



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on SCR205
REQUESTING THE DEPARTMENT OF HEALTH TO ADOPT RULES ESTABLISHING A MAXIMUM
DECIBEL LEVEL FOR CONCERTS OR EVENTS AT PRIVATE VENUES GENERATING NOISE IN
PRIMARILY RESIDENTIAL AREAS

SENATOR JOY A. SAN BUENAVENTRUA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Date: March 25, 2025, 1:00 PM

Conference Room 225

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities. Proposed resolution may require additional staff time and effort.

4 **Department Position:** The Department of Health ("Department") respectfully comments on
5 this resolution and is offering proposed amendments.

6 **Department Testimony:**

7 The Environmental Health Services Division (EHSD) provides the following testimony on
8 behalf of the Department.

9 The Senate Concurrent Resolution (SCR) 205 requests that the Department adopt rules
10 establishing a maximum decibel level for concerts or events at private venues generating noise
11 in primarily residential areas. The Department appreciates and supports the intent of this
12 resolution to reduce noise pollution. However, regulating noise pollution is a complex
13 undertaking given the overlapping jurisdictions between County law enforcement agencies,
14 County code compliance programs and the Department. Adopting rules without conducting

1 due diligence into the specific issues and overlapping jurisdictions is likely to have significant
2 negative unintended consequences. In addition, the physical properties of sound, its interaction
3 with specific surroundings, and its receptors, affect how much noise is generated. This fact
4 often impacts what local jurisdictions (i.e. Counties) consider necessary to regulate.

5 The Department suggests that to address common noise issues including those from
6 concerts or other sources (such as lawn maintenance equipment), a community noise working
7 group should be convened. The working group can be tasked to determine the most effective
8 and efficient regulatory methods to address common community noise concerns. Depending
9 on the noise source and circumstance, certain agencies or jurisdictions may be the best
10 available option for regulation of certain noise sources. The working group may be requested
11 to address common noise concerns affecting the public and evaluate each situation, identify
12 the appropriate regulating agency or course of action, and report back to Legislature with
13 recommendations on how to best address noise concerns affecting the community. The
14 working group may include representatives from the Legislature, City Councilmembers,
15 Department of Health, Attorney General's Office, Department of Law Enforcement, County law
16 enforcement, Prosecutor's Office, Public Defender's Office, members of the public, and any
17 other interested parties as deemed appropriate. It would be appropriate for the working group
18 to provide a report to the legislature. Given the complexity of the issue, the Department
19 requests to provide a report no later than twenty days prior to the 2027 legislative session.

20 The Department notes that it lacks the resources to lead a community noise working
21 group and develop a legislative report if directed to do so. To fulfill such a request, the
22 Department would respectfully request \$100,000 to retain a working group facilitator.

23

24 **Offered Amendments:** BE IT RESOLVED by the Senate of the Thirty-third
25 Legislature of the State of Hawaii, Regular Session of 2025, the
26 House of Representatives concurring, ~~that the Department of~~

1 ~~Health is requested to adopt rules establishing a maximum~~
2 ~~decibel level for concerts or events at private venues~~
3 ~~generating noise in primarily residential areas~~ **that this body**
4 **urges the establishment of a Hawaii Community Noise Working**
5 **Group to discuss policies and legislation with respect to noise**
6 **sources affecting the community;**

7 BE IT FURTHER RESOLVED that the Hawaii Community Noise Working Group
8 is requested to report its findings and recommendations, including any
9 proposed legislation, to the Legislature no later than twenty days
10 prior to the convening of the regular session of 2027;

11 Thank you for the opportunity to testify on this measure.