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## HOUSE RESOLUTION

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REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A RELIABLE,  
INDEPENDENT, AND TRANSPARENT METHODOLOGY TO ASSESS EFFECTS  
OF RADIO FREQUENCY EMISSIONS GENERATED BY WIRELESS ANTENNA  
SITES.

1 WHEREAS, 5G refers to fifth-generation wireless technology,  
2 which is intended to provide faster and higher-capacity  
3 transmissions to carry the massive data load generated by smart  
4 devices, the Internet of Things, robotics, artificial  
5 intelligence, driverless cars, and other machine-to-machine  
6 connections; and

7  
8 WHEREAS, on June 21, 2018, the Governor signed Act 49,  
9 Session Laws of Hawaii 2018 (Act 49), which cleared the way for  
10 widespread implementation of 5G in Hawaii; and

11  
12 WHEREAS, consumer demand and the passage of Act 49 have led  
13 to an increase in wireless antenna sites in and around  
14 neighborhoods, schools, and workplaces; and

15  
16 WHEREAS, Hawaii has over four thousand wireless antenna  
17 sites, many of which accommodate multiple wireless carriers, and  
18 with the rapid deployment of 5G networks to deliver faster and  
19 more reliable communications, additional wireless antenna sites  
20 and radio frequency transmitting antennas will be deployed to  
21 deliver better and expanded services to consumers and business  
22 customers; and

23  
24 WHEREAS, Hawaii needs to ensure that growth in new wireless  
25 technologies, and corresponding growth in wireless transmitting  
26 antennas, occurs in a responsible and managed manner, consistent  
27 and compliant with Federal Communications Commission  
28 regulations; and

29  
30 WHEREAS, the University of Hawaii is uniquely capable of  
31 providing reliable, independent, transparent, credible,



1 verifiable, and scientific analysis concerning wireless  
2 technologies; now, therefore,

3  
4 BE IT RESOLVED by the House of Representatives of the  
5 Thirty-first Legislature of the State of Hawaii, Regular Session  
6 of 2022, that the University of Hawaii is requested to establish  
7 a reliable, independent, and transparent methodology to assess  
8 the effects of radio frequency emissions generated by wireless  
9 antenna sites; and

10  
11 BE IT FURTHER RESOLVED that as part of its methodology, the  
12 University of Hawaii is requested to establish a process to  
13 determine the most appropriate means of providing the public,  
14 workers, and others who may be in close proximity to a radio  
15 frequency transmitting antenna with information that supports  
16 compliance with the Federal Communications Commission's  
17 regulations pursuant to title 47 C.F.R. section 1.1307(b), which  
18 establishes requirements for applicants seeking authorizations  
19 for radio frequency sources, including compliance with limits on  
20 human exposure to radio frequency; and

21  
22 BE IT FURTHER RESOLVED that the University of Hawaii is  
23 requested to thoroughly consider all of the following:

- 24  
25 (1) A central data repository in which the information can  
26 be stored and which can be accessed by authorized  
27 users, including radio frequency emission information  
28 for each transmitting facility;  
29  
30 (2) The radio frequency information should include all  
31 necessary radio frequency emission characteristics of  
32 the facility (e.g., transmitter power, transmit  
33 frequency, and antenna type) provided by each Federal  
34 Communications Commission licensee to the State of  
35 Hawaii or a designated third party, together with any  
36 updates, to ensure that the public, workers, or others  
37 who may be exposed to radio frequency emission areas  
38 that can exceed the Federal Communications  
39 Commission's allowable radio frequency exposure limits  
40 are not exposed to radio frequency emission limits  
41 above the Federal Communications Commission's  
42 allowable radio frequency exposure limits;



- 1  
2 (3) The information should include visual depictions of  
3 the radio frequency emissions in relationship to the  
4 physical improvements at the facility, such that any  
5 or all visual depictions of the radio frequency  
6 emissions can be attributed to a particular antenna or  
7 sector at the facility with the latest information;  
8
- 9 (4) A capability for exchanging information about  
10 facilities and coordinating communications about the  
11 facilities, with respect to a particular facility and  
12 with respect to multiple facilities, persons who own  
13 or control sites where the facilities are located,  
14 contractors performing work on the facilities or at  
15 such sites, persons who employ individuals performing  
16 work on the facilities or at such sites or hire  
17 individuals performing work on the facilities or at  
18 such sites, and emergency-services agencies or  
19 personnel;  
20
- 21 (5) The ability for authorized persons to access and use  
22 the latest available radio frequency emission  
23 information in the repository established under this  
24 measure;  
25
- 26 (6) The ability to record by whom and the date on which  
27 the information was accessed to ensure compliance with  
28 any legal requirements;  
29
- 30 (7) A method to annually audit the site-specific safety  
31 information to ensure the accuracy of critical safety  
32 information;  
33
- 34 (8) A method that provides insurance to parties affected  
35 by radio frequency exposure, including Federal  
36 Communications Commission licensees, property owners,  
37 employers, and state and local governments, for radio  
38 frequency-related injury claims at all wireless  
39 antenna sites to minimize exposure to an uninsured  
40 risk and potential claims and litigation;  
41



1 (9) An independent radio frequency compliance third party  
2 to administer and provide services with regard to the  
3 proper creation, distribution, access, updates, and  
4 management of the information required in paragraphs  
5 (1) through (8), and provide any other additional  
6 related services as may be deemed necessary by the  
7 University of Hawaii;  
8

9 (10) Whether to prequalify a prospective third-party radio  
10 frequency compliance administrator and service  
11 provider for the performance of the services in this  
12 measure and limit a solicitation to those prequalified  
13 administrators and service providers;  
14

15 (11) A method to secure funding to be used for the services  
16 to be provided pursuant to this measure, including any  
17 surcharges imposed upon wireless communications  
18 service providers; and  
19

20 (12) Whether the amount of regulatory recovery costs being  
21 paid per month by consumers to wireless carriers in  
22 Hawaii, as outlined in the Federal Communications  
23 Commission's Truth in Billing Act, are being  
24 effectively and efficiently utilized by those carriers  
25 for compliance with site radio frequency safety  
26 regulations; and  
27

28 BE IT FURTHER RESOLVED that the University of Hawaii is  
29 requested to submit a report of its findings and  
30 recommendations, including any proposed legislation, to the  
31 Legislature no later than twenty days before the convening of  
32 the Regular Session of 2023; and  
33

34 BE IT FURTHER RESOLVED that certified copies of this  
35 Resolution be transmitted to the President of the University of  
36 Hawaii System and Chairperson of the Board of Regents of the  
37 University of Hawaii System.

