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# A BILL FOR AN ACT

RELATING TO NOISE POLLUTION.

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

1           SECTION 1. The legislature finds that noise pollution is a  
2 prevalent and increasing problem in the State. Exposure to  
3 excessively loud and unabated noises can result in  
4 physiological, psychological, and economic damage. There is a  
5 continuous and increasing bombardment of noise in the urban,  
6 suburban, and rural areas.

7           The legislature further finds that excessively loud  
8 vehicles, such as motor vehicles with after-market modifications  
9 to engine or exhaust systems, are a significant source of noise  
10 pollution in the State, impair the peace and tranquility that is  
11 part of the beauty of the Hawaiian islands, and constitute a  
12 public nuisance.

13           Citizens of Hawaii are entitled to a healthy and peaceful  
14 environment. They have the right to be free from noise  
15 pollution that may be hazardous to their health or welfare.  
16 Efforts to protect this right have been codified under chapter  
17 342F, Hawaii Revised Statutes, and administrative rules. In



1 addition, section 46-17, Hawaii Revised Statutes, authorizes any  
2 county to adopt ordinances regulating noise, among other things.  
3 The legislature finds, however, that existing regulatory  
4 measures are not effectively enforced and do not adequately  
5 address noise pollution emitted by excessively loud vehicles.

6 Accordingly, the purpose of this Act is:

- 7 (1) Require the department of health to adopt rules for  
8 the control, prevention, and abatement of noise  
9 pollution emitted by excessively loud vehicles in the  
10 State; and  
11 (2) Prohibit the operation or sale of vehicles that emit  
12 excessive noise.

13 SECTION 2. Chapter 342F, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 "§342F- Noise control; excessively loud vehicles. (a)  
17 By June 30, 2023, the department shall adopt rules in accordance  
18 with chapter 91 that shall use the dBC and dBA sound level  
19 measurement systems for the control, prevention, and abatement  
20 of noise pollution emitted by vehicles in the State.

21 (b) It shall be unlawful for any:



1       (1) Person to operate a vehicle that emits a noise in  
2       excess of the decibel limitations adopted pursuant to  
3       this section;

4       (2) Owner of a vehicle to allow a vehicle to emit noise in  
5       excess of the decibel limitations adopted pursuant to  
6       this section; and

7       (3) Person to sell or offer for sale a vehicle that emits  
8       noise in excess of the decibel limitations adopted  
9       pursuant to this section.

10       (c) Any county may adopt a rule or ordinance that places  
11 stricter limitations on noise pollution emitted by vehicles than  
12 are established by rule pursuant to this section. In case of a  
13 conflict between the limitations of this section and any county  
14 rule or ordinance regarding noise pollution emitted by vehicles,  
15 the more restrictive requirement shall apply."

16       SECTION 3. Section 342F-31, Hawaii Revised Statutes, is  
17 amended to read as follows:

18       "~~[+]§342F-31[+]~~ **Rules; specific.** The director may  
19 establish by rule[+]

20       ~~(1) The control of vehicular noise; and~~



1        ~~(2) Other]~~ other specific areas for control of excessive  
2                    noise, thereby allowing for varying conditions."

3            SECTION 4. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5            SECTION 5. This Act shall take effect on July 1, 2060.

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H.B. NO. 1545  
H.D. 1

**Report Title:**

Vehicles; Noise; Pollution; Nuisance; Rules

**Description:**

Requires the department of health to adopt rules for the control, prevention, and abatement of noise pollution emitted by vehicles in the State. Prohibits the use, ownership, and sale of excessively loud vehicles. Effective 7/1/2060. (HD1)

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

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