
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that many residents
2 throughout the State have complained of the growing noise
3 pollution and disturbances from loud mufflers on motor vehicles,
4 predominantly motorcycles. The complainants claim that the
5 noise level adversely affects their sleep, particularly in the
6 early morning hours or late at night. As such, the noise may
7 have impacts on public health and safety, as well as peaceful
8 enjoyment and quality of life.

9 The legislature further finds that while existing law
10 prohibits vehicle owners from installing mufflers that increase
11 the noise of their vehicle, the penalties are minimal and do
12 little to deter violators of the existing muffler laws, and in
13 fact, violators are known to add the enhanced noise mufflers
14 after they have passed the county vehicle safety check.

15 Accordingly, the purpose of this Act is to enhance the
16 existing noisy exhaust pipe and muffler laws by:



1 (1) Increasing the fines that may be issued for violation
2 of noisy exhaust pipe and muffler laws; and

3 (2) Authorizing police officers to conduct examinations
4 and inspections if the officer has probable cause to
5 believe that a vehicle's excessively noisy muffler is
6 evidence of a violation.

7 SECTION 2. Section 291-23, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§291-23 Penalty.** Whoever is convicted of violating any
10 of the provisions of section 291-22 shall be fined [~~not~~] no more
11 than [~~\$100.~~] \$300."

12 SECTION 3. Section 291-24, Hawaii Revised Statutes, is
13 amended by amending subsection (c) to read as follows:

14 "(c) Whoever violates this section shall be fined [~~not~~] no
15 more than [~~\$100.~~] \$300."

16 SECTION 4. Section 291-24.5, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "[~~+~~]**§291-24.5[+]** **Motor vehicle muffler.** (a) No person
19 shall use on a public highway, sell, alter or install a muffler
20 [~~which~~] that will noticeably increase the noise emitted by a



1 motor vehicle above that emitted by the vehicle as equipped from
2 the factory.

3 (b) Any violation of this section shall constitute a
4 violation and shall be enforceable by police officers. The fine
5 for this violation shall be [~~not~~] no less than [~~\$25~~] \$100 nor
6 more than [~~\$250~~] \$300 for each separate offense. Any person who
7 violates the provisions of this section may be issued a summons
8 or citation for [~~such~~] the violation.

9 (c) Any police officer of the State may conduct
10 examinations and inspections if the officer has probable cause
11 to believe that a vehicle's excessively noisy muffler is
12 evidence of a violation of subsection (a). No person shall deny
13 any police officer of the State an examination and inspection
14 pursuant to this section."

15 SECTION 5. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 6. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 7. This Act shall take effect on June 30, 3000.



Report Title:

Noisy Exhaust Pipes and Mufflers; Fine Increase; Probable Cause;
Police Officer

Description:

Increases the fines for violating provisions relating to the installation of noisy exhaust pipes and mufflers. Authorizes police officers to conduct examinations and inspections if the officer has probable cause to believe that a vehicle's excessively noisy muffler is evidence of a violation. Effective 6/30/3000. (HD1)

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