

STAND. COM. REP. NO. 1232

Honolulu, Hawaii

March 27, 2009

RE: S.B. No. 605
S.D. 1
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 605, S.D. 1, H.D. 1,
entitled:

"A BILL FOR AN ACT RELATING TO NOISE,"

beg leave to report as follows:

The purpose of this bill is to more effectively regulate
noise pollution by:

- (1) Requiring the Department of Health (DOH) to add the dBC
decibel weighting system to the current dBA decibel
weighting system;
- (2) Setting the permissible maximum nighttime sound level at
50 or 60 decibels depending upon zoning, and delegating
authority to DOH and county liquor commissions to
enforce these limits; and
- (3) Directs DOH, the Department of Labor and Industrial
Relations, and county liquor commissions to develop
recommendations for a permanent maximum sound level
measured in decibels for licensed liquor establishments.

The Department of Public Safety, Downtown Neighborhood Bard
No. 13, Chinatown Gateway Plaza Tenant Association, and several
concerned individuals supported this bill. DOH opposed this

SB605 SD2 HSCR CPC-JUD HMS 2009-3336



measure. The Hawaii Farm Bureau Federation and Mililani Town Association provided comments.

Your Committees have amended this bill by:

- (1) Specifying that if the complainant's site is within a mixed-use or residentially zoned area, the maximum permissible nighttime sound shall be 50 decibels; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 605, S.D. 1, H.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 605, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



JON RIKI KARAMATSU, Chair



ROBERT N. HERKES, Chair



