
COUNCIL®**

February 4, 2025

The Honorable Darius Kila
Chairman, House Transportation Committee
415 S Beretania Street
Hawaii State Capitol, Room 322
Honolulu, HI 96813

RE: HB 102 – OPPOSE UNLESS AMENDED

Dear Chairman Kila:

Hundreds of companies represented by the Motorcycle Industry Council (MIC)¹ oppose unless amended HB 102, which prohibits the issuance of a certificate of inspection if the vehicle or moped is found to have a muffler that has been altered, installed, or otherwise modified in any way which will noticeably increase the noise emitted by the motor vehicle or moped above that emitted by the motor vehicle or moped as equipped from the factor. **We respectfully request that HB 102 be amended to specify that any original equipment manufacturer or aftermarket exhaust system that is compliant with US EPA regulations is legal.**

HB 102 does not consider or provide for the installation and use of original equipment or aftermarket replacement exhaust system component parts and mufflers that are certified by the manufacturer to be legal and compliant with Federal EPA noise regulations governing motorcycle exhaust systems. There should be no prohibition against the modification, including the installation of replacement parts, as long as the modification does not result in noise levels that exceed federal sound limits.

We urge HB 102 be amended as follows:

(e) Upon application for a certificate of inspection to be issued for a vehicle or moped, an inspection as prescribed by the director under subsection (g) shall be conducted on the vehicle or moped, and if the vehicle or moped is found to be in a safe operating condition, including adhering to head lamp requirements and specifications pursuant to section 291-25(a), as applicable, a certificate of inspection shall be issued upon payment of a fee to be determined by the director; provided that no certificate of inspection shall be issued if the vehicle or moped is found to have a muffler that has been altered, installed, or otherwise modified in any way which will noticeably increase the noise emitted by the motor vehicle or moped above that emitted by the motor vehicle or moped as equipped from the factory; except for motorcycles and mopeds that do not exceed U.S. EPA regulations, as specified in 40 CFR § 205.152.

¹ The Motorcycle Industry Council (MIC) is a not-for-profit, national trade association representing several hundred manufacturers, distributors, dealers and retailers of motorcycles, scooters, motorcycle parts, accessories and related goods, and allied trades.

For these reasons, we oppose HB 102 unless amended. Thank you very much for your consideration of these comments. Should you have any questions, please do not hesitate to contact me at sschloegel@mic.org or 703-416-0444 x 3202.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott P. Schloegel". The signature is written in a cursive style with a large, stylized initial 'S'.

Scott P. Schloegel
Senior Vice President, Government Relations

cc: House Transportation Committee Members

HB-102

Submitted on: 2/4/2025 9:24:04 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Pitman	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to HB102, which seeks to prohibit the issuance of a certificate of inspection for mopeds and motor vehicles that have been altered to increase noise emissions significantly. While I appreciate the intent to reduce excessive noise pollution, this bill raises several concerns.

1. Unclear and Subjective Enforcement

The bill does not clearly define a "noticeable increase" in noise levels. Enforcement will be subjective without specific decibel limits or objective testing standards, leading to inconsistent application and potential disputes between vehicle owners and inspectors.

2. Unfair Impact on Enthusiasts and Small Businesses

Many vehicle and moped owners modify their mufflers for reasons beyond increasing noise, such as improving performance or replacing deteriorated factory-installed systems. This bill could unfairly penalize responsible owners who use legally compliant aftermarket parts. Additionally, small businesses specializing in vehicle modifications may suffer economic consequences due to the restriction on muffler modifications.

3. Existing Laws Already Address Excessive Noise

Hawaii already has laws regulating excessive vehicle noise, including local ordinances and statutes under traffic and environmental regulations. Strengthening the enforcement of existing laws rather than imposing broad new restrictions would be a more balanced approach.

Conclusion

While excessive noise can be a nuisance, HB102 introduces vague and overly restrictive measures that may result in unintended negative consequences for vehicle owners, small businesses, and inspection stations. I urge the committee to reject this bill in its current form and instead explore more precise, enforceable solutions that balance noise concerns with individual freedoms and economic impacts.

HB-102

Submitted on: 2/4/2025 9:49:52 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joel Hust	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my opposition to HB102, which proposes restrictions on aftermarket exhaust systems for mopeds. While I understand the intent behind this legislation, I believe it will have several unintended consequences that outweigh its benefits.

This bill would place unnecessary hardships on moped owners and small businesses that rely on the sale and installation of aftermarket exhaust systems. Many riders install aftermarket exhausts to improve their vehicles' performance, fuel efficiency, and longevity. A blanket restriction could unfairly penalize responsible moped users who maintain their vehicles within reasonable noise and emissions limits. Additionally, this bill lacks sufficient evidence to justify the necessity of such broad regulations, as existing noise ordinances and emissions standards already address extreme cases. Furthermore, enforcement would require significant government resources, diverting attention from more pressing traffic and safety concerns.

Rather than implementing HB102, I urge the committee to consider alternative solutions that address excessive noise and emissions concerns more specifically, such as enforcing existing regulations rather than imposing new, overly restrictive policies. Thank you for your time and consideration.

HB-102

Submitted on: 2/4/2025 9:54:52 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Brandon Haught-Aliotti	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because there are already laws in place for moped exhaust needing to meet certain safety standards yearly. Placing more restrictions on mopeds makes it difficult for the consumer to ensure the longevity of their mopeds.

HB-102

Submitted on: 2/4/2025 10:10:15 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Robin Thorsen	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I oppose HB102 because it would place unnecessary hardships on moped owners and small businesses that rely on the sale and installation of aftermarket exhaust systems. Many riders install aftermarket exhausts to improve performance, fuel efficiency, and longevity of their vehicles. A blanket restriction could unfairly penalize responsible moped users who maintain their vehicles within reasonable noise and emissions limits. Additionally, this bill lacks sufficient evidence to justify the necessity of such broad regulations, as existing noise ordinances and emissions standards already address extreme cases. Furthermore, enforcement would require significant government resources, diverting attention from more pressing traffic and safety concerns.

HB-102

Submitted on: 2/4/2025 11:02:35 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Support	Written Testimony Only

Comments:

Aloha and thank you for this opportunity to submit testimony in **STRONG & ENTHUSIASTIC SUPPORT for HB102.**

Noisy mufflers adversely affect one's health and well-being, disturb sleep, hurt ear drums, force people to stop conversing until they pass, and are just plain obnoxious and rude.

A much needed way to help stop people from installing them is to not allow a moped or motor vehicle with a modified muffler to pass the annual inspection.

Mahalo for your kind consideration in moving this bill forward as quickly as possible so residents and visitors alike may benefit from it.

HB-102

Submitted on: 2/4/2025 11:10:36 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Support	Written Testimony Only

Comments:

I have **STRONG SUPPORT** for this bill.

Loud, noisy mufflers basically terrorize neighborhoods. Those who are forced to hear them are a captive audience to harmful, loud noise. Their ear-splitting soundwaves rattle windows, even mine on the 16th floor of my building. You can't hear the TV or radio while they go by, and they wake people up from a deep sleep.

This type of noise is detrimental to human and animal health. I feel very sorry for the animals in the Honolulu Zoo as the hordes of bikers go revving down all the streets bordering the zoo.

This bill is needed to be another way to discourage people from installing such mufflers.

HB-102

Submitted on: 2/4/2025 12:07:01 PM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Matson	Individual	Support	Written Testimony Only

Comments:

Strong Support for HB 102 !!!

HB-102

Submitted on: 2/4/2025 12:27:20 PM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kevin Oberhofer	Individual	Oppose	Written Testimony Only

Comments:

I respectfully submit testimony in strong opposition to HB102. While I understand the intent to address excessive vehicle noise, this bill overreaches and unfairly penalizes responsible vehicle owners.

1. **Lack of Clear Standards:** The bill does not provide objective guidelines for what constitutes “noticeably increased noise,” leaving enforcement subjective and inconsistent.
2. **Impact on Enthusiasts and Businesses:** Many automotive enthusiasts and businesses rely on aftermarket modifications for performance, efficiency, and safety. This bill harms local small businesses specializing in legal vehicle modifications.
3. **Existing Laws Already Address Noise:** Hawaii already has laws prohibiting excessive noise from vehicles. Rather than banning modifications outright, enforcement of these existing regulations would be a more balanced approach.
4. **Unintended Consequences:** Some modifications improve vehicle efficiency, safety, and emissions without significantly increasing noise. This bill discourages innovation and restricts consumer choice.

For these reasons, I urge the committee to reject HB102 or, at the very least, amend it to provide clear, enforceable, and fair noise standards without penalizing responsible vehicle owners.

Thank you for the opportunity to testify.

HB-102

Submitted on: 2/4/2025 1:59:20 PM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
irene kloepfer	Individual	Support	Written Testimony Only

Comments:

Aloha this bill needs to pass and it needs to be enforced. This is a health hazard Being woken up at 4.30am. Or being startled at 2pm. Or not being able to hear someone you are talking with on the phone as these noise machines go by, speeding also to make even more noise. Kupuna, kids, puppies especially suffer from this abuse

HB-102

Submitted on: 2/4/2025 2:36:59 PM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Murphy	Individual	Support	Written Testimony Only

Comments:

A few years ago, I might have noticed a car or two passing through the Punahou & Wilder intersection that was disruptive enough to jar me awake.

Fast forward to last night (and virtually every night for the past year). At least three times per hour, a car with a modified exhaust system (or just plain bad maintenance) shakes the walls and causes my heart to flutter. Sometimes they are so explosive that they cause car alarms to go off, adding to the cacophony. It was bad enough when they were loud, bassy rumblings. But they are now sometimes designed to sound like gunfire, and I can't imagine how this affects people with challenges like PTSD.

If it's early in the evening I might have had to rewind whatever I'm watching on TV, tell friends to hold on the phone to wait for the noise to go by, or, if later, leap out of bed stunned and thinking there was an emergency. It has gotten so bad that I have had to close all my doors, necessitating artificial air conditioning instead of the good fresh air to which I and everyone else should be entitled. This is not only a health and comfort issue. Air conditioning is expensive, not environmentally friendly, and largely unnecessary in a world where legislating common sense isn't required.

Enforcement of existing noise laws has proven difficult. The mechanism must be introduced earlier in the chain, making it difficult for these less socially conscious drivers to get their vehicles to the road in the first place.

Please consider doing something about this problem, as soon as possible.

HB-102

Submitted on: 2/5/2025 9:00:29 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
lillianna shirley	Individual	Oppose	Written Testimony Only

Comments:

Local businesses specializing in aftermarket parts, vehicle customization, and repair services will suffer economic harm if customers are prohibited from modifying their vehicles. Many of these businesses already adhere to existing noise regulations and ensure compliance with decibel limits. HB102 would effectively outlaw a segment of their industry, leading to job losses and revenue decline.

HB-102

Submitted on: 2/5/2025 9:13:02 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Rogers	Individual	Oppose	Written Testimony Only

Comments:

while I agree excessively loud mopeds are a nuisance and personally can't stand them, there are plenty of people who have common sense, this bill is way too restrictive, it not only will cause a supply issue but also a cost issue, aftermarket exhausts are more affordable, in addition to that there are already laws stating that loud mopeds will be failed, how would any officer enforce this? "louder" is a trick word and isn't properly defined

HB-102

Submitted on: 2/5/2025 10:15:36 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carla canales	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

I am writing to respectfully express my opposition to HB102, which proposes [summarize the main points of the bill]. While I understand the intent behind this legislation, I believe it will have unintended negative consequences that outweigh its benefits.

Key Concerns:

1. **Financial Burden on Residents**

HB102 would impose additional costs on individuals and businesses, disproportionately affecting low-income residents. The increased financial strain could make [describe the impact, e.g., access to transportation, housing, or business operations] less accessible to those who rely on it the most.

2. **Unintended Consequences on Small Businesses**

Many small businesses in Hawai'i operate on tight margins, and the requirements imposed by HB102 could result in increased expenses, leading to job losses or closures.

3. **Lack of Infrastructure/Support for Implementation**

The proposed changes require enforcement mechanisms and administrative oversight that may not currently exist. Without clear funding and logistical planning, the bill may lead to inefficiencies and enforcement challenges.

4. **Alternative Solutions Exist**

Instead of HB102, I urge the legislature to consider alternative approaches such as [suggest alternatives, such as pilot programs, public-private partnerships, or targeted regulatory adjustments] that would achieve similar objectives without imposing undue hardship on the community.

Conclusion:

For these reasons, I urge the Committee to reconsider HB102 and explore alternative policies that achieve the desired outcomes in a way that is more balanced and equitable. Thank you for your time and consideration of this testimony.

Sincerely,
Carla

HB-102

Submitted on: 2/5/2025 10:36:31 AM

Testimony for TRN on 2/6/2025 10:00:00 AM

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

Comments:

After markets exhaust for bikes are actually cheaper and even though they may have high decibels on sound, they actually help riders drive along the road more safely since traffic is able to hear better. Most of the time drivers do not even use their own mirrors, turn their heads or listen on the road while driving and it causes possible accident or close calls to other drivers/riders on the road. I oppose this bill

Andrew Manibusan

HB-102

Submitted on: 2/5/2025 8:14:51 PM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Manabo Sato	Individual	Oppose	Written Testimony Only

Comments:

Greetings and Aloha to the Honorabe Chair, Vice Chair and all Committee members,

My name s Manabo "Robert" Sato and I am Vice President Cofounder of Moped Doctors Inc, a local moped sales/service shop here in Honolulu since 2010. I am also the Chief Safety Inspector for DMV safety inspection number 1926 . Moped Doctors strongly opposes SB367

We at Moped Doctors helped implement the sound standard for the moped safety inspection program working alongsitde the Hawaii State Dept. of Transportation. We led a crackdown which successfully reduced the number of loud noisy modified "outlaw" mopeds on our streets since 2016. We were surprised however, to find that car and motorcycle safety inspector counterparts of ours in this state generally do not do sound checks.

Frankly, having to do sound checks and safety inspections required a lot of expense, time and effort and STRESS to help regulate the mopeds ou there. We believe with the increasingly growing number of ELECTRIC CARS ,Electric Motorcycles and mopeds, which are basically near silent (but have other drawbacks) have reduced the need for car/motorcycle safety inspectors to have to take on the additonal burden of buying extra equipment and undergoing additional training in or addition to their already complex safety routines is unnecessary and excessive.

If proper enforcement of EXISTING NOISE LAWS (and they do exist) are followed through by local law enforcement and fines and other penalties are meted out consistently and regularly for disturbing the peace etc, that should address the noise issue of the few modified cars and motorcycles with such illegal "enhancements".

Times are tough and it is hard enough for mechanic shops, whether cars or motorcycles or mopeds to get by. The LAST thing the much larger car/motorcycle safety inspection iindustry needs is to have even more burden on top of the inspectors already complex and difficult roles.

Please defer this bill.

Mahalo,

Manabo "Robert" Sato

Vice President/Head Safety Inspector

Moped Doctors Inc

HB-102

Submitted on: 2/5/2025 9:02:38 PM

Testimony for TRN on 2/6/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I am in full support. Noise is the major complaint of residents nationwide. It affects people's health.

I apologize for the late submission but I have been overwhelmed by reviewing bills and hope one day this task will be spread over 12 months with a year round legislature.

Please move this bill forward.