
A BILL FOR AN ACT

RELATING TO NOISE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The department of health currently uses the dBA
2 weighting system to measure noise. The dBA system measures
3 sound in decibels (dB) using the "A weighted" measurement, dBA,
4 such that sound levels measured in dBA correspond to what the
5 human ear hears. An alternative dBC weighting system also
6 measures sound levels but includes measurement of the lower
7 frequencies that cause physical objects such as windows and
8 walls to vibrate. Despite these tangible effects, however,
9 because these lower frequency sound waves are not perceived by
10 the human ear as measured by the dBA weighting system, the sound
11 levels generated do not currently constitute a violation of the
12 community noise control law.

13 The purpose of this Act is to:

- 14 (1) Require the department of health to add the dBC
15 decibel weighting system to the current dBA decibel
16 weighting system for community noise control;
- 17 (2) Require the department of health to adopt a range of
18 fifty to sixty decibels (using the dBC weighting



1 system) as the maximum sound level permissible at
2 nighttime; and

3 (3) Direct the county liquor commissions, with the
4 assistance of the department of health and the
5 department of labor and industrial relations, to
6 develop recommendations for a permanent maximum sound
7 level, in decibels.

8 SECTION 2. The county liquor commissions, with the
9 assistance of the department of health and the department of
10 labor and industrial relations, shall develop recommendations
11 for a permanent maximum sound level, in decibels, for liquor
12 establishments licensed under chapter 281, Hawaii Revised
13 Statutes, by no later than twenty days prior to the convening of
14 the 2010 regular session. The recommendations shall address the
15 following:

16 (1) Protection of hearing of employees and patrons of the
17 liquor establishment; and

18 (2) Protection of hearing of residents whose homes are
19 adjacent to or abut the liquor establishment,
20 including noise levels resulting from early morning
21 trash and bottle disposal.



1 SECTION 3. Chapter 342F, Hawaii Revised Statutes, is
2 amended by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§342F- Noise measurement; rules. (a) The department
5 shall adopt rules in accordance with chapter 91 that shall use
6 both the dBC and the dBA sound level measurement systems for
7 community noise control. The department and the county liquor
8 commissions may enforce nighttime noise levels measured from
9 over fifty to sixty decibels, measured using the dBC weighting
10 system, in certain areas they deem appropriate and not adversely
11 affecting public health and safety.

12 (b) A sound level of more than sixty decibels for bass
13 sound (using the dBC weighting system), measured at a
14 complainant's site, shall be deemed to exceed the maximum
15 permissible sound at nighttime; provided that, where the
16 complainant's site is within or in close proximity to an area
17 zoned mixed-use or residential, the maximum permissible sound at
18 nighttime shall be fifty decibels dBC.

19 (c) For purposes of this section, "nighttime" means the
20 time between the hours of 10:00 p.m. and 7:00 a.m."



1 SECTION 4. Section 342F-1, Hawaii Revised Statutes, is
2 amended by adding three new definitions to be appropriately
3 inserted and to read as follows:

4 "dBA" means the A-weighted sound level or unit of
5 measurement describing the total sound level of all noises as
6 measured with a sound level meter using the "A" weighting
7 network.

8 "dBC" means the C-weighted sound level or unit of
9 measurement describing the total sound level of all noises as
10 measured with a sound level meter using the "C" weighting
11 network.

12 "Decibel" means the unit for measuring the volume of sound,
13 equal to twenty times the logarithm to the base ten of the ratio
14 of the pressure of the sound measured to the reference pressure,
15 which is twenty micropascals (0.0002 dynes per square
16 centimeter)."

17 SECTION 5. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2020.



Report Title:

Noise; Decibel Weighting

Description:

Requires the department of health to add the dBC decibel weighting system to the current dBA decibel weighting system for purposes of community noise control. Sets permissible maximum sound levels for nighttime and grants the DOH and the county liquor commission the authority to enforce these limits. Directs the county liquor commission, with assistance from DOH and DLIR, to develop recommendations for a permanent maximum sound level, in decibels. (SB605 HD3)

