

STAND. COM. REP. NO.

1065

Honolulu, Hawaii

, 2023

**MAR 03**

RE: H.B. No. 1201

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1201, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NOISE POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to establish:

- (1) Noise generated by helicopters in excess of a certain decibel level as a public nuisance and a source of noise pollution in violation of the State's noise pollution law; and
- (2) Fines and a private right of action for individuals to sue helicopter owners and operators for creating a public nuisance.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from Jack Harter Helicopters, Aircraft Owners and Pilots Association, and Helicopter Association International. Your Committee received comments on this measure from the Department of the Attorney General and Department of Transportation.

2023-2411 HB1201 HD1 HSCR HMSO



Your Committee finds that public discourse and perception have grown more critical of the noise generated by helicopters flying through the State, which are big contributors to noise pollution. Residents have cited that the excessive helicopter noise has taken a toll on their physical and mental health and consequently your Committee believes that noise pollution from the operation of helicopters is a serious public health issue. While your Committee acknowledges potential jurisdictional concerns under this measure, your Committee believes that innovative solutions, such as allowing for a private right of action, to address residents' concerns is needed to ensure the health and welfare of residents.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1201, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



