

STAND. COM. REP. NO. **2969**

Honolulu, Hawaii

**MAR 0 1 2024**

RE: S.B. No. 2350  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2350, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NOISE POLLUTION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a separate prohibition on driving motor vehicles having noisy mufflers on public highways in high-density areas;
- (2) Authorize police officers to conduct examinations and inspections of motor vehicle mufflers in high-density areas;
- (3) Establish separate fines for violations of motor scooter and motor vehicle muffler regulations; and
- (4) Define "high-density areas".

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, one member of the Waikiki Neighborhood Board, and five individuals.



Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that noise pollution and disturbances from low restriction mufflers on motor vehicles, predominantly motorcycles, have plagued residents throughout the State, especially those living in high-density areas. Although existing law forbids vehicle owners from installing mufflers that intensify the noise of their vehicle, the penalties are negligible and fail to deter violations. This measure will reduce noise, improve public health and safety, and allow residents and visitors in the State to enjoy peace and a higher quality of life.

Your Committee has amended this measure by:

- (1) Replacing the penalty for a violation of the prohibition against the use of a muffler that noticeably increases the noise emitted by a motor vehicle above that emitted by the vehicle as equipped by the factory on a public highway in a high-density area with tiered fines of:
  - (A) A fine of not more than \$200 for the first conviction;
  - (B) A fine of not more than \$500 for a second conviction committed within five years; and
  - (C) A fine of not more than \$1,500 for a third or subsequent conviction within five years;
- (2) Deleting language that would have allowed any police officer 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 of the prohibition against the use of a muffler that noticeably increases the noise emitted by a motor vehicle above that emitted by the vehicle as equipped by the factory on a public highway in a high-density area;
- (3) Amending section 1 to reflect its amended purpose; and



- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2350, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2350, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



