

Honolulu, Hawaii  
Feb 16, 2006

RE: H.B. No. 2710  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2710 entitled:

"A BILL FOR AN ACT RELATING TO NOISE,"

begs leave to report as follows:

The purpose of this measure is to prohibit as disorderly conduct the operation of motorized equipment with noise levels exceeding one hundred twenty decibels between the hours of 5:00 p.m. and 8:00 a.m., any day of the week.

A concerned citizen testified in support of this measure. The Outdoor Power Equipment Institute, Inc. submitted testimony in support of this measure with amendments, while the Department of Transportation supported the intent of this measure. The General Contractors Association of Hawaii opposed this measure. The Department of Agriculture submitted comments.

Your Committee has amended this measure by:

- (1) Changing the time period during which operating loud motorized equipment is prohibited from between "5:00 p.m. and 8:00 a.m." to "7:00 p.m. and 7:00 a.m.", any day of the week;
- (2) Clarifying that, for purposes of this measure, motorized equipment is loud if its noise levels exceed one hundred



twenty decibels ("a" scale) when measured at the operator's ear; and

- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee received concerns from the Department of Agriculture that this measure may negatively impact the agricultural industry, as farming does not occur between fixed hours of the day. The Department of Transportation and the General Contractors Association also expressed concerns that this measure may interfere with construction and other maintenance work, which is required to be done during evening and early morning hours. Your Committee notes that these issues should receive further examination by subsequent committees.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2710, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2710, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,



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HERMINA MORITA, Chair



