

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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In reply, please refer to:  
File:

**Testimony in SUPPORT of SB1418 SD1  
RELATING TO NOISE POLLUTION**

SENATOR KARL RHOADS, & SENATOR DONOVAN DELA CRUZ, CHAIRS  
SENATE COMMITTEE ON JUDICIARY & SENATE COMMITTEE ON WAYS AND  
MEANS

Hearing Date: 3/3/2023

Room Number: 211

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.

4 **Department Testimony:** The Department supports this measure which amends Chapter 711-  
5 1101, Hawaii Revised Statutes, by adding a decibel level to allow county police to effectively  
6 enforce disorderly conduct, establishes one FTE within the Department to provide technical  
7 training for law enforcement officers in the use of sound level meters, and appropriates funds for  
8 the purchase of sound level meters for their use. The Department supports the amendments  
9 made in SD1, strengthening HRS Chapter 711-1101 to allow county law enforcement to  
10 effectively and efficiently regulate noise sources which are not addressed by our current  
11 regulations. The Noise Section currently consists of 4 inspector positions, and 1 supervisor  
12 based on Oahu, and addresses concerns Statewide. The addition of one FTE will allow us to  
13 continue servicing the community to the best of our ability without disruption of service, while  
14 adding the ability to provide technical training to County police, County liquor control, and any  
15 other interested agencies Statewide. We currently have a curriculum (approximately 4 hours) in  
16 place to offer certification to County Liquor Control Inspectors on an annual basis. A similar  
17 curriculum would be used to certify County Law Enforcement Officers. The FTE should be an  
18 EHS (Environmental Health Specialist) IV due to the independent nature of the newly  
19 established position with a cost of approximately \$75,000-\$104,000 including fringe benefits.  
20 Depending on scheduling, travel and lodging costs are difficult to estimate at this time.

1 Purchasing of sound level meters (10) will be approximately \$43,350, which includes 2 per  
2 county (4 for Honolulu) with annual calibration (from year 2 on) of \$595 per SLM and  
3 calibrator. For the Department to implement a training program, the approximate funding  
4 needed for fiscal year 2023-2024 would be \$150,000 and \$110,000 for fiscal year 2024-2025,  
5 and every year thereafter if deemed appropriate. The Department agrees with the intent of this  
6 bill in protecting our public from excessive noise and welcomes the opportunity to train other  
7 agencies in the use of sound level meters. We would like to continue the conversation to address  
8 noise issues and how to effectively offer protection to the public.

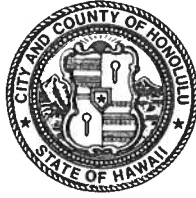
9

10 Thank you for the opportunity to testify.

11 **Offered Amendments:** None

POLICE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
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RICK BLANGIARDI  
MAYOR

ARTHUR J. LOGAN  
CHIEF

KEITH K. HORIKAWA  
RADE K. VANIC  
DEPUTY CHIEFS

OUR REFERENCE **RP-SH**

March 3, 2023

The Honorable Karl Rhoads, Chair  
and Members  
Committee on Judiciary  
The Honorable Donovan M. Dela Cruz, Chair  
and Members  
Committee on Ways and Means  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 211  
Honolulu, Hawaii 96813

Dear Chairs Rhoads and Dela Cruz and Members

SUBJECT: Senate Bill No. 1418, S. D. 1, Relating to Noise Pollution

I am Randall Platt, Major of District 6 (Waikiki) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 1418, S. D. 1, Relating to Noise Pollution.

The HPD supports the regulation of excessive amplified noise in Waikiki but opposes Section 3 (1) of the bill in which funding is provided to the Department of Health (DOH) for the training of law enforcement officers in all counties in the proper use of decibel meters. The bill in its current form requires sound to be measured using the dBA scale, which, per the DOH's testimony, allows them to "turn off other contributing sound sources to receive an accurate reading of the equipment," such as a sound amplifier. This process is time consuming and highly technical and requires the downloading of captured sound from the decibel-level reader to a computer and then running software to strip ambient sound from the recording to obtain an "accurate reading."

The Honorable Karl Rhoades, Chair  
and Members  
The Honorable Donovan M. Dela Cruz, Chair  
and Members  
March 3, 2023  
Page 2

Police officers in the field are already tasked with responding to a full range of requests for police services, including responses to 911 emergency and nonemergency calls for service at residences, private properties, commercial establishments, and government properties, including the following:

- Patrolling an assigned area on foot or in a mobile vehicle. Watching for and preventing unauthorized activity. Making arrests.
- Conducting investigations of complaints, misdemeanors, felonies, traffic violations, crimes of violence, etc. Questioning witnesses and suspects.
- Directing and controlling traffic. Conducting investigations of traffic accidents.
- Responding to emergencies, maintaining order, rendering first aid, safeguarding property, preserving evidence, and detaining suspected violators of the laws.
- Serving warrants, subpoenas, and penal summonses.
- Handling complaints involving the mentally ill and homeless.
- Preparing various reports.

During the past six months, police officers in District 6 responded to an average of 70 calls per day between the hours of 7:00 p.m. and 7:00 a.m. with many of these calls requiring multiple officers to respond. To further ask a police officer to respond to a noise complaint, obtain a decibel-level reading, return to the substation, download the captured sound, obtain an accurate reading; and if a violation is found, return to the offender and issue a citation, is impractical and a poor use of departmental resources.

Furthermore, the bill does not explain the method for capturing amplified sound, whether a single snapshot reading is fair or acceptable or if we are taking a sampling of X-amount of seconds in an X-amount period.

The HPD recognizes that excessive amplified sound is a significant problem for Waikiki residents, businesses, and visitors but feels that police officers should not be tasked with using decibel-level readers to obtain and enforce sound violations. The HPD supports the funding of the DOH to provide for additional environmental health specialist positions as these specialists have the knowledge, training, and equipment to obtain and enforce noise violations.

The HPD also feels that excessive amplified sound can be reduced via other strategies. Much of the testimony in support of this and Honolulu City Council Bill 43 (2021), FD1, Relating to Amplified Sound in Waikiki, centered on excessive noise from street performers. The



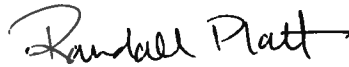
The Honorable Karl Rhoades, Chair  
and Members  
The Honorable Donovan M. Dela Cruz, Chair  
and Members  
March 3, 2023  
Page 3

Legislature may want to consider a partial ban on street performers on amplified sound after certain hours (for example, 10:00 p.m.) in designated areas of Waikiki, rather than taking an all-encompassing statewide approach.

The HPD urges you to oppose Senate Bill No. 1418, S. D. 1, Relating to Noise Pollution.

Thank you for the opportunity to testify.

Sincerely,



Randall Platt, Major  
District 6

APPROVED:



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Arthur J. Logan  
Chief of Police



WAIKIKI NEIGHBORHOOD BOARD NO. 9

160 NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD. SUITE 160 • HONOLULU, HAWAII, 96817  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**LATE**

Date: February 22, 2023

At the February 14, 2023 Regular Meeting of the Waikiki Neighborhood Board the board supported the concept of Senate Bill 1418

Noise that impedes the ability of residents to sleep, talk in a normal voice or listen to home entertainment devices on a reasonable setting is unreasonable. For years our residents have complained about amplified music or other sounds that create a unacceptable impact on their evenings.

Several apartment owners have spent large amounts of money to install "sound resistant windows" and then have installed air conditioning to cool their apartments. This is not only expensive but defeats the design criteria of the buildings designed to utilize trade winds for cooling and is an environmental negative for Waikiki.

We cannot deny that Waikiki is a noisy area. Traffic, loud mufflers and passing sirens are a part of our life but they are passing and not a constant noise that impacts our residents.

Hopefully this bill will remove amplified sound from our sidewalks when there are no permitted street events in Waikiki.

Mahalo for your concern,

*Robert Finley*

Robert Finley  
Chair

**SB-1418-SD-1**

Submitted on: 3/1/2023 7:55:06 AM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John Bickel	Individual	Support	Written Testimony Only

Comments:

As a resident of Waikiki, I endure a lot of loud noise. Vehicle noise woke me up at midnight last night and 5:00 a.m this morning. I support this bill as a measure to tackle this problem.

**SB-1418-SD-1**

Submitted on: 3/1/2023 8:44:53 AM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In strong support of SD1. Thank you.

**SB-1418-SD-1**

Submitted on: 3/1/2023 10:05:06 AM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I live on Kapiolani Boulevard very near Ala Moana Center and have been plagued by noisy, backfiring mufflers that have seemed to gain popularity the last few years. That and super amplified music from cars. It disturbs my peace. I have partly remedied the situation by buying noise cancelling headphones but that is hardly the best solution for all living in Honolulu. Please pass this bill and make it enforceable.

**SB-1418-SD-1**

Submitted on: 3/1/2023 10:16:24 AM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marilyn Mick	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am as concerned about excessive noise as any one but I do not support this Bill.

This Bill mandates the Department of Health to train law enforcement on decibel meters and equip them. I feel strongly that HPD already has enough to do without adding this to their mandate. The noise from cars, motorcycles and even mopeds is constant in my area near Waikiki and to expect HPD to police this could easilu consume a great amout of their time better left for them to concentrate on more serious offences.

I feel this there needs to be more discussion on noise levels and find a better way to monitor.

Mahalo, Marilyn Mick, Honolulu

**SB-1418-SD-1**

Submitted on: 3/1/2023 10:28:56 AM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephen T Hazam	Individual	Support	Written Testimony Only

Comments:

Please SUPPORT SB1418. We need to make residential areas more liveable by mitigating excessive noise. Setting an objective decibel limit and training and equipping personnel to enforce these limits will help improve our quality of life. Please SUPPORT SB1418

**SB-1418-SD-1**

Submitted on: 3/1/2023 11:24:52 AM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Matt Wong	Individual	Support	Written Testimony Only

Comments:

I write in support of SB 1418. I have been a resident of Waikiki since 2009. I was hesitant to move to Waikiki from Kailua, but the cost of living is lower, and I soon came to love the neighborhood. Locals waive to one another on the street, and greet each other in the lineup at Queens, Canoes, and Pops. Despite the tone of some testimonies opposing this bill, Waikiki is still a local neighborhood, with long time residents, living and working to better their communities on Oahu. When I first moved in, I was able to get a full night's sleep with the windows open, enjoying the breeze and a reasonable level of city noise. In recent years I have had to close all windows and bedroom doors in an attempt to get to sleep, or remain asleep, without being awoken by noise. In the past year, the high decibels of noise happen both late at night and early in the morning by shouting, chee-hooing, motorcycles, cars, radios, street performers, and car horns. I have gotten somewhat used to the late night noise, and manage to get to sleep by closing my windows and using a fan. But, on average, I am woken three times a week, before 5:00 am, by garbage pickup. This noise includes backup beeping, metal crashing, and engine revving, and lasts from between 45 min to an hour and a half. It's then that my 4:45 am routine then begins...try to compete with the trucks by using a louder white noise machine, put in my \$250 noise cancelling earbuds, and try to get another hour or 2 of sleep before going in to work.

If the noise in our Waikiki neighborhood continues to worsen, it will no longer be home and I will have to find another place to call home.

Note: I am aware that Bill 23 (2022) on trash collection is currently postponed in the Committee on Transportation, Sustainability and Health.



**SB-1418-SD-1**

Submitted on: 3/1/2023 1:38:29 PM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. I live in a high rise on the edge of Chinatown. I am in a mixed use district. Often mixed use is not included, as residents in these areas seem no to exist. We are assaulted day and night by loud noises--boom boxes, no mufflers, screaming, yelling, motorcycles reving up, etc., etc. This bill is a step in the right direction.

**SB-1418-SD-1**

Submitted on: 3/1/2023 8:40:44 PM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Darrell Bareng	Individual	Support	Written Testimony Only

Comments:

There should be a noise abatement law. Loud mufflers are getting out of hand and affects the physical health of the community. Loud noise is depressing and only benefits the satisfaction of the culprit.

stricter laws should be passed and implemented by law enforcement.

**SB-1418-SD-1**

Submitted on: 3/1/2023 9:12:53 PM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Mischer	Individual	Support	Written Testimony Only

Comments:

As any citizen living in Waikiki will let you know, excessive noise from various sources is a major problem in Waikiki. Any attempt to curb those unwanted sources is a major step forward to make this incredibly beautiful spot on planet earth more livable. Waikiki is a preferred visitors destination, but many residents who live in Waikiki full time , have rights as well. Please move forward to make this a livable community.

Thank you!

March 2, 2023

RE: Support of SB1418 SD1 Relating to Noise Pollution

Aloha,

Noise pollution is not just a quality-of-life issue, ***it is also a health issue.***

Attached is an article about how the government in Paris, France, is trying to help its citizens – and the reason they are doing it is for **HEALTH**. Look at the statistics quoted in it:

- A single unmuffled scooter crossing Paris at night can wake up 10,000 people
- The World Health Organization has defined 55 decibels or higher as the threshold for cardiovascular disorders and high blood pressure
- Noise is the second biggest environmental factor causing health problems only after air pollution

**The traffic camera sensors were taken out of SB1418 SD1, which is okay as long as enforcement is actively done by humans!**

The hours-long, unregulated amplified and other noise on the sidewalks of Waikiki harms jetlagged hotel guests, hard-working hotel and shop employees, and Waikiki residents mauka of Kuhio.

Please support this bill and by doing so, the health and well-being of Hawaii's residents and visitors.

Sincerely,

Denise  
Denise Boisvert  
Waikiki



Motorcyclists in Paris are among the offenders targeted in the city's new campaign against noise pollution. *Photographer: Christophe Archambault/AFP via Getty Images*

CityLab | Environment

## Europe's Noise Capital Tries to Turn Down the Volume

To combat the ill effects of urban noise pollution, Paris is deploying automated sensors and cracking down on the loudest vehicles.

By Peter Yeung

April 26, 2022 at 7:00 PM HST

By mid-morning, Rue d'Avron is a cacophony. The clank of metal rings out from scaffolding works; greengrocers yell and gesture as crates of deliveries arrive; and streams of chattering commuters pour out of the metro.

But the loudest racket comes from columns of fast-moving traffic lining both sides of the street, which runs from the infamous ring road surrounding Paris known as the *périphérique* and into the city center: the two-note sirens of police cars, the diesel rumble of buses and, worst of all, the high-pitched wail of motor scooters that speed by every few seconds.

“It’s hell over here,” says Dominique Léchenet, 55, a longtime resident. “There’s cars, motorbikes, a metro station, and a big road junction. I can’t stand the noise. It’s unbearable.”

The complaints of those living on Rue d'Avron – considered one of the noisiest roads in one of Europe’s loudest cities – haven’t fallen on deaf ears: In February, municipal authorities installed a device known as sound radar – the first ever in Paris – on a lamppost along the thoroughfare in the city’s eastern 20th arrondissement to detect the loudest vehicles. A second was added in the northwestern 17th arrondissement soon after.



A sound radar device in Paris combines microphones and cameras to detect noise offenders. *Photographer: Clement Dorval/Ville de Paris*

The so-called “medusa” devices, named for their resemblance to a jellyfish (or “méduse” in French), were developed by the nonprofit Bruitparif to identify drivers and motorcycle riders who are flouting the city’s noise regulations. Equipped with multidirectional cameras and a dangling battery of eight microphones, the sensors can hone in on sources of extreme noise and photograph the license plates of offenders. In 2023, the city will begin fining drivers 135 euros if their vehicles break set noise levels.

Motorcycles and scooters – often with their exhaust systems illegally modified to boost noise and power – are a particular problem in Paris, according to Franck-Olivier Torro, spokesperson for campaign group Ras Le Scoot (or “Enough with the Scooter”).

“The noise can be ear-splitting,” says Torro, citing research by Bruitparif that found that a single unmuffled scooter crossing Paris at night can wake as many as 10,000 people.

But the sound radars, which were also installed in six other sites across the country, including Nice and Toulouse, form part of a wider national campaign against excessive noise, which officials say is a major overlooked public health issue, not merely a nuisance. France’s mobility orientation law, which was passed in December 2019, defined noise as a form of “pollution” for the first time.

The wide spectrum of urban noise, and its decidedly unequal effects on city dwellers, attracted fresh attention with the onset of the Covid-19 pandemic and the shift toward working remotely it triggered. In Vancouver, for example, complaints about residential and construction noise more than doubled in the early weeks of the pandemic. But whether the culprits are shrieking leaf blowers, idling trucks or thumping car stereos, enforcement of excessive noise complaints tends to be spotty and ineffective. The advent of automated sensor technologies like Paris’ sound radar program could change that, offering hope that cities can develop new remedies for an age-old urban complaint.

[Read More: Automating the war on noise pollution](#)





The “périphérique” highway is a prime contributor to the Paris noise map. *Photo: Peter Yeung/Bloomberg CityLab*

Paris is something of a hotspot both for noise pollution and for municipal efforts to control it. European Environment Agency data shows the French capital is one of Europe’s noisiest cities, with more than 5.5 million in the Paris region exposed to **road traffic noise at 55 decibels or higher – which the World Health Organization defines as the threshold for cardiovascular disorders and high blood pressure** – compared with 2.6 million people in London and 1.7 million people in Rome.

On a national level, **the ill effects of noise pollution in France, which include the loss of productivity caused by disturbed sleep**, costs up to 147 billion euros each year, according to research by France’s National Noise Council (CNB) and the French Environment and Energy Management Agency (ADEME). Some 25 million French residents said that noise impacted their lives; 432,000 said they were taking tranquilizers to cope with it.

**“Noise makes people ill,”** says Dan Lert, deputy mayor for Paris. “It rots the life of Parisians. That’s why we decided to act.”



Lert currently heads the city’s Plan Bruit, or Noise Plan, which is aimed at mitigating the din. During its first Noise Plan, which ran from 2015 to 2020, Paris introduced a number of measures as part of its war on noise: installing sound barriers along half the length of the périphérique, increasing roadside noise checks, testing innovative low-noise asphalt and establishing rules that state new housing must have at least one façade “not exposed to noise.”

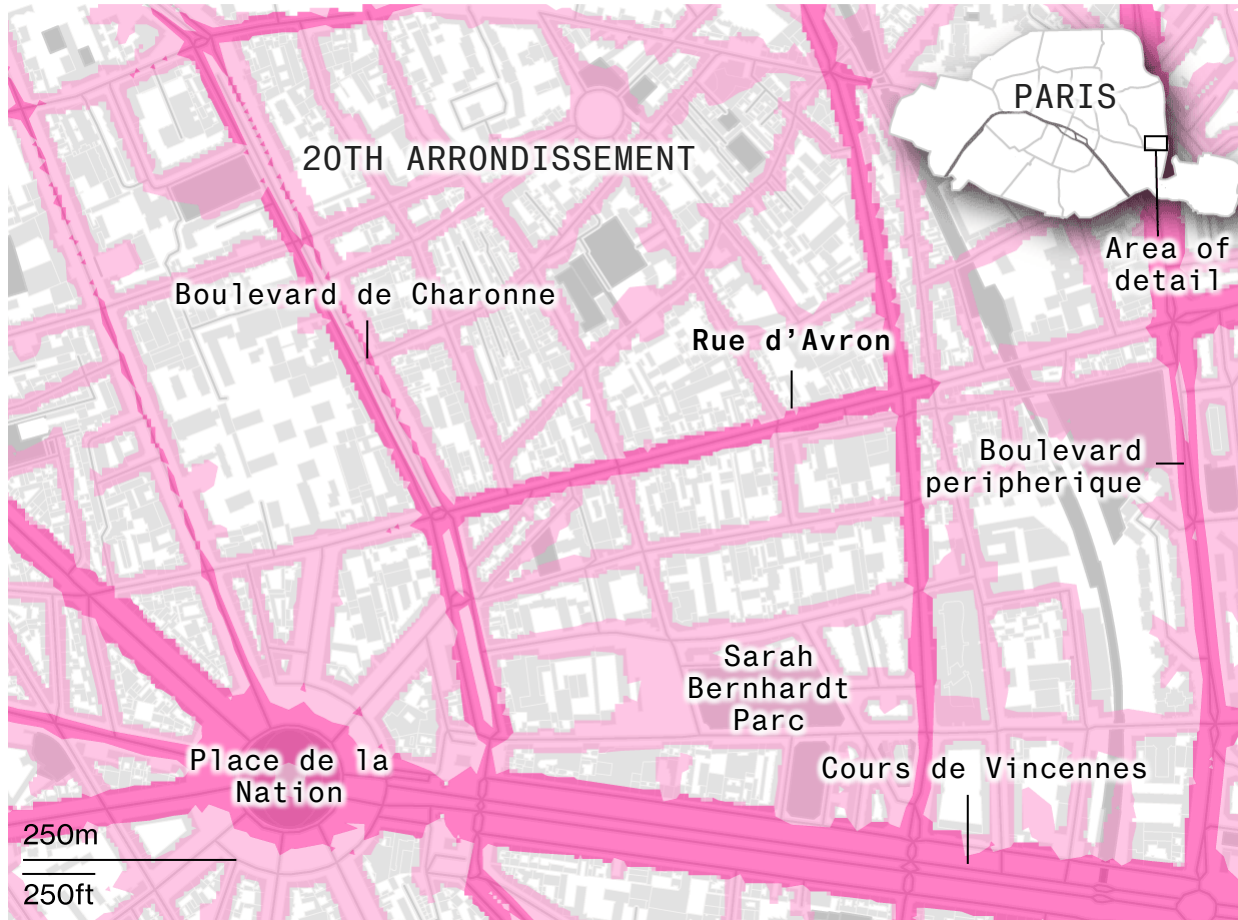
The effort to quiet Paris complements the wider campaign to make Paris greener, cleaner and less car-dependent, which include a series of vehicle restrictions in the city center, crackdowns on the most polluting vehicles, and an ambitious expansion of cycling networks. Those changes have cut the city’s average noise level by two decibels and reduced the number of people living in a noisy environment (using the European “Lden” measurement of a 24-hour average greater than 68 dB) from 231,000 in 2015 to 100,994 in 2021.

### It Might Get Loud

A sound map of Paris’ 20th arrondissement shows traffic noise along major arteries

Average daily noise level (Lden)

- Over 53db (WHO threshold)
- Over 68db (European threshold)



Source: Bruitparif, Apur

Note: Noise map is for road traffic only

The second Noise Plan aims to turn down the volume by a further 37% between 2021 and 2026, targeting both “environmental noise” caused by transport and industry and **“neighborhood noise” related to social activities**. As well as the sound radars, the speed limit in most of the city has been cut from 50 kilometers per hour to 30 km/h. Additionally, charges for motorbike parking – currently free – will soon be introduced and restrictions will be tightened on building sites, deliveries and noisy neighbors. Even the city’s police have been asked to turn down their sirens at night.

But these noise-canceling efforts have also drawn some resistance – especially from motorcycle owners, who staged **raucous mass protest rides** through Paris in 2021 to protest new parking charges, speed limits and other measures.



Motorcyclists ride along the périphérique around Paris in April 2021 as they stage a protest against new parking regulations for motorcycles. *Photographer: Alain Jocard/AFP via Getty Images*

**Authorities are responding to a growing body of research that shows noise pollution is a not-so-silent killer. Noise is the second biggest environmental factor causing health problems after only air pollution**, according to a 2018 report by the WHO, and a UN report in February declared urban noise pollution one of the world’s “top emerging environmental threats.” A study in 2019 by the Paris



regional health agency and Bruitparif found noise was cutting the life expectancy of Parisians by 10.7 months.

**“For a long time, noise was seen more as a quality of life issue, but not a health risk,”** says Fanny Mietlicki, the director of Bruitparif. **“But the reality is that there are massive health consequences, and more and more research is proving this.”**

Recent findings are further amplifying concerns: A 15-year analysis in Switzerland published in January found **transport noise is a major contributor to cardiovascular deaths** and had “effects starting below current [WHO] guideline limits.” Beyond the more obvious threats, noise has the potential to impact the inner workings of gene networks and gut microbiota, according to a 2021 study. And researchers in Madrid even found that noise is “an important environmental variable ... to the incidence and severity of COVID-19.”

Their conclusions are unanimous: More needs to be done to fight noise. Under the European Union’s 2002 Environmental Noise Directive, cities with over 100,000 inhabitants must publish a noise map every five years.

**“Do you move a school and a hospital away from the noise, or simply move the cars?”**

But according to David Rojas-Rueda, a professor at Colorado State University, that data must be acted on. “Data is crucial,” says Rojas-Rueda, who is currently leading a year-long project to produce a noise map of Colorado. “If you don’t measure things, you don’t know what is happening. But once you have that, you have to use it.”

To combat noise, cities have opted for a range of reactionary or regulatory responses. New York City, for example, has limited the time of day when construction work can be done; Dutch cities are focusing on “acoustic insulation” of homes. But Rojas-Rueda believes that Paris’ holistic approach will be more successful over the long term.

“Do you move a school and a hospital away from the noise, or simply move the cars?” says Rojas-Rueda, who was involved in a study that found Barcelona’s Superblock model of pedestrian-first zones led to major reductions in air and noise pollution. “It makes sense to improve the all-round livability of cities.”

And in reducing noise pollution, he says, there’s another key benefit: Inequalities are reduced. Analysis of U.S. data has found noise exposure is greater in areas with higher proportions of nonwhite and low-income residents. The Paris Noise Plan acknowledges these “environmental, social and territorial health inequalities” linked to noise. “The poorest households suffer the worst,” says Lert.

The drab Rue d'Avron, a major artery in a lower-income neighborhood, very much fits that description: It is a world away from the glitz of the Champs-Élysées.

“All day long it’s too loud,” says Felix Westphal, 33, who lives in an apartment that overlooks the street. “Dumpster trucks. Delivery vans. And a horn rings out every time the gates of the compound across the road open – all through the night.”

Some distinctly Parisian noises, however, aren’t likely to be muffled anytime soon. Not far from Rue d'Avron stands the Place de la Nation, a historic square regularly used to begin or end political demonstrations in Paris. Regardless of the sound radar installed nearby, locals suggest that the cherished French tradition of full-throated protest will remain intact.

– *With assistance by Marie Patino*

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March 2, 2023

RE: Support of SB1418 SD1 Relating to Noise Pollution

Dear Senators,

No one should be a captive audience to loud and rude noise caused by persons who have a choice to lower their volume - - but refuse to do so.

On November 2, 2022, the entire Honolulu City Council heard our pleas for help regarding selfishly loud amplified noise in Waikiki. Unfortunately, the Mayor did not.

Attached please find the testimony and petitions submitted for the day the Council approved Bill 43.

**Please read our individual testimonies about why we need you to approve SB1418 SD1 to control amplified noise pollution.**

Mahalo,  
Kim Jorgensen  
Waikiki

Name: Denise Boisvert	Email: infordenise@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 02:28 PM
Name: Kim Jorgensen	Email: hawaiiicondo@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 02:47 PM
Name: Salvatore Anello	Email: ring23@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:02 PM
<p>Testimony:</p> <p>I support Bill 43 (21) FD2. The noise and music coming from the street performers that are over <b>3 blocks away causes stress</b>, anxiety and disruption of my sleep. I cannot even retire early if I am very tired because it wakes me up and then keeps me up. Instead of looking forward to a good night's sleep I start stressing over the anticipation of the noise that will happen later that evening.</p> <p><b>I am forced to hear full concerts of unnecessarily loud noise for hours.</b> It never used to be this bad. Years ago, only a couple of the street performers used amplifiers or some electronics to blast music. Now, they all do, and it is like they are all trying to outdo each other's volume. How can this be allowed to continue every night, week after week, month after month?</p> <p>I understand how Waikiki is supported by tourism. But there needs to be some respect for those of us who live here and work here. I'm not complaining about very common urban noise. This is about the street performers with their amplifiers creating an unnecessary volume of noise that makes it seem like they are performing right in front of my building in the Apartment Precinct.</p>		
Name: Mike O'Dwyer	Email: bunsod4@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:08 PM
<p>Testimony:</p> <p>Aloha,</p> <p>I'm testifying in FULL SUPPORT of Bill 43 (21) FD1. I've lived at the Governor Cleghorn on Kaiulani Avenue since 1972 and have seen many changes in Waikiki over the decades; some good, some very bad.</p> <p>One of the worst changes in the last several years has become very stressful and disruptive on a nightly basis. Now almost every <b>performing act on Kalakaua Avenue produces deafening amplified music</b> that I am forced to hear several streets away in Waikiki's Apartment Precinct.</p> <p>I miss watching the local street musicians who gently played Hawaiian music. It was fun to bring visiting friends and family to Kalakaua to see them but the sound level of the types of acts today makes me need to avoid Kalakaua.</p> <p>Please pass Bill 43 because the rights of residents trying to enjoy a peaceful evening at home without being a captive audience to noise several blocks away should be as important as a street performer's right to speech and expression. That equity will not take place until an allowable decibel level is put into law and enforced.</p> <p>Mahalo, Mike O'Dwyer</p>		
Name: Staci Kennedy	Email: thriftchick@gmail.com	Zip: 96815
Representing:	Position:	Submitted:

Self	Support	Oct 28, 2022 @ 03:10 PM
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Testimony:

I am writing again on behalf of my elderly mother and myself as her caregiver in support of Bill 43 (21) FD1. For decades we have lived several months each year in Waikiki. **Over the past year I have realized how disruptive the noise from the street performers on Kalakaua is to the sleep and well-being of the elderly.**

With age and diminished thought processes come sun downers symptoms. It is difficult for seniors to distinguish between real and imagined during evening and night hours. My mother needs to go to bed early, but is very often awakened by the street performer noise each evening. It always leaves her agitated and unable to fall back to sleep right away.

At this stage in her life, routine is vital. Interrupted sleep is not routine and scientifically not healthful. I'm sure that she is not the only one who is going through this, as there are many elderly people in our neighborhood.

The constant amplified noise in the evenings that blares for hours all the way over to our side of Waikiki also affects me, her caregiver. It makes me stressed and tired, and I worry that it will affect my ability to properly care for my mother.

Please take this into consideration when making your decision about Bill 43 (21) FD1 on behalf of the kupuna and their family/caregivers. Mahalo.

Name: Indira Braschi	Email: zuica22@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:18 PM

Testimony:

Dear Council Chair Waters and Councilmembers,

Please note my full support of Bill 43 (21) FD1, and gratitude to all councilmembers for your consideration to pass it.

The unnecessarily loud noise created by the amplifiers used by performers on Kalakaua Avenue is not only disruptive to all who must listen to it while sleeping, working or dining, but such noise is known to be dangerous to people's health.

As a resident in Waikiki's Apartment Precinct, I am forced to listen to it in the distance while trying to relax while at home in the evening. **Closing my doors and windows does not help much at all;** and it prevents my enjoying the trade winds until the performances stop.

There is nothing wrong with street performers entertaining tourists and locals, but the sounds they create in their acts should not be so loud that they are easily heard several streets away.

I understand how Waikiki is supported by tourism. But there needs to be some respect for those of us who live here and work here. I'm not complaining about very common urban noise. This is about the street performers with their amplifiers creating an unnecessary volume of noise that makes it seem like they are performing right in front of my building in the Apartment Precinct.

This is our home, our sanctuary. Please pass Bill 43 (21) FD1; the restrictions are definitely needed.

Respectfully,  
Indira Braschi

Name: Leonhard Nicolai	Email: nicolai.hawaii@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:21 PM

Testimony:

I partly own and manage a small apartment building on Koa Avenue located a block from Kalakaua Avenue.

**The loud amplified music, singing, drumming, etc. coming from nearby street performers can be heard blocks away** and has an

adverse affect on the quality of life for those of us who live in Waikiki and those visiting here.

I strongly support and hope you will pass Bill 43 (21) FD1. These regulations need to be established to insure that residents and our visitors can live and visit here in a peaceful environment.

Name: Sierra Laskowski	Email: sierralaskowski11@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:24 PM

Testimony:

I am submitting testimony in support of Bill 43 (21) FD1 because Waikiki residents have rights, too.

I chose to live in Waikiki when I moved here in January 2021 to work because of the ease of mass transit and proximity to the beach so I could learn to surf. I live in a residential building several streets away from Kalakaua Avenue that is filled with families, children, working people, and retired senior citizens.

A few months after my move when tourism started to come back, I was shocked that incredibly loud amplified music was allowed on sidewalks. How can such loud noise be legal when it is so unhealthy for all the people who work near it? And especially when it can be heard from blocks away and bother residents?

**It makes it difficult for employees like me who must often be to work at 6 AM to get to sleep early.** I am forced to stay awake or to get up again when they finally stop playing between 10 PM to 10:30 PM so that I may re-open my windows to have fresh air during the night. It is stressful and I am never refreshed in the morning.

The street performers need to understand that they are not being asked to stop playing or to stop using their amplifiers. We just need them, out of mutual respect, to lower the volume.

Please pass Bill 43, FD1.

Name: Cherlynn Thrasher	Email: sunnyhawaiiandays@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:27 PM

Testimony:

For the past 30 years I have spent several months a year in the Apartment Precinct of Waikiki and have done so because I love the diversity of the area, how close it is to the beach, mass transit, and being able to patronize the various restaurants within walking distance.

This past year has had the loudest street performers that I can remember in all those 30 years. It had been getting progressively disruptive over the last decade, but now that every performer has an unbelievably loud amplifier, it makes it uncomfortable to walk down Kalakaua or to dine at any of the restaurants with lanais or open window facing the street, especially in the evenings.

The volume of their amplifiers is not only deafening when walking by, but the noise is even heard all the way to my rental apartment between Kuhio and the Ala Wai. **It makes it difficult to watch television with my volume set at a reasonable level. I was warned by our resident manager to turn it down because it was too loud in the hallway.**

I support Bill 43 (21) FD1 because it will set decibel maximums for street performers which will be respectful of people living in the neighborhood around them.

Name: Bradley Patenaude	Email: braad@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:34 PM

Testimony:

Aloha,



Once again I am writing to support Bill 43 on Amplified Noise in Waikiki. The worst and most disruptive source of amplification is from street performers.

I live on Kaiulani Avenue just a few blocks from Kalakaua Avenue. Every evening we are subjected to street performers that set up on the corner of Kalakaua and Kaiulani with their amplifiers, and often times lighting etc...for a full concert. Some evenings the noise is so loud that it's near impossible to enjoy a quiet relaxing evening in our home. Couple it with the barrage of sirens and muscle cars that have become an ALL DAY NIGHTMARE in Waikiki, it's just really rather horrible.

We do not have air conditioning, nor do we want it, so our windows and sliders stay open 24/7. We do realize that part of Waikiki is a resort area, but it is also a residential neighborhood where people live, work and relax. This must be a consideration in passing this bill. Thank you for the consideration.

Bradley Patenaude  
225 Kaiulani Aye, #1405  
96815

Name: Terril Slusser	Email: terrilslusser@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:35 PM

Testimony:

This is testimony in FULL SUPPORT of Bill 43 (21) FD1.

Residents who live between Kuhio and the Ala Wai as I do should not be forced to hear the street performers' amplified music the way we do inside our homes for hours at a time in the evenings.

Bill 43 is not banning amplifiers so there should not be opposition to it from the street performers. The bill just addresses the need for decibel limits to be set starting at 7PM in the evenings to be fair to all people who live and work in Waikiki.

Name: Pamela Walker	Email: crystaltravel@earthlink.net	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 05:04 PM

Testimony:

Please pass Bill 43 (21) FD1. I have lived in the Governor Cleghorn on Kaiulani Avenue since 1993 and have always loved being part of the Waikiki community. Unfortunately, my residential community is being unfairly subjected to excessive volumes of unwanted noise caused by street performers using powerful amplifiers. No one can legitimately say that it is the residents' fault for living in Waikiki because we live in the residential area blocks away.

Kalakaua Avenue was not an earsplitting circus when I moved here. Over the years I enjoyed seeing the musicians playing Hawaiian music while some of their family members danced the hula. It really promoted a Hawaiian sense of place. They probably don't come to Kalakaua now because it is impossible for them to be heard with the other types of acts blasting so loudly. It is a loss for both tourists and residents.

One evening I was sitting in my living room (mauka of Kuhio) while on the phone with a friend and the performers on the corner of Kalakaua and Kaiulani Avenues started to play. The music from their 3 elevated loud speakers was so loud that my friend asked what all the racket was. We had to hang up because I couldn't hear her well from any of the rooms in my apartment.

It seems that the noise gets louder as the weeks go on and they often play all evening, even till well past 10:30 PM. I have visited the HPD Waikiki substation three times to discuss this matter, and was always told they can't do anything to help. Passing Bill 43 (21) FD1 will give them the ability to help.

Name: Margaret Murchie	Email: Margaret@margaretm.com	Zip: 96816
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Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 05:54 PM
<p>Testimony:</p> <p>Please support Bill 43, which will restrict amplified "entertainment" with its current painful, earsplitting noise level on almost every block with each "performer" attempting to outdo each other, cranking up their boom boxes. <b>One cannot walk or hear themselves talk on the Waikiki sidewalks or restaurants with these chaotic competitions.</b> There are also a couple of restaurants in the International Marketplace that are way louder than they should be and their security and police have been called many times. Why do we allow this? Ask the workers at the hotels along the way how many complaints they get. It also creates chaos with the predators using the distracted crowds gathered to easily pick pockets and riles up the mentally challenged homeless. We walk about three times a week, either early morning or evening, from the Elks to Lewers and it is a deterrance for sure. It is definitely not enjoyable nor is it necessary. I own a long term rental condo near Kapahulu and Kalakaua and have lost good tenants over the noise issue. Please do something to quell the cacophony. We should also do something about the loud motorcycles and other vehicles with modified mufflers racing around the neighborhood night and day. Mahalo for your consideration and attention.</p>		
Name: barbara barry	Email: barbaraabarry@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 29, 2022 @ 07:05 AM
<p>Testimony:</p> <p>support Bill 43 (21) FD1.</p>		
Name: Board of Directors AOA Governor Cleghorn	Email: governorcleghornaoao@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 29, 2022 @ 09:07 AM
Name: Jim Cosgrove	Email: jhcogrove@juno.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 29, 2022 @ 01:45 PM
<p>Testimony:</p> <p>Dear City Councilmembers:</p> <p>Thank you for this opportunity to testify in support of Bill 43 (21) FD1. Waikiki is divided into two distinct sections, the Resort Area makai of Kuhio, and the Apartment Precinct mauka of Kuhio.</p> <p>City dwellers understand that normal sounds like traffic and sirens go with the territory. <b>The unregulated, highly-amplified music that can be heard from blocks away that comes from what tourists and residents alike have called the ear-splitting circus on Kalakaua is not normal in any city on a nightly basis.</b></p> <p>The unmitigated noise that continues for hours in the evenings disturbs residents, children and adults, who live several streets away in the quieter residential part of Waikiki, but are forced to listen to it all evening long after long days at work or school.</p> <p>We respect the rights of street performers, but Bill 43 is obviously needed so the rights of residents to not be forced to hear the sounds as loudly as we do now will also be acknowledged and enforced.</p> <p>This bill is not banning the performers or their use of amplifiers; it is just a matter of lowering the volume and limiting the hours of the currently uncontrolled high-decibel levels.</p> <p>Please pass Bill 43 (21) FD1.</p> <p>Sincerely, Jim Cosgrove 225 Kaiulani Ave</p>		

Name: Cynthia Vanaria	Email: cmvana@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 05:14 AM
<p>Testimony:</p> <p>Aloha Honolulu City Councilmembers,</p> <p>I reside in the Governor Cleghorn on Kaiulani Ave in Waikiki. I am writing in STRONG SUPPORT of Bill 43, and I implore you to pass this bill because something must be done about the unacceptably loud noise produced by the street performers on Kalakaua Ave.</p> <p><b>The performers are fun and clever tourist attractions, but the level of sound they produce makes them IMPOSSIBLE for me to enjoy. It is even unbearable when driving down Kalakaua with the car windows closed. I am now avoiding many of the restaurants on Kalakaua with outside seating.</b></p> <p>The amplified noise is loud enough to be a constant hours-long nightly disturbance, even for those of us who are residents MAUKA of Kuhio. I cannot begin to fathom how disturbing it must be for jetlagged tourists in any of the hotels on Kalakaua.</p> <p>Although I have no objection to the entertainment itself, it needs to be understood that we are truly a mixed neighborhood and the entertainers are not being considerate with their noise level. I hope that the bill will pass into law so the current unacceptable situation will be fairly corrected with mutual respect on BOTH sides.</p> <p>Thank you very much for your consideration to pass Bill 43. Cynthia Vanaria</p>		
Name: Rita Onorio	Email: rita.onorio@gmx.de	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 01:22 PM
<p>Testimony:</p> <p>I am a graduate student at HPU who lives on Kaiulani Avenue between Kuhio Avenue and Ala Wai Blvd. <b>The amplified noise on Kalakaua Avenue that can be heard in my apartment makes it difficult to use the time in the evening to study.</b> I also get up early in the morning to attend lectures and I often have to wait until the street performers stop playing before I can go to sleep.</p> <p>I support Bill 43 that would have the volume lowered starting at 7:00 PM.</p>		
Name: Kristina Holzapfl	Email: kristinaholzapfl@ymail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 01:25 PM
<p>Testimony:</p> <p>Aloha Honolulu City Councilmembers,</p> <p>I am in full support of Bill 43, FD1. The amplified music on Kalakaua Avenue should not be so loud that it can be heard in Waikiki's residential apartment district where people can even hear it in their living rooms. <b>It disturbs the concentration I need for my studies.</b> Please pass the bill.</p> <p>Mahalo for your consideration.</p>		
Name: Julia Schmatz	Email: juliaschmatz@ymail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 01:26 PM
<p>Testimony:</p>		

Thank you for this opportunity to testify in support of Bill 43 to lower the volume of amplified noise on sidewalks in Waikiki so **people may relax or study without being disturbed for hours every evening**. As a student I will really appreciate the change in volume.

Name: Jaime Smedes	Email: jaime.smedes@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 03:31 PM

Testimony:  
**The noise level in Waikiki and around Oahu is unfortunate and negatively impacts the mental health of more residents than we can understand.** I urge the city and law enforcement to hold people accountable for creating unnecessary noise in the form of excessive vehicle exhaust systems both in cars, trucks, and motorcycles.

Name: Julia Rivera	Email: rivera30julia@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 06:48 PM

Testimony:  
**We need limit on noise so people living here can sleep and work without interruption**

Name: John Bickel	Email: jbickel15@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 31, 2022 @ 07:53 AM

Testimony:  
I have lived in Waikiki on Ala Wai Blvd for almost twenty years. Since then the unit next to mine has been bought and sold a number of times. Each time someone moves in thinking Waikiki is a fun place to live. In about two years they tire of the noise and move out. **So many of us suffer from sleep deprivation due vehicle noise and people screaming at all hours.** More needs to be done. This bill is a good step.

Name: Rob Coutts	Email: r.coutts@comcast.net	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 31, 2022 @ 08:43 AM

Testimony:  
Please pass this legislation - Waikiki does not need carnival barkers and "entertainers" clogging the streets and generating so much noise.  
Nobody wants to hear someone's amplified yelling, singing, and music especially in the evenings.  
**It's like having the idiot with the boombox in their car loudly playing "music" park in front of your house.**  
It's annoying and needs to stop.

Name: Carlino Giampolo	Email: carlinog@hotmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 08:04 AM

Testimony:  
I strongly support the passage of Bill 43.  
**No one should have the right to disrupt the peace and tranquility, as well as adversely impact the health and well-being of residents, with their loud and excessive noises.** This includes street performers who are not local to the neighborhood where they perform.  
Bill 43 respects the dignity of Waikiki neighborhood residents.

Please pass Bill 43 for final approval by the mayor.

Name: Michael Mischer	Email: michaelmischer@me.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 10:55 AM

Testimony:  
I am in favor of Bill 043.  
**The health of citizens living in Waikiki is of most importance.**

Name: Sharon Moriwaki	Email: senmoriwaki@capitol.hawaii.gov	Zip: 96813
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 02:31 PM

Name: Adrian Tam	Email: reptam@capitol.hawaii.gov	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 02:32 PM

Name: Alessandra Gallian	Email: alessa.gallian@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 2, 2022 @ 08:25 AM

Testimony:  
**I live on 225 Kaiulani Avenue. My windows go out ocean side and I can hear the music very clearly as if it were played in my living room. I don't want to have to listen to a full blown concert every night. There is especially one band that has two large speakers set up with a stage. This is taking it too far. We have asked them kindly many times to turn it down but they don't care. This is not Aloha. Do they even have a license to have all that set up? They are being very disrespectful to our residents in this community. This is not Pono.**  
Also the sound on the corner they are set up echoes. It is really bothersome.

Name: Winston Welch	Email: winston@outdoorcircle.org	Zip: 96815
Representing: The Outdoor Circle	Position: Support	Submitted: Nov 2, 2022 @ 09:44 AM

Testimony:  
I want to provide oral testimony on this and other items on the agenda. Please send login instructions.

Aloha Chair Waters and Councilmembers,

Supporters of Bill 43 FD2 do not want to revoke the rights of people to express themselves on public sidewalks. Bill 43 would not ban amplifiers. It is simply a compromise that will set limits on when and how loudly their amplified sounds may be.

I live mauka of Kuhio, 3 ½ streets away from most amplifiers, but on many nights **it is like watching TV with the radio on in the same room, and with all windows closed!**

Waikiki has been a gathering place for friends and families for far longer than the invention of portable amplifiers. Now, when friends and families gather and hang out, they must close their windows. **Hotel guests and residents are a captive audience of decibels that could fill Aloha Stadium!**

Most visitors watch a street performance for a few minutes, or a couple songs, and move along to the next ones, then go somewhere else. The families in my building must listen nonstop for hours all evening long.

**Would such excessively loud noise going up into the night air and heard for blocks be tolerated in other commercial or resort areas on the island?**

A visitor from Florida even wrote to the Star Advertiser in September last year that they had to bring the lanai table and chairs inside their hotel room because of the **earsplitting circus**. She wrote that she knew about Hawaii's struggle with overtourism and wondered if it was a strategy to keep people from returning to Waikiki hotels!!

The residents in the Apartment Precinct understand city noises; but extremely loud nonstop amplified noise all evening long is not normal and definitely not healthful.

**Please approve Bill 43 FD2.** It is a fair compromise for people to live, visit and work together - and to have mutual respect for each other.

Thank you for understanding that both sides have rights.

Denise Boisvert






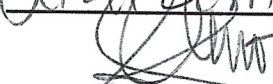

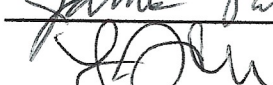
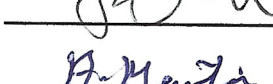


ATTN: Transportation, Sustainability, & Health Committee, Honolulu City Council  
 RE: Support of Bill 43 regarding Amplified Noise in Waikiki

We, the undersigned, residents of Waikiki are in FULL SUPPORT of Bill 43 for the following reasons:

- While we are not at all against street performers, we have the right to not be forced to listen to the noise produced by their performances
- The street performer noise can be heard in the Apartment Precinct mauka of Kuhio that is several streets away
- Our neighborhood has many families with babies and school age children, and adults of all ages whose health could be adversely affected by intrusive noise and lack of sleep
- The amplified noise forces us to close our windows and prevents us from breathing fresh air and can still be heard through our windows
- As residents in Waikiki, we understand that ambulance, siren, and traffic noise come with the territory, but amplified noise is voluntary and the decibel level needs to be controlled to be fair to everyone

**Please pass Bill 43.**

Name (print)	Signature	Street Address
COURTNEY David		218 Kaiulani Ave #2
Anna Rhodan		218 Kaiulani Ave #19 Hon, HI 96815
Deborah Bokala		424 Waiia St #53 #815 HONOLULU
Vu Dinh		318 Kaiulani Ave #21
Lisa Somsan		2442 TUSITALA ST
Einstein Romero		222 Kaiulani Ave #105
James Palakos		2423 Cleghorn St
Leigh Johnson		2415 Alahai #1405
Arpine Martirosian		2452 Tusitala St. #73





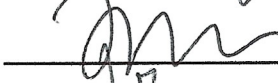



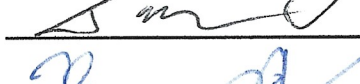

Residents of the Governor Cleghorn  
225 Ka'iulani Ave  
Honolulu, HI 96815

ATTN: Transportation, Sustainability, & Health Committee, Honolulu City Council  
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- As residents in Waikiki, we understand that ambulance, siren, and traffic noise come with the territory, but amplified noise is voluntary and the decibel level needs to be controlled to be fair to everyone

Please pass Bill 43.

Name (print)	Signature	Date	Apt #
Andre Souza		08/12	301
SERAFINA SPARRELL		8/12/22	1203
Lisa Sparrell		8/12/22	1203
BRENCE LYNN		8/12/22	205
TIFFANY TORRE		8/12/22	705
JOSH TERESCO		8/12/22	705
Julia Rivera		8/12/22	703
Camilo Mojica		8/13/22	904
Janara Abu Hamer		8/17	1602
Bryan Mosley		8/17	1505




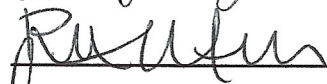


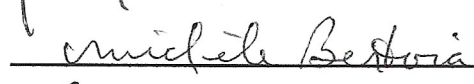
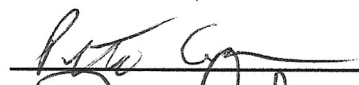
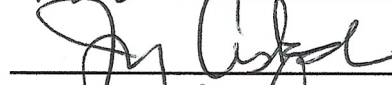



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 225 Ka'iulani Ave  
 Honolulu, HI 96815

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- As residents in Waikiki, we understand that ambulance, siren, and traffic noise come with the territory, but amplified noise is voluntary and the decibel level needs to be controlled to be fair to everyone

**Please pass Bill 43.**

Name (print)	Signature	Date	Apt #
Dave I Hori		8-12-22	403
Rita McFarland		8-12-22	804
Johan Morala		8-12-22	804
Terril Swuser		8-12-22	405
Michelle Bertoin		8-12-22	1606
Peter Galavane		8-12-22	"
Jerry Custals		8-12-22	445
Kyle Vidal		8-12-2022	704
ERIC VIDAL		8-12-2022	704
Jiro Ku		8-12-2022	408







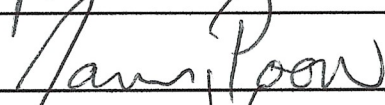



Residents of the Governor Cleghorn  
225 Ka'iulani Ave  
Honolulu, HI 96815

ATTN: Transportation, Sustainability, & Health Committee, Honolulu City Council  
RE: Support of Bill 43 regarding Amplified Noise in Waikiki

We, the undersigned, are residents (owners or tenants) of the Governor Cleghorn. We are in FULL SUPPORT of Bill 43 for the following reasons:

- While we are not at all against street performers, we have the right to not be forced to listen to the noise produced by their performances
- The street performer noise can be heard in our building in the Apartment Precinct mauka of Kuhio that is several streets away
- Our building has many families with babies and school age children, teachers, EMTs, doctors, hospitality workers, other professions, and retirees, whose health could be adversely affected by intrusive noise and lack of sleep
- The amplified noise forces us to close our windows and prevents us from breathing fresh air and can still be heard through our windows
- As residents in Waikiki, we understand that ambulance, siren, and traffic noise come with the territory, but amplified noise is voluntary and the decibel level needs to be controlled to be fair to everyone

**Please pass Bill 43.**

Name (print)	Signature	Date	Apt #
Darren Blair		08-11-22	303
Tom Elvrom		08/11/22	PH6
Alessandra Gallian		08-11-22	703
Claire Carlton		8/11/22	904
Mohamed El Gobry		8/11/2022	701
Vy Le		8/11/2022	802
James Poou		8/11/2022	902
Gracie Knoth		8/11/22	903
FRANCISCA BENNETT		8/12/22	Apt 505
RJ BARROGA		8/12/22	306

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**Please pass Bill 43.**

Name (print)	Signature	Date	Apt #
<u>Luya Xu</u>	<u>Luya Xu</u>	<u>8/27/22</u>	<u>1001</u>
<u>William Albratton</u>	<u>[Signature]</u>	<u>8/27/2022</u>	<u>304</u>
<u>ADISAK WONGUDRAWAN</u>	<u>[Signature]</u>	<u>8/29/22</u>	<u>702</u>
<u>Kelis Kaleopa'a</u>	<u>Kelisy K.</u>	<u>9/12/22</u>	<u>1401</u>
<u>Peter Horwitz</u>	<u>[Signature]</u>	<u>9/2/22</u>	<u>PH 4</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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City Council Hearing November, 2022

Dear Chair Waters and members of the City Council,

I FULLY SUPPORT Bill 43 (21), FD2.

I am an amateur musician and songwriter so I respect those who showcase their talents on sidewalks - - but, why do most of the street performers on Kalakaua need **loudspeakers amped up so high for an audience that is ONLY 5 FEET AWAY and can be heard MANY streets away?**

During the spring and summer of 2021, my wife and I individually reached out to a particularly loud band with 3 elevated loud speakers to try to have them understand their affect on our neighborhood several streets away. We suggested several ways to have a win-win situation:

- to please simply lower their volume, *but that never happened*
- to please move to a different part of Kalakaua so that the sound would not go up Kaiulani Ave, *but they wouldn't do that*
- to please place their loudspeakers on the ground instead of several feet high on poles...*nope...*
- to please turn the direction of the loudspeakers to project parallel to Kalakaua instead of toward the Apartment Precinct; *again, they couldn't care less about our residential neighborhood*

Each suggestion was met with a defensive, "We know our rights!!!" even though their rights to freedom of speech and expression were NEVER in question in the first place. It was simply residents begging for two-way understanding and human compassion.

We are grateful to Council Chair Waters for introducing Bill 43 so rights will run both ways and be protected by law.

It will not only benefit residents who live streets away in the Apartment Precinct, but also shop employees, restaurant and hotel workers, and jetlagged tourists. See the attached Letter to the Editor from a visitor.

Sincerely,  
Mr. Kim Jorgensen

# Letters: Culturally appropriate tourism welcomed; Restaurants need to help defeat coronavirus; No justice in releasing Reagan's would-be killer

Today • Updated 7:17 pm

Hooray for the new tourism plan so well summarized in Jayna Omaye's article, ["Culture and tourism"](#) ([Star-Advertiser, Sept. 26](#)). The new plan will attract a higher caliber of visitors by culturally appropriate and sensitive marketing before they arrive.

Once they are here, the new plan will better manage tourists through overdue best practices such as reservations, curated and authentic experiences, redistribution of excess demand, a tourism fee and better enforcement at hot spots.

With this plan, our tourism industry can be profitable again while our island paradise will be protected for kamaaina to enjoy. A special kudo should go to the Hawaii Tourism Authority for asking the Council for Native Hawaiian Advancement and the Native Hawaiian Hospitality Association for advice before deciding everything.

Maybe that kind of strategic, long-range thinking is what we should expect from our very first Native Hawaiian in the HTA driver's seat.

**Jay Henderson**

*Ala Moana*

## Noisy Kalakaua Avenue mars visitor experience

As we concluded our nine-night stay at the Hyatt Regency Waikiki, we were forced to wonder if all the hotels within earshot of Kalakaua Avenue are in collusion by not warning prospective visitors on their websites that the main street in paradise is really an earsplitting circus.

## Get the latest news by email

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Email:

We were never able to relax on our balcony in the evenings because of the cacophony of noise from amplified electric guitars, singing and deafening music, all along the sidewalk of Kalakaua Avenue. In fact, we brought the balcony table and chairs into our room on the 16th floor in order to have a seated conversation without shouting to hear each other.

Sleeping was yet another challenge. We are visiting from Florida, meaning a time difference of six hours. Recovering from our long flight to Hawaii never happened because of waking repeatedly to the sound of street performers every night.

We are aware of Hawaii's struggle with overtourism. Maybe this is a strategy to keep people from returning to Waikiki hotels?

**Denise Landay**

*St. Petersburg, Fla.*

### Restaurants need to help defeat coronavirus

Your editorial, [“Don't falter in pandemic fight” \(Star-Advertiser, Our View, Sept. 26\)](#), reminded me of the Kailua restaurant owner whose business was shuttered for a single night recently because he chose to not check diners' vaccine cards.

This person then went on social media to publicly berate the customer who notified the Honolulu Liquor Commission. He abdicated any and all responsibility and accountability for choosing to break the law, potentially endangering all who dined at this restaurant.

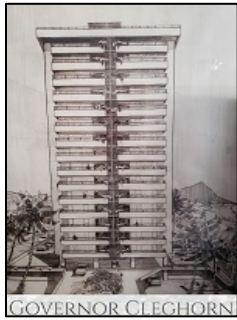
No one is above the law. Wearing a mask and pulling out a vaccine card to enter a restaurant, theater or other place of business is not the way we would like to live out our days, but choices and actions we take today have consequences that affect our future.

We need “good public participation.” We must work together to defeat COVID-19!

Don't people get this simple concept?

**Jill Thach**

*Kailua*



## **Governor Cleghorn**

225 Kaiulani Ave  
Honolulu, HI 96815  
(808) 923-4816  
GovernorCleghornAOAO@gmail.com

RE: Honolulu City Council Meeting, November 2, 2022

Aloha Chair Waters and Councilmembers,

The Association of Apartment Owners of Governor Cleghorn strongly supports Bill 43 (21) FD1.

Attached is a letter dated May 18, 2021, from the former President of our Board of Directors to Senator Moriwaki, Representative Tam, Council Chair Waters, Mayor Blangiardi, Rick Egged of the Waikiki Improvement Association, and Bob Finley, Chair of the Waikiki Neighborhood Board, asking for help to lower the volume of the amplifiers on Kalakaua Avenue that greatly disturbs residents in our building several streets away, mauka of Kuhio, for hours in the evening.

The sound levels and numbers of amplifiers have increased since we wrote that letter.

We are grateful to Chair Waters for understanding the need for a decibel limit on amplified noise during the evening and night hours, and we hope that all members of the City Council will understand and approve Bill 43 (21) FD1.

Mahalo,

AOAO Governor Cleghorn Board of Directors

Attachment

Stan Michaels  
Board President  
AOAO Governor Cleghorn  
225 Ka'iulani Ave #602  
Honolulu, HI 96815

May 18, 2021

Dear Governor Ige, Senator Moriwaki, Representative Tam, Mayor Blangiardi, City Council Chair Waters, Rick Egged (Waikiki Improvement Association) and Bob Finley (Waikiki Neighborhood Board):

Residents in our Governor Cleghorn building located on Ka'iulani Ave between Kūhiō and Ala Wai Blvd have been subjected to highly amplified music from several street performers a few blocks away on Kalākaua Ave on almost a nightly basis for the past several weeks; most particularly Thursday through Sunday nights.

This was a problem before the pandemic, and we would like to address this now before even more street performers descend upon Kalākaua with their amplifiers as tourism returns. We do not believe that amplified music would be tolerated in any other commercial zone on the island, so why is it allowed in Waikiki? We ask that if there is currently no law against such amplification, that one be enacted. If there is a law, then we need it to be enforced because calls to HPD have not been effective.

While we have no objection to street performers or their freedom of speech and expression, the amplification of it has become a noise nuisance to us as residents trying to enjoy an evening at home in Waikiki's residential Apartment Precinct. Many residents in our building are forced to close all their windows to try to minimize the amplified sound in the distance. It is not a matter of whether or not the sound in the distance fails a decibel reading test from our lanais, but a quality of life issue and a matter of common courtesy and respect for residents and tourists alike.

Our building's residents are not alone. The nonstop noise on the sidewalks for several hours each evening would also be a nuisance to employees and jetlagged tourists at the Moana Surfrider, Outrigger Waikiki Beach Resort, and Princess Ka'iulani hotels, as well as to patrons and employees of the many shops and restaurants along Kalākaua.

We ask the Waikiki Neighborhood Board and the Waikiki Improvement Association to support us in asking our legislators to work together to quickly curtail this unnecessary source of noise nuisance. We thank everyone for your kind consideration.

Sincerely and on behalf of our entire Board and 90+ owners,



Stan Michaels  
AOAO Governor Cleghorn Board President  
empire41@hawaii.rr.com



**SB-1418-SD-1**

Submitted on: 3/2/2023 3:15:24 PM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chris Barzman	Individual	Support	Written Testimony Only

Comments:

This should especially be applied to loud motorcycles and cars/trucks with modified exhausts and/or horns.

**SB-1418-SD-1**

Submitted on: 3/2/2023 4:17:48 PM

Testimony for JDC on 3/3/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
William Downs	Individual	Support	Written Testimony Only

Comments:

There is a substantial need to reduce the significant unhealthy noise pollution in residential and mixed use residential areas in Honolulu. The proposed bill is a step in the right direction. Every effort should be made to strengthen laws that improve the livability of this urban area. The police should have the legal authority to stop individuals or any entity creating noise with or without amplification devices. This should specifically include drunken behavior, screaming and yelling, fireworks, singing, amplified noise from vehicles, and the noise from vehicles with illegally modified exhausts.

The Ward Kakaako area is a newly-developed residential area that has significant noise issues. Aside from street racing, amplified vehicle noise and the ever present racing of vehicles with illegally modified exhausts, there is a weekly noise disturbance on Thursday mornings at approximately 2AM of drunken hooligans leaving Dave and Busters. They scream and yell and howl, taking advantage of the noise reflection off buildings, waking up residents in the multiple adjacent buildings, ruining their sleep and affecting their health. The police are engaged every week, most recently on March 2, 2023, yet even their presence does not stop this hooliganism. The laws need to be modified to enable the police to do their job and put an end to this disturbance.

The law needs to be expanded and enforced to arrest people engaged in this behavior, and the vehicles cruising the area with the illegally modified exhausts and excessive sound systems need to be impounded. The recurring nature of this problem stems from businesses such as Dave and Busters with excessive opening hours and cheap drinks. The law needs to impact these enabling businesses and permit authorities to easily regulate and reduce their hours and offerings.

This is a serious problem, of concern to a multitude of residents in The Ward Village area.



*Eric W. Gill, Financial Secretary-Treasurer*

*Gemma G. Weinstein, President*

*Cade Watanabe, Senior Vice-President*

March 2, 2023

Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair

Committee on Ways and Means  
Senator Donovan Dela Cruz, Chair  
Senator Gilbert Keith-Agaran, Vice Chair

### **Testimony in opposition to SB 1418 SD1**

Chairs Rhoads and Dela Cruz, Vice Chairs Gabbard and Keith-Agaran, and Members of the Committees,

UNITE HERE Local 5 represents working people throughout Hawaii's hotel, food service and health care industries. **We oppose SB 1418 SD1.** While we understand the concern the Legislature is attempting to address, the bill, especially in its SD1 form, does not strike the appropriate balance between the rights of citizens to express themselves and the desire for quiet in areas where residents live, including areas in centers of visitor activity. A fuller exploration of strategies for noise mitigation is appropriate and necessary – no matter how restrictive this bill is, it may not resolve residents' issues if the materials used in the built environment are exacerbating sound transmission.

If this bill does move forward, we believe it should be amended so that noise restrictions are between 10pm and 6am. The bill should also be amended to address amplified noise specifically.

It may prove chaotic to impose new noise controls on residents and (presumably) visitors, many of whom will no doubt be unaware of these rules, especially if restrictions start at a time when large numbers of people are awake, active and outside. Passing legislation without analysis of possible solutions – especially given that there are engineering journals that focus on this subject – would be premature and may fail to resolve the issue.

**We ask that you oppose SB 1418 SD1.**