

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 586
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 586, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Specify that a certificate of inspection shall be issued if a vehicle is not equipped with a noisy muffler or exhaust system;
- (2) Require rules regarding safety check inspections to ensure that a motorcycle, moped, or motor vehicle is not equipped with a noisy muffler or exhaust system;
- (3) Suspend, revoke, or refuse renewal of a permit for an official inspection station upon a third or subsequent willful violation of any rule regarding inspecting a noisy muffler or exhaust system;
- (4) Make violating the noisy muffler laws a petty misdemeanor; and
- (5) Include repairing or installing a noisy muffler or exhaust system as a prohibited practice for motor vehicle repair regulations.



Your Committee received testimony in support of this measure from the Department of Transportation and four 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 the growing noise pollution and disturbance from loud mufflers on motor vehicles may have impacts on public health and safety, as well as peaceful enjoyment and quality of life. Existing law prohibits the operation of a motor vehicle of which the exhaust pipe or muffler has been modified to increase the volume of the vehicle's motor; however, this law is regularly violated due to insufficient penalties. Your Committee finds that the increases in fines proposed by this measure will serve as a stronger deterrent.

Your Committee has amended this measure by:

- (1) Deleting language that makes the offense of installing a muffler that will increase the noise emitted by a motor vehicle a violation or traffic infraction; and
- (2) 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. 586, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 586, S.D. 2.

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



KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:* SB 586 SD1	Committee Referral: TCA, JDC	Date: 2/24/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.				✓
AWA, Brenton			✓	
TOTAL	3	—	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes