
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Section 291-24, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§291-24 Motorcycles [and], motor scooters, mopeds, and
4 motor vehicles; noisy mufflers; penalty. (a) Every motorcycle,
5 motor scooter, and moped moving under its own power on a public
6 highway shall at all times be equipped with a muffler [~~in~~
7 ~~constant operation to prevent any excessive or unusual noise and~~
8 ~~no~~]. No muffler or exhaust system with which a motorcycle,
9 motor scooter, moped, or motor vehicle is equipped shall emit a
10 noise level greater than sixty decibels, unless the muffler or
11 exhaust system is the muffler or exhaust system originally
12 installed on the motorcycle, motor scooter, moped, or motor
13 vehicle. No such muffler or exhaust system shall be equipped
14 with a cutout, bypass, or similar device. [~~No person shall~~
15 ~~modify the exhaust system of a motorcycle or a moped in a manner~~
16 ~~which will amplify or increase the noise emitted by the motor of~~



1 ~~such motorcycle or moped above that emitted by the muffler~~
2 ~~originally installed on the motorcycle or moped except]~~

3 (b) Subsection (a) notwithstanding, a motorcycle, motor
4 scooter, or moped that:

- 5 (1) Has three wheels;
- 6 (2) Is powered by an electric motor;
- 7 (3) Has a full body enclosed cab; and
- 8 (4) Has a seat belt assembly or a child restraint system
9 for the driver and passenger;

10 shall not be required to be equipped with a muffler.

11 [~~(b)~~] (c) As used in this section[, "~~muffler~~"]:

12 "Motor vehicle" shall have the same meaning as defined in
13 section 291C-1.

14 "Motorcycle", "motor scooter", and "moped" shall have the
15 same meaning as defined in section 286-2.

16 "Muffler" means a device consisting of a series of chambers
17 or baffle plates, or other mechanical design, for the purpose of
18 receiving exhaust gas from the engine of the motorcycle ~~[or]~~,
19 motor scooter, moped, or motor vehicle, and being effective in
20 reducing noise.



H.B. NO. 225

1 ~~[(e)]~~ (d) Whoever violates this section shall be ~~[fined~~
2 ~~not more than \$100.]~~ :

3 (1) Required to equip the motorcycle, motor scooter,
4 moped, or motor vehicle with a muffler or exhaust
5 system that complies with the decibel level limit
6 established under subsection (a);

7 (2) Required to obtain a safety inspection to ensure
8 compliance with this section; and

9 (3) Fined:

10 (A) Not more than \$200 for the first violation;

11 (B) \$300 for the second violation; and

12 (C) \$500 for the third and each subsequent
13 violation."

14 SECTION 2. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect upon its approval.

17

INTRODUCED BY:

Mark Halpern (BR)

JAN 19 2017



H.B. NO. 225

Report Title:

Motorcycles; Motor Scooters; Mopeds; Motor Vehicles; Noise Emission; Mufflers; Exhaust Systems

Description:

Prohibits the noise level of mufflers or exhaust systems on motorcycles, motor scooters, mopeds, and motor vehicles from emitting a noise level exceeding sixty decibels, with certain exceptions. Provides a graduated schedule of fines for first, second, and subsequent violations.

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