
HOUSE CONCURRENT RESOLUTION

REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A RELIABLE,
INDEPENDENT, AND TRANSPARENT METHODOLOGY TO ASSESS EFFECTS
OF RADIO FREQUENCY EMISSIONS GENERATED BY WIRELESS ANTENNA
SITES.

1 WHEREAS, 5G refers to fifth-generation wireless technology,
2 which is intended to provide faster and higher-capacity
3 transmissions to carry the massive data load generated by smart
4 devices, the Internet of Things, robotics, artificial
5 intelligence, driverless cars, and other machine-to-machine
6 connections; and

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8 WHEREAS, on June 21, 2018, the Governor signed Act 49,
9 Session Laws of Hawaii 2018 (Act 49), which cleared the way for
10 widespread implementation of 5G in Hawaii; and

11
12 WHEREAS, consumer demand and the passage of Act 49 have led
13 to an increase in wireless antenna sites in and around
14 neighborhoods, schools, and workplaces; and

15
16 WHEREAS, Hawaii has over four thousand wireless antenna
17 sites, many of which accommodate multiple wireless carriers, and
18 with the rapid deployment of 5G networks to deliver faster and
19 more reliable communications, additional wireless antenna sites
20 and radio frequency transmitting antennas will be deployed to
21 deliver better and expanded services to consumers and business
22 customers; and

23
24 WHEREAS, Hawaii needs to ensure that growth in new wireless
25 technologies, and corresponding growth in wireless transmitting
26 antennas, occurs in a responsible and managed manner, consistent
27 and compliant with Federal Communications Commission
28 regulations; and
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1 WHEREAS, the University of Hawaii is uniquely capable of
2 providing reliable, independent, transparent, credible,
3 verifiable, and scientific analysis concerning wireless
4 technologies; now, therefore,
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6 BE IT RESOLVED by the House of Representatives of the
7 Thirty-first Legislature of the State of Hawaii, Regular Session
8 of 2022, the Senate concurring, that the University of Hawaii is
9 requested to establish a reliable, independent, and transparent
10 methodology to assess the effects of radio frequency emissions
11 generated by wireless antenna sites; and
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13 BE IT FURTHER RESOLVED that as part of its methodology, the
14 University of Hawaii is requested to establish a process to
15 determine the most appropriate means of providing the public,
16 workers, and others who may be in close proximity to a radio
17 frequency transmitting antenna with information that supports
18 compliance with the Federal Communications Commission's
19 regulations pursuant to title 47 C.F.R. section 1.1307(b), which
20 establishes requirements for applicants seeking authorizations
21 for radio frequency sources, including compliance with limits on
22 human exposure to radio frequency; and
23

24 BE IT FURTHER RESOLVED that the University of Hawaii is
25 requested to thoroughly consider all of the following:
26

- 27 (1) A central data repository in which the information can
28 be stored and which can be accessed by authorized
29 users, including radio frequency emission information
30 for each transmitting facility;
31
- 32 (2) The radio frequency information should include all
33 necessary radio frequency emission characteristics of
34 the facility (e.g., transmitter power, transmit
35 frequency, and antenna type) provided by each Federal
36 Communications Commission licensee to the State of
37 Hawaii or a designated third party, together with any
38 updates, to ensure that the public, workers, or others
39 who may be exposed to radio frequency emission areas
40 that can exceed the Federal Communications
41 Commission's allowable radio frequency exposure limits
42 are not exposed to radio frequency emission limits



- 1 above the Federal Communications Commission's
- 2 allowable radio frequency exposure limits;
- 3
- 4 (3) The information should include visual depictions of
- 5 the radio frequency emissions in relationship to the
- 6 physical improvements at the facility, such that any
- 7 or all visual depictions of the radio frequency
- 8 emissions can be attributed to a particular antenna or
- 9 sector at the facility with the latest information;
- 10
- 11 (4) A capability for exchanging information about
- 12 facilities and coordinating communications about the
- 13 facilities, with respect to a particular facility and
- 14 with respect to multiple facilities, persons who own
- 15 or control sites where the facilities are located,
- 16 contractors performing work on the facilities or at
- 17 such sites, persons who employ individuals performing
- 18 work on the facilities or at such sites or hire
- 19 individuals performing work on the facilities or at
- 20 such sites, and emergency-services agencies or
- 21 personnel;
- 22
- 23 (5) The ability for authorized persons to access and use
- 24 the latest available radio frequency emission
- 25 information in the repository established under this
- 26 measure;
- 27
- 28 (6) The ability to record by whom and the date on which
- 29 the information was accessed to ensure compliance with
- 30 any legal requirements;
- 31
- 32 (7) A method to annually audit the site-specific safety
- 33 information to ensure the accuracy of critical safety
- 34 information;
- 35
- 36 (8) A method that provides insurance to parties affected
- 37 by radio frequency exposure, including Federal
- 38 Communications Commission licensees, property owners,
- 39 employers, and state and local governments, for radio
- 40 frequency-related injury claims at all wireless
- 41 antenna sites to minimize exposure to an uninsured
- 42 risk and potential claims and litigation;



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2 (9) An independent radio frequency compliance third party
3 to administer and provide services with regard to the
4 proper creation, distribution, access, updates, and
5 management of the information required in paragraphs
6 (1) through (8), and provide any other additional
7 related services as may be deemed necessary by the
8 University of Hawaii;
9
- 10 (10) Whether to prequalify a prospective third-party radio
11 frequency compliance administrator and service
12 provider for the performance of the services in this
13 measure and limit a solicitation to those prequalified
14 administrators and service providers;
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- 16 (11) A method to secure funding to be used for the services
17 to be provided pursuant to this measure, including any
18 surcharges imposed upon wireless communications
19 service providers; and
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- 21 (12) Whether the amount of regulatory recovery costs being
22 paid per month by consumers to wireless carriers in
23 Hawaii, as outlined in the Federal Communications
24 Commission's Truth in Billing Act, are being
25 effectively and efficiently utilized by those carriers
26 for compliance with site radio frequency safety
27 regulations; and
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29 BE IT FURTHER RESOLVED that the University of Hawaii is
30 requested to submit a report of its findings and
31 recommendations, including any proposed legislation, to the
32 Legislature no later than twenty days before the convening of
33 the Regular Session of 2023; and
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35 BE IT FURTHER RESOLVED that certified copies of this
36 Concurrent Resolution be transmitted to the President of the
37 University of Hawaii System and Chairperson of the Board of
38 Regents of the University of Hawaii System.

