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# 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, motor scooters, and mopeds[7]; noisy  
4 mufflers; penalty. (a) Every motorcycle, motor scooter, and  
5 moped moving under its own power on a public highway shall at  
6 all times be equipped with a muffler [~~in constant operation to~~  
7 ~~prevent any excessive or unusual noise and ne~~]. No muffler or  
8 exhaust system with which a motorcycle, motor scooter, or moped  
9 is equipped shall emit a noise level greater than           decibels,  
10 unless the muffler or exhaust system is the muffler or exhaust  
11 system originally installed on the motorcycle, motor scooter, or  
12 moped. No such muffler or exhaust system shall be equipped with  
13 a cutout, bypass, or similar device. [~~No person shall modify~~  
14 ~~the exhaust system of a motorcycle or a moped in a manner which~~  
15 ~~will amplify or increase the noise emitted by the motor of such~~  
16 ~~motorcycle or moped above that emitted by the muffler originally~~  
17 ~~installed on the motorcycle or moped except]~~



1        (b) Subsection (a) notwithstanding, a motorcycle, motor  
2 scooter, or moped that:

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

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

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

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

12        "Muffler" means a device consisting of a series of chambers  
13 or baffle plates, or other mechanical design, for the purpose of  
14 receiving exhaust gas from the engine of the motorcycle, motor  
15 scooter, or moped, and being effective in reducing noise.

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

- 18            (1) Required to equip the motorcycle, motor scooter, or
- 19                        moped with a muffler or exhaust system that complies
- 20                        with the decibel level limit established under
- 21                        subsection (a);



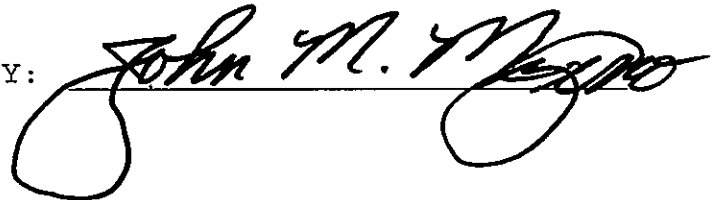
- 1        (2) Required to obtain a safety inspection to ensure
- 2        compliance with this section; and
- 3        (3) Fined [~~not more than \$100.~~]:
- 4        (A) Not more than \$200 for the first violation;
- 5        (B) \$300 for the second violation; and
- 6        (C) \$500 for the third and each subsequent
- 7        violation."

8        SECTION 2. Statutory material to be repealed is bracketed  
 9 and stricken. New statutory material is underscored.

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

11

INTRODUCED BY:



JAN 22 2016



# H.B. NO. 1934

**Report Title:**

Motorcycles; Motor Scooters; Mopeds; Noise Emission; Mufflers

**Description:**

Prohibits motorcycle, motor scooter, and moped mufflers that emit a noise level above a certain decibel level. Provides a graduated schedule of fines for first, second, and subsequent violations.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

