



# GOV. MSG. NO. 1272

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

July 2, 2024

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Second State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki  
Speaker, and Members of the  
House of Representatives  
Thirty-Second State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 2, 2024, the following bill was signed into law:

SB2350 SD2 HD2 CD1

RELATING TO NOISE POLLUTION.  
**ACT 171**

Sincerely,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.  
Governor, State of Hawai'i

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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 many residents  
2 throughout the State, especially those in high density  
3 residential areas, have complained about growing noise pollution  
4 and disturbances from low restriction mufflers on motor  
5 vehicles, predominantly motorcycles. The complainants claim  
6 that the noise level adversely affects their sleep, particularly  
7 in the early morning hours or late at night. Thus, the noise  
8 may have adverse impacts on public health and safety, as well as  
9 peaceful enjoyment and quality of life.

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

16 Accordingly, the purpose of this Act is to establish:



- 1 (1) A separate prohibition on driving motor vehicles
- 2 having noisy mufflers on public highways in high
- 3 density population areas;
- 4 (2) Tiered fines for violations of motor scooter muffler
- 5 laws; and
- 6 (3) Tiered fines for violations of motor vehicle muffler
- 7 laws.

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

11 "§291- Motor vehicle muffler; high density population  
12 areas. (a) No person shall use on a public highway in a high  
13 density population area a muffler that noticeably increases the  
14 noise emitted by a motor vehicle above that emitted by the  
15 vehicle as equipped by the factory.

16 (b) Any violation of this section shall constitute a  
17 violation and shall be enforceable by law enforcement officers.

18 Any person who violates the provisions of this section may be  
19 issued a summons or citation for the violation. Violation of  
20 any of the provisions of this section shall subject the violator  
21 to the following penalties:



- 1           (1) For a first violation, the person shall be fined not  
2                   more than \$200;
- 3           (2) For a second violation committed within five years of  
4                   any other violation under this section, the person  
5                   shall be fined not more than \$500; and
- 6           (3) For a violation of a third or subsequent offense  
7                   committed within five years of any other violation  
8                   under this section, the person shall be fined not more  
9                   than \$1,500.

10           (c) As used in this section, "high density population  
11 area" means a county having a population of five hundred  
12 thousand or more."

13           SECTION 3. Section 291-23, Hawaii Revised Statutes, is  
14 amended to read as follows:

15           "~~§291-23~~ **Penalty.** [~~Whoever is convicted of violating any~~  
16 ~~of the provisions of section 291-22 shall be fined not more than~~  
17 ~~\$100-]~~ (a) Violation of any of the provisions of section 291-22  
18 shall subject the violator to the following penalties:

- 19           (1) For a first violation, the person shall be fined not  
20                   more than \$100;



- 1           (2) For a second violation committed within five years of  
2           any other violation under section 291-22, the person  
3           shall be fined not more than \$300; and
- 4           (3) For a violation of a third or subsequent offense  
5           committed within five years of any other violation  
6           under section 291-22, the person shall be fined not  
7           more than \$900."

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

10           "~~{}~~\$291-24.5~~{}~~ **Motor vehicle muffler.** (a) No person  
11 shall use on a public highway, sell, alter, or install a muffler  
12 ~~[which]~~ that will noticeably increase the noise emitted by a  
13 motor vehicle above that emitted by the vehicle as equipped from  
14 the factory.

15           (b) ~~[Any]~~ Except as provided in section 291- , any  
16 violation of this section shall constitute a violation and shall  
17 be enforceable by police officers. ~~[The fine for this violation~~  
18 ~~shall be not less than \$25 nor more than \$250 for each separate~~  
19 ~~offense.]~~ Violation of this section shall subject the violator  
20 to the following penalties:



1        (1) For a first violation, the person shall be fined not  
2        more than \$100;

3        (2) For a second violation committed within three years of  
4        any other violation under this section, the person  
5        shall be fined not more than \$300; and

6        (3) For a violation of a third or subsequent offense  
7        committed within five years of any other violation  
8        under this section, the person shall be fined not more  
9        than \$900.

10 Any person who violates the provisions of this section may be  
11 issued a summons or citation for [~~such~~] the violation."

12        SECTION 5. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15        SECTION 6. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17        SECTION 7. This Act shall take effect upon its approval.



S.B. NO.

2350  
S.D. 2  
H.D. 2  
C.D. 1

APPROVED this **2nd** day of **July**, 2024

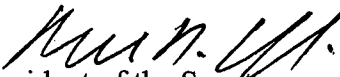



GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 1, 2024  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.

  
President of the Senate

  
Clerk of the Senate



SB No. 2350, SD 2, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2024  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives