
A BILL FOR AN ACT

RELATING TO NOISE POLLUTION.

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

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

4 "§342F- Target ranges; limitations on liability. (a)
5 Notwithstanding any law to the contrary, a person who operates
6 or uses a target range shall not be subject to civil or
7 administrative penalties for noise pollution or criminal
8 prosecution for noise violations resulting from the operation or
9 use of the target range; provided that the target range is
10 operated and used in compliance with this chapter, any
11 administrative rules adopted pursuant thereto, and county noise
12 ordinances that applied to the target range and its operation at
13 the time the target range began operation.

14 (b) A person who operates or uses a target range shall not
15 be subject to an action for nuisance, and a court may not enjoin
16 the use or operation of the target range on the basis of noise
17 or noise pollution, if the target range is operated and used in
18 compliance with this chapter, any administrative rules adopted



1 pursuant thereto, and county noise ordinances that applied to
2 the target range and its operation at the time the target range
3 began operation.

4 (c) A person who owns real property adversely affected by
5 the operation and use of a target range shall not maintain a
6 nuisance action against the person who owns the target range to
7 restrain, enjoin, or impede use of the target range where there
8 has not been a substantial change in the nature of the use of
9 the target range by a person operating or using the target
10 range.

11 (d) Rules adopted by any state department for limiting
12 noise that may result from outdoor activity shall not apply to a
13 target range exempted from liability under this section.

14 (e) Notwithstanding any law to the contrary, nothing in
15 this section shall be construed to limit civil liability other
16 than for noise pollution.

17 (f) For the purposes of this section, "target range" means
18 an area or facility designed and operated for the use of
19 firearms in target shooting."

20 SECTION 2. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

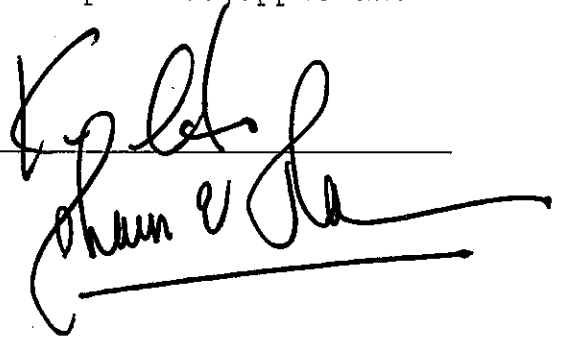


H.B. NO. 1526

1 SECTION 3. This Act shall take effect upon its approval.

2

INTRODUCED BY: _____



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JAN 26 2011



Report Title:

Noise Pollution; Target Ranges; Liability

Description:

Exempts operators or users of target ranges that are in compliance with existing noise pollution laws from liability for nuisance or noise pollution.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

