

ACT 94

S.B. NO. 2464-78

A Bill for an Act Relating to Noise Pollution.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 342-41, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 342-41 Definitions. As used in this part, unless the context otherwise requires:

- (1) “Excessive noise” means the presence of sound as measured by standard testing devices as established by the noise rules and regulations promulgated by the department of a volume or in quantities and for durations which endangers human health, welfare or safety, animal life, or property or which unreasonably interferes with the comfortable enjoyment of life and property in the State or in such areas of the State as are affected thereby.

- (2) “Vehicle” means any device in, upon, or by which any person or property is or may be transported or drawn, including boats and ships.

SECTION 2. Section 342-42, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 342-42 Powers and duties, specific. In addition to any other duty prescribed by law and in this part, the director shall prevent, control, and abate excessive noise in the State. In the discharge of this duty, the director may:

- (1) Establish by rule or regulation the control of vehicular noise;
- (2) Establish by rule or regulation other specific areas for control of excessive noise, thereby allowing for varying conditions;
- (3) Conduct and supervise research programs for the purpose of determining the causes, effects, and hazards of excessive noise and the means whereby noise may be monitored, controlled, or abated;
- (4) Conduct or commission and supervise state educational and training programs on noise prevention, control, and abatement, including the preparation and distribution of information relating to excessive noise [;] and its effect on people;
- (5) Appoint a master or masters to conduct investigations and hearings;
- (6) Receive or initiate complaints of excessive noise, hold hearings in connection with excessive noise, and institute legal proceedings in the name of the State for the prevention, control or abatement of excessive noise; and
- (7) With the approval of the governor, cooperate with, and receive money from, the federal government, or any political subdivision of the State or from private sources for the study and control of excessive noise.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 20, 1978.)