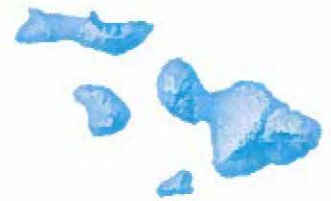


**RICHARD T. BISSEN, JR.**  
Mayor

**ANDREW H. MARTIN**  
Prosecuting Attorney

**SHELLY C. MIYASHIRO**  
First Deputy Prosecuting Attorney



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
PHONE (808) 270-7777 • FAX (808) 270-7625

April 23, 2026

Honorable Richard T. Bissen, Jr.  
Mayor, County of Maui  
200 South High Street  
Wailuku, HI 96793

**APPROVED FOR TRANSMITTAL**

*Richard T. Bissen, Jr.*  
Mayor  
4-23-26  
Date

For Transmittal to:

Honorable Shane M. Sinenci  
Chair, Water Authority, Social Services, and Parks Committee  
200 South High Street  
Wailuku, HI 96793

**SUBJECT: COMMENTS ON BILL 119 (2025), PENALTIES FOR PROHIBITED NOISE VIOLATIONS (WASSP-9)**

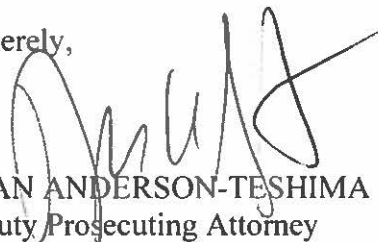
The Department of the Prosecuting Attorney respectfully submits the following comments regarding Bill 119 (2025 Penalties for Prohibited Noise Violations). The Department of the Prosecuting Attorney supports the intent of Bill 119 in that an increase in monetary penalties provides greater deterrence to the nuisance created by sound amplification systems.

However, the Department of the Prosecuting Attorney has practical and logistical concerns regarding the enforcement of the provision wherein upon conviction of a third offense, a possible penalty is the "forfeiture of the sound amplification system or components of the sound amplification system." Maui County Code Section 9.36.020 defines "sound amplification system" as "an amplified speaker sound system or any part thereof which increases the power or strength of sound, located in any area of the vehicle." The vagueness of this definition coupled with the lack of specificity of any particular component of the sound system subject to forfeiture would lead to inconsistent enforcement. Of more concern are the practical considerations given the statutory requirements of Hawai'i Revised Statutes Chapter 712A. Forfeiture would require removal of the sound amplification system, storage thereof pending forfeiture proceedings, and liquidation of the sound amplification system for relatively minimal monetary benefit.

Comments on Bill 119 (2025), Penalties for  
Prohibited Noise Violations (WASSP-9)  
April 23, 2026  
Page Two

Thank you very much for the opportunity to provide comments on this bill. Please feel free to contact our office at (808)270-7777 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan Anderson-Teshima', written over the printed name.

RYAN ANDERSON-TESHIMA  
Deputy Prosecuting Attorney

Council Chair  
Alice L. Lee

Vice Chair  
Yuki Lei K. Sugimura

Councilmembers  
Kauano'e Batangan  
Tom Cook  
Gabe Johnson  
Tamara Paltin  
Keani N.W. Rawlins-Fernandez  
Shane M. Sinenci  
Nohelani U'u-Hodgins



Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
Richelle K. Kawasaki, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

April 7, 2026

Mr. Andrew Martin, Prosecuting Attorney  
Department of the Prosecuting Attorney  
County of Maui  
Wailuku, Hawaii 96793

Dear Mr. Martin:

**SUBJECT: BILL 119 (2025), PENALTIES FOR PROHIBITED  
NOISE VIOLATIONS (WASSP-9)**

The Council's Water Authority, Social Services, and Parks Committee is planning to reconsider Bill 119 (2025), attached, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 9.36.040, MAUI COUNTY CODE, ON PENALTIES FOR PROHIBITED NOISE VIOLATIONS," at an upcoming meeting.

Bill 119's purpose is to increase monetary penalties for the "excessive noise created by sound amplification systems in motor vehicles" and to allow the forfeiture of such systems or components, or the combination of fines and forfeiture, on the third offense.

The Committee last discussed Bill 119 on October 20, 2025. Concerns were raised regarding the ability to effectively enforce and prosecute Code Chapter 9.36. To assist the Committee's future discussion, may I please request that you review Bill 119 and provide any suggested amendments to address those concerns.

May I further request you transmit your response to [wassp.committee@mauicounty.us](mailto:wassp.committee@mauicounty.us) by **April 30, 2026**. To ensure efficient processing, please include the Committee item number in the subject line.

Should you have any questions, please contact me or the Committee staff (Clarissa MacDonald at ext. 7135, or Criselda Paranada at ext. 7668).

Mr. Andrew Martin  
March 27, 2026  
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Shane M. Sinenci". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

SHANE M. SINENCI, Chair  
Water Authority, Social Services, and  
Parks Committee

wassp:ltr:009apa02:clm

Attachment

cc: Mayor Richard T. Bissen, Jr.

ORDINANCE NO. \_\_\_\_\_

BILL NO. 119 (2025)

A BILL FOR AN ORDINANCE AMENDING SECTION 9.36.040, MAUI COUNTY CODE, ON PENALTIES FOR PROHIBITED NOISE VIOLATIONS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 9.36.040, Maui County Code, is amended to read as follows:

**“9.36.040 Penalty.** A. For the first offense, upon conviction, [there shall be a] the fine [of not less than \$25 but no more than \$100.] is \$250.

B. For the second offense, upon conviction, [there shall be a] the fine [or not less than \$100 but no more than \$250.] is \$500.

C. For the third offense, upon conviction, [there shall be a fine of not less than \$250 but no more than \$500.] the penalty is:

1. A fine of \$1,000;

2. Forfeiture of the sound amplification system or components of the sound amplification system up to \$1,000 in value; or

3. A combination of forfeiture and a fine totaling \$1,000.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

**SECTION 3. This Ordinance takes effect on approval.**

**APPROVED AS TO FORM AND LEGALITY:**

A handwritten signature in black ink, consisting of a large, stylized initial 'R' followed by a long horizontal line that tapers to the right.

**Department of the Corporation Counsel  
County of Maui**

**paf:pah:25-160d**

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

---

ALICE L. LEE

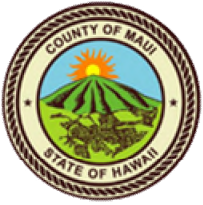
## WASSP Committee

---

**From:** Shyah Okudara <Shyah.Okudara@co.maui.hi.us>  
**Sent:** Thursday, April 23, 2026 2:13 PM  
**To:** WASSP Committee  
**Cc:** Josiah K. Nishita; Erin A. Wade; Cynthia E. Sasada; Didi A. Hamai; Kelii P. Nahooikaika; Ezekiel I. Kalua; Andrew H. Martin; Shelly C. De Mattos; Glen B. Duran  
**Subject:** TRANSMITTAL TO WASSP COMMITTEE: COMMENTS ON BILL 119 (2025), PENALTIES FOR PROHIBITED NOISE VIOLATIONS (WASSP-9)  
**Attachments:** MT#11473.SHANE.SINENCI.WASSP.COMMITTEE.pdf

Please see the attached transmittal to the WASSP Committee.

Mahalo,  
Shyah



Shyah Okudara

Office Operations Assistant II

Office of the Mayor

(808) 270-6238

shyah.okudara@co.maui.hi.us