

STAND. COM. REP. NO.

1518

Honolulu, Hawaii

MAR 24, 2023

RE: S.B. No. 1418
S.D. 2
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1418, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NOISE POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to protect the health and improve the quality of life of residents who must coexist closely in the State's urban areas by:

- (1) Establishing that a person's conduct that produces, or causes to be produced, noise exceeding a certain level during the hours between 9:00 p.m. and 6:00 a.m. in any area zoned as residential or mixed-use residential, as unreasonable noise that constitutes the offense of disorderly conduct; and
- (2) Appropriating funds for enforcement.

Your Committee received testimony in support of this measure from the Department of Health, Citizens Against Noise, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual.

2023-2868 SB1418 HD2 HSCR HMSO



Your Committee finds that noise control is a serious issue for residents and businesses that must coexist closely in the State's urban areas. Although the quality of life for residents can be enhanced through improved monitoring and enforcement of applicable noise regulations, enforcement of noise control rules has been challenging for various reasons. This measure enhances the Department of Health's enforcement efforts for community noise control rules and protects the public from excessive noise.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

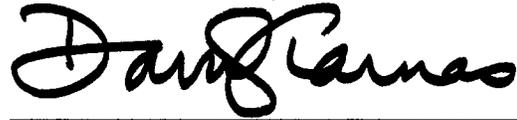
Your Committee notes that the Department of Health's testimony indicated that the one full-time equivalent (1.0 FTE) position should be an Environmental Health Specialist IV position with a cost of approximately \$75,000-\$104,000, including fringe benefits; purchasing the sound level meters would cost approximately \$43,350, with annual calibration costs of \$595 per sound level meter and calibrator; and implementing a training program for law enforcement officers would cost approximately \$150,000 for fiscal year 2023-2024 and \$110,000 for fiscal year 2024-2025, and every year thereafter if deemed appropriate.

Your Committee additionally notes that the police departments may not be able to implement this measure because of the challenges of measuring decibel levels in the field at the time when there is a potential violation that is occurring.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1418, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 1418, S.D. 2, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



