

STAND. COM. REP. NO. 2986

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2749
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and
Judiciary, to which was referred S.B. No. 2749, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NOISE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit commercial vehicles, excluding those operating in response to an emergency, from making pickups from, or deliveries to, business establishments during certain times of the day and within a certain proximity of single-family residences in the performance of the vehicles' pickup or delivery; and
- (2) Establish fines.

Your Committees received testimony in opposition to this measure from the Hawai'i Transportation Association; Hawai'i Restaurant Association; Retail Merchants of Hawai'i; Hawai'i Foodservice Alliance LLC; American Beverage Association; Matson Navigation Company, Inc.; Hawai'i Food Industry Association; and Chamber of Commerce Hawai'i.

Your Committees find that noise pollution from commercial vehicles has adverse effects on human health and quality of life, especially in residential areas. Noise pollution has become a



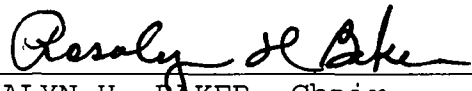
major concern for the residents of Kailua, which is largely a joint commercial and residential community. In Kailua and other similar neighborhoods that are immediately adjacent to certain businesses, residents regularly experience excessively loud noises as a result of commercial vehicle operation between the hours of midnight and 4:00 a.m. These activities include trash collection, food deliveries, and the use of loud mechanical equipment to service certain businesses. At times, these operations can occur continuously, causing consistent harm, stress, and disruption during a time when residents are needing sleep to prepare for work or school. To restore health and well-being to all affected communities, this measure is necessary to prohibit pickups and deliveries by commercial vehicles during certain times in residential areas to reduce noise pollution and improve the quality of life for the State's residents.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2749, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and
Judiciary,



KARL RHOADS, Chair

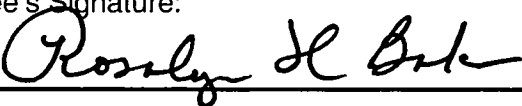


ROSALYN H. BAKER, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 2749, SD2	Committee Referral: HTH, CPN / SDC	Date: 03-01-2022		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
DECOITE, Lynn		✓		
NISHIHARA, Clarence K.				✓
RIVIERE, Gil				✓
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt		✓		
TOTAL	3	2		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em; margin-top: 10px;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2749, SDI	HTH, CPN/JDC	03-01-22

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt		✓		
TOTAL	6	1	-	-

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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