



**A BILL FOR AN ORDINANCE**

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RELATING TO MOTORCYCLES AND MOPEDS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to amend the City's Traffic Code to address noise caused by the operation of motorcycles and mopeds.

SECTION 2. Section 15-2.29, Revised Ordinances of Honolulu 1990, as amended by Ordinance 18-13, is amended to read as follows:

**"Sec. 15-2.29 Vehicles and related terms.**

"City transit bus" means the same as defined under Section 13-1.1; provided, that if a bus is owned by a contractor with the city and used in the city bus system, the bus shall be deemed a "city transit bus" only during its use in the city bus system.

"Combination of vehicles" includes any combination of two or more vehicles or any combination of a truck tractor with semi-trailer drawing one trailer, coupled together.

"Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, including farm tractors, farm wagons, wagon trailers, or other vehicles used in connection therewith, or for lifting or carrying an implement of husbandry.

"Mechanical street sweeper" means any motor-driven device or equipment mounted on wheels and used to sweep, clean, or flush streets.

"Moped" means the same as defined in HRS Section 291C-1. A moped is a vehicle for the purposes of this chapter.

"Motorcycle" means the same as defined in HRS Section 291C-1. A motorcycle is a motor vehicle for the purposes of this chapter.

"Motor vehicle" means the same as defined in HRS Section 291C-1.

"Pickup truck" means every truck with a gross vehicle weight rating of 10,000 pounds or less.

"Truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property.

"Vehicle" means the same as defined in HRS Section 291C-1."



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SECTION 3. Section 15-19.28, Revised Ordinances of Honolulu 1990, is amended to read as follows:

**"Sec. 15-19.28 Mufflers--Noise-controlling devices.**

- (a) No person shall operate a motor vehicle or moped on a public highway or street unless such motor vehicle or moped is equipped, at all times, with a muffler or mufflers in constant operation and of such length and size or of sufficient capacity for the motor and/or exhaust system to prevent the escape of excessive or annoying fumes or smoke, and excessive or unusual noise. The term "excessive or unusual noise," as used in this section, means noise in excess of the usual noise ~~[which] that~~ would necessarily result from the operation of a motor when reduced to the minimum by a muffler ~~[such as is defined herein.]~~ operated in the manner and meeting the standards described in this subsection.
- (b) No person shall operate a motor vehicle or moped on a public highway or street unless the motor ~~[and/or]~~ and exhaust system of ~~[such] the~~ motor vehicle ~~[is]~~ or moped are properly equipped and adjusted so as to prevent the escape of excessive or annoying fumes or smoke and the emission of excessive or unusual noise as defined ~~[herein:]~~ in this section.
- (c) No person shall operate a motor vehicle or moped on a public highway or street with a motor ~~[and/or]~~ or exhaust system ~~[which] that~~ has been altered or modified to such an extent that the noise emitted by the motor ~~[and/or]~~ or exhaust system thereof shall be deemed excessive or unusual as defined ~~[herein:]~~ in this section, or equipped with a dummy muffler, cut-out, by-pass, or other similar device.
- (d) No person shall operate a motor vehicle or moped on a public highway equipped with an exhaust system or device ~~[which] that~~ will amplify or increase the noise emitted by the motor of such motor vehicle or moped above that emitted by the exhaust system or device with which the motor vehicle or moped came originally equipped from the factory.
- (e) No person shall operate a motor vehicle or moped on a public highway with a muffler with baffles or other interior parts, or both, ~~[which] that~~ are not fixed or are not stationary."

SECTION 4. Ordinance material to be deleted is bracketed and stricken. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the bracketed material, or the underscoring.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 53 (2019)

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SECTION 5. This ordinance takes effect upon its approval.

INTRODUCED BY:

*Tony Wai*

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DATE OF INTRODUCTION:

**SEP 24 2019**

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Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu