

ACT 223

S.B. NO. 1173

A Bill for an Act Relating to Vehicles.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 291, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

“§291- Intentional release of exhaust emissions prohibited; penalty.

(a) No person shall cause a diesel- or gas-powered vehicle to discharge clearly visible smoke, soot, or other exhaust emissions onto another person or motor vehicle when modifications to a vehicle's parts are adjusted to bypass pollution controls, or the vehicle is equipped with defeat devices, including electronic programmers or tuners to adjust fuel and timing settings while also turning off certain emission controls that are designed to inhibit the release of visible exhaust.

(b) This section shall not apply to:

- (1) Drag racing events that are organized by government or private entities and either sanctioned by an official hot rod association or held on a track sanctioned by an official hot rod association;
- (2) Military events;

ACT 223

- (3) Community events; and
- (4) Parade events.
- (c) Any person who violates this section shall be fined no less than \$500.”

SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect upon its approval.

(Approved July 5, 2023.)

Note

- 1. Edited pursuant to HRS §23G-16.5.