

JOSH GREEN, M.D.  
GOVERNOR



**TESTIMONY BY:**  
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**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 1, 2023  
9:30 AM  
State Capitol, Room 211

**S.B. 15 S.D. 1**  
**RELATING TO VESSELS**

Senate Committees on Commerce and Consumer Protection & Ways and Means

The Department of Transportation (DOT) **supports the intent** of this measure that authorizes the department to regulate noise that may emanate from vessels in the commercial harbors.

DOT recognizes the legislative findings set forth in the preamble of this bill and the importance of regulating excessive and harmful noise. However, DOT also acknowledges that federal law requires all vessels greater than 12 meters in length to have equipment for sound signals. All vessels must adhere to regulations on maneuvering and warning signals, and some sound signals are required to be heard at a distance of up to two nautical miles (about 2.3 land-measured miles). Should DOT have the authority to regulate noise from vessels, its regulations would be preempted by federal law.

Thank you for the opportunity to provide testimony.

Testimony of Matson Navigation Company, Inc.  
Opposition to SB15, SD1  
Before the Committees on Commerce and Consumer Protection and  
Ways and Means  
March 1, 2023

Dear Chair Keohokalole, Chair Dela Cruz, Vice Chair Fukunaga, Vice Chair Keith-Agaran, and Members of the Committees:

Matson Navigation Company, Inc. (Matson) opposes SB15, SD1 which authorizes the Director of Transportation to adopt rules that regulate and limit noise from vessels at harbors, ports, roadsteads, docks, wharves, piers, quays, bulkheads, and landings of the State.

As an island state, Hawaii is very dependent upon our commercial harbors to ensure the continued and unimpeded flow of cargo in and out of our State. It is estimated that over 90 percent Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the State support safe, dependable, and efficient cargo transportation and handling to service our residents and businesses.

Matson is committed to providing a safe environment for both employees and the general public. Vessel noise is subject to federal and international regulations, including Title 33 of the Code of Federal Regulations, U.S. Inland Navigation Rules, and International Regulations for Prevention of Collisions at Sea, 1972. These regulations are very specific. For example, 33 CFR 86(1)(a) sets forth the standards for frequencies and range of audibility for vessel whistles as between 70-700 Hz. 33 CFR 86(1)(c) requires for a vessel of 200 meters in length or more, an audibility range of 2.0 nautical miles and a sound pressure level of at least 143 dB.

Noise from vessels, harbors, ports, docks, wharves, piers, quays, bulkheads, and landings of the state is strictly regulated and essential to ensure the safety of our employees both on the vessels and on land. Requiring the State of Hawaii Department of Transportation to enact different limits of vessel noise can create unsafe working conditions and may conflict with federal and international regulations. Matson has proudly called on Honolulu Harbor for over one hundred years and we are celebrating our 141<sup>st</sup> anniversary this year. We look forward to continuing to provide a safe, efficient, and dependable service for the next 100 years.

Thank you for considering our testimony.

Testimony of the Hawaii Harbor Users Group  
Opposition to SB15, SD1  
Before the Committees on Commerce and Consumer Protection and  
Ways and Means  
March 1, 2023

Dear Chair Keohokalole, Chair Dela Cruz, Vice Chair Fukunaga, Vice Chair Keith-Agaran, and Members of the Committees:

The Hawaii Harbor Users Group (HHUG) is a non-profit maritime transportation industry group comprised of key commercial harbor users statewide. HHUG opposes SB15, SD1, which authorizes the Director of Transportation to adopt rules that regulate and limit noise from vessels at harbors, ports, roadsteads, docks, wharves, piers, quays, bulkheads, and landings of the State.

As an island state, Hawaii is very dependent upon our commercial harbors to ensure the continued and unimpeded flow of cargo in and out of our State. It is estimated that over 90 percent Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the State support dependable and efficient cargo transportation and handling to service our residents and businesses.

Our members are committed to providing a safe environment for both employees and the general public. Vessel noise is subject to federal and international regulations, including Title 33 of the Code of Federal Regulations, U.S. Inland Navigation Rules, and International Regulations for Prevention of Collisions at Sea, 1972. These regulations are very specific. For example, 33 CFR 86(1)(a) sets forth the standards for frequencies and range of audibility for vessel whistles as between 70-700 Hz. 33 CFR 86(1)(c) requires for a vessel of 200 meters in length or more, an audibility range of 2.0 nautical miles and a sound pressure level of at least 143 dB.

Noise from vessels, harbors, ports, docks, wharves, piers, quays, bulkheads, and landings of the state is strictly regulated and essential to ensure the safety of our employees both on the vessels and on land. Requiring the State of Hawaii Department of Transportation to enact different limits of vessel noise can create unsafe working conditions and may conflict with federal and international regulations. Honolulu Harbor has been in active use for over one hundred years and serves as the hub in the hub-and-spoke system that has provided the residents of Hawaii with its goods in a dependable and efficient manner. HHUG members look forward to continuing to provide a safe workplace for our employees and the general public.

Thank you for considering our testimony.