
A BILL FOR AN ACT

RELATING TO NOISE.

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

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

4 "§291- Noise abatement area for motor vehicles and
5 mopeds; penalties. (a) It shall be a violation for any person
6 to:

- 7 (1) Operate or cause to operate a motor vehicle or moped
8 that emits any noise or sound exceeding ninety five
9 decibels, within five hundred feet from the nearest
10 point of any building;
11 (2) Drive or operate a motor vehicle or moped to make or
12 create any noise exceeding ninety five decibels;
13 (3) Operate or cause to operate a motor vehicle or moped
14 without a United States Environmental Protection
15 Agency-approved sticker matching the muffler to the
16 vehicle type (40 C.F.R. Section 205.158) or where the
17 muffler does not match the vehicle type; or



1 (4) Operate or cause to operate a motor vehicle or moped
2 with an exhaust system that has been modified to make
3 more noise or sound than the vehicle made when
4 manufactured.

5 (b) Any person violating any provision of this section
6 shall be punished by:

7 (1) A fine not exceeding \$100 for the first violation;

8 (2) A fine not exceeding \$200 for the second violation;
9 and

10 (3) A fine not exceeding \$500 for the third or subsequent
11 violation, or by imprisonment not exceeding thirty
12 days, or both.

13 (c) If a law enforcement officer has probable cause to
14 believe that any motor vehicle or moped has been used in
15 violation of this section, the law enforcement officer may seize
16 and impound the vehicle for no longer than fourteen days. The
17 owner of a vehicle subject to impoundment shall be liable for
18 all fees and costs associated with the impoundment. The
19 citation shall require the owner of the vehicle to restore the
20 vehicle to compliance with subsection (a) (1) to (4) before again
21 operating the vehicle on public streets and highways.

22 (d) For purposes of this section:



1 "Building" means any structure used for the lodging of
2 persons therein; each unit of a building consisting of two or
3 more units separately secured or occupied is a separate
4 building.

5 "Moped" means the same as defined in section 291C-1.

6 "Motor vehicle" means the same as defined in section 291C-
7 1."

8 SECTION 2. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$100,000 or so much
10 thereof as may be necessary for fiscal year 2007-2008 and the
11 same sum or so much thereof as may be necessary for fiscal year
12 2008-2009 for the development and implementation of a program to
13 store motor vehicles and mopeds taken into custody by law
14 enforcement pursuant to this Act.

15 The sums appropriated shall be expended by the city and
16 county of Honolulu for the purposes of this Act.

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 2051;
19 provided that section 2 shall take effect on July 1, 2050.



Report Title:

Noise Pollution; Motor Vehicles; Mopeds; Penalty; Impoundment

Description:

Establishes a noise abatement zone for motor vehicles and mopeds and assesses an escalating fine starting at \$100 and impoundment of vehicles for transgressors. Effective date of July 1, 2051.
(HB1447 HD1)

