

JAN 19 2022

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. These excessively loud vehicles impair
11 the peace and tranquility that is part of the beauty of the
12 Hawaiian islands and constitute a 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 Regulatory efforts have been made to protect this right under
17 chapter 342F, Hawaii Revised Statutes, and administrative rules



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

7 Accordingly, the purpose of this Act is to direct the
8 department of health to promulgate rules for the control,
9 prevention, and abatement of noise pollution emitted by
10 excessively loud vehicles in the State.

11 SECTION 2. Section 342F-30.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "[+]§342F-30.5[+] **Noise control.** (a) By June 30, 1996,
14 the department shall adopt a state community noise code pursuant
15 to chapter 91, which recognizes differences in noise level
16 standards in urban and non-urban areas of the State and noise
17 level standards of each county.

18 (b) By June 30, 2023, the department shall adopt rules
19 pursuant to chapter 91 for the control, prevention, and
20 abatement of noise pollution emitted by vehicles in the State.



S.B. NO. 2127

1 These rules shall regulate the emission of noise by the measure
2 of decibels. In addition:

3 (1) No person shall operate a vehicle that emits noise in
4 excess of the decibel limitation or limitations
5 adopted pursuant to this subsection;

6 (2) No owner of a vehicle shall allow a vehicle to emit
7 noise in excess of the decibel limitation or
8 limitations adopted pursuant to this subsection; and

9 (3) No person shall sell or offer for sale a vehicle that
10 emits noise in excess of the decibel limitation or
11 limitations adopted pursuant to this subsection.

12 Any county may adopt a rule or ordinance that places stricter
13 limitations on vehicles than are promulgated by the department
14 pursuant to this subsection. To the extent of a conflict, the
15 more restrictive requirement shall apply.

16 (c) In the event of any conflict between this section and
17 section 46-17, section 46-17 shall govern."

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

20 "[+]§342F-31[+] Rules; specific. The director may
21 establish by rule[+]



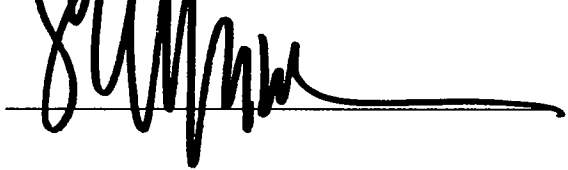
S.B. NO. 2127

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

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

6 SECTION 5. This Act shall take effect upon its approval.

7

INTRODUCED BY: 



S.B. NO. 2127

Report Title:

Vehicles; Noise; Pollution; Nuisance

Description:

Directs 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.

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

