

ACT 58

S.B. NO. 738

A Bill for an Act Relating to Noise Pollution.

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

SECTION 1. The length of time involved in the issuance of state permits places a significant burden on the developers of construction projects. Currently, the time allotted to the department of health to grant noise control permits is one-hundred-eighty days. Shortening the noise pollution permit review period will allow development projects to proceed in a more timely manner.

The purpose of this Act is to require the department of health to grant or reject noise control permits within thirty days instead of one-hundred-eighty days.

SECTION 2. Section 342F-4, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) [The failure of] Except for applications for which the director deems a public informational meeting, hearing, or notice is appropriate, the director [to] shall act on an application for the issuance of a permit or an application by a permit holder for the modification or renewal thereof within [one hundred eighty] thirty days of the receipt of [such] a properly completed application [shall be deemed a grant of such application provided that the applicant acts consistently with the application and all plans, specifications, and other information submitted as a part thereof].

For applications for which the director deems a public informational meeting, hearing, or notice is appropriate, the director shall act on the application within ninety days of the receipt of a properly completed application.

If the director determines that extraordinary circumstances exist on an application, the director shall extend the ninety-day period up to an additional ninety days."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved May 13, 1999.)