

MAR 11 2022

SENATE 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, in the absence of credible data and information,
17 public perceptions concerning wireless technologies have too
18 often been shaped by speculation and misinformation rather than
19 verifiable scientific evidence; and

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

28
29 WHEREAS, Hawaii needs to ensure that growth in new wireless
30 technologies, and corresponding growth in wireless transmitting
31 antennas, occurs in a responsible and managed manner, consistent



1 and compliant with Federal Communications Commission
2 regulations; and
3

4 WHEREAS, the University of Hawaii is uniquely capable of
5 providing reliable, independent, transparent, credible,
6 verifiable, and scientific analysis concerning wireless
7 technologies; now, therefore,
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9 BE IT RESOLVED by the Senate of the Thirty-first
10 Legislature of the State of Hawaii, Regular Session of 2022, the
11 House of Representatives concurring, that the University of
12 Hawaii is requested to establish a reliable, independent, and
13 transparent methodology to assess the effects of radio frequency
14 emissions generated by wireless antenna sites; and
15

16 BE IT FURTHER RESOLVED that as part of its methodology, the
17 University of Hawaii is requested to establish a process to
18 determine the most appropriate means of providing the public,
19 workers, and others who may be in close proximity to a radio
20 frequency transmitting antenna with information that supports
21 compliance with the Federal Communications Commission's
22 regulations pursuant to title 47 C.F.R. section 1.1307(b), which
23 establishes requirements for applicants seeking authorizations
24 for radiofrequency sources, including compliance with limits on
25 human exposure to radiofrequency; and
26

27 BE IT FURTHER RESOLVED that the University of Hawaii is
28 requested to thoroughly consider and evaluate the following:
29

30 (1) The creation of a central data repository in which the
31 information can be stored and that can be accessed by
32 authorized users, including radio frequency emission
33 information for each transmitting facility;
34

35 (2) That the radio frequency information should include
36 all necessary radio frequency emission characteristics
37 of the facility (e.g., transmitter power, transmit
38 frequency, and antenna type) provided by each Federal
39 Communications Commission licensee to the State of
40 Hawaii or a designated third party, together with any
41 updates, to ensure that the public, workers, or others
42 who may be exposed to radio frequency emission areas



1 that can exceed the Federal Communications
2 Commission's allowable radio frequency exposure limits
3 are not exposed to radio frequency emission limits
4 above the Federal Communications Commission's
5 allowable radio frequency exposure limits;
6

7 (3) That the information should include visual depictions
8 of the radio frequency emissions in relationship to
9 the physical improvements at the facility, such that
10 any or all visual depictions of the radio frequency
11 emissions can be attributed to a particular antenna or
12 sector at the facility with the latest information;
13

14 (4) Methods and mechanisms for exchanging information
15 about facilities and coordinating communications about
16 the facilities, with respect to a particular facility
17 and with respect to multiple facilities, persons who
18 own or control sites where the facilities are located,
19 contractors performing work on the facilities or at
20 such sites, persons who employ individuals performing
21 work on the facilities or at such sites or hire
22 individuals performing work on the facilities or at
23 such sites, and emergency-services agencies or
24 personnel;
25

26 (5) The ability of authorized persons to access and use
27 the latest available radio frequency emission
28 information in any repository;
29

30 (6) The ability to record by whom and the date on which
31 the information was accessed to ensure compliance with
32 any legal requirements;
33

34 (7) A method to annually audit the site-specific safety
35 information to ensure the accuracy of critical safety
36 information;
37

38 (8) A method that provides insurance to parties affected
39 by radio frequency exposure, including Federal
40 Communications Commission licensees, property owners,
41 employers, and state and local governments, for radio
42 frequency-related injury claims at all wireless



1 antenna sites to minimize exposure to an uninsured
2 risk and potential claims and litigation;
3

4 (9) An independent radio frequency compliance third party
5 to administer and provide services with regard to the
6 proper creation, distribution, access, updates, and
7 management of the information requested in paragraphs
8 (1) through (8), and provide any other additional
9 related services as may be deemed necessary by the
10 University of Hawaii;
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12 (10) Whether to prequalify a prospective third-party radio
13 frequency compliance administrator and service
14 provider for the performance of the services outlined
15 in paragraph (9) and limit a solicitation to those
16 prequalified administrators and service providers;
17

18 (11) A method to secure funding to be used for the services
19 identified above, including any surcharges imposed
20 upon wireless communications service providers; and
21

22 (12) Whether the amount of regulatory recovery costs being
23 paid per month by consumers to wireless carriers in
24 Hawaii, as outlined in the Federal Communications
25 Commission's Truth in Billing Act, are being
26 effectively and efficiently utilized by those carriers
27 for compliance with site radio frequency safety
28 regulations; and
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30 BE IT FURTHER RESOLVED that the University of Hawaii is
31 requested to submit a report of its findings and
32 recommendations, including any proposed legislation, to the
33 Legislature no later than twenty days prior to the convening of
34 the Regular Session of 2023; and
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36 BE IT FURTHER RESOLVED that certified copies of this
37 Concurrent Resolution be transmitted to the President of the
38



S.C.R. NO. 214

1 University of Hawaii System and Chairperson of the Board of
2 Regents of the University of Hawaii System.

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OFFERED BY:

Imma Mercedes Kiu

