

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

In reply, please refer to:
File:

**Testimony in SUPPORT of SB1418 SD2
RELATING TO NOISE POLLUTION**

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH AND HOMELESSNESS

Hearing Date: 3/15/2023

Room Number: 329

1 **Fiscal Implications:** This measure may impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

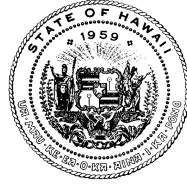
4 **Department Testimony:** The Department supports this measure which amends Chapter 711-
5 1101, Hawaii Revised Statutes, by adding a decibel level to allow county police to effectively
6 enforce disorderly conduct, establishes one FTE within the Department to provide technical
7 training for law enforcement officers in the use of sound level meters, and appropriates funds for
8 the purchase of sound level meters for their use. The Department supports the amendments
9 made in SD2, strengthening HRS Chapter 711-1101 to allow county law enforcement to
10 effectively and efficiently regulate noise sources which are not addressed by our current
11 regulations. The Department currently regulates businesses, during business hours which may
12 emit excessive noise as a byproduct of their day to day activities, which is the intent of Title 19,
13 Hawaii Revised Statutes (HRS), Chapter 342F and Title 11, Hawaii Administrative Rules (HAR)
14 Chapter 11-46. These types of sources are either fairly constant in nature, stationary or restricted
15 to a certain location and can be efficiently enforced by the Department. The Noise Section
16 currently consists of 4 inspector positions, and 1 supervisor based on Oahu, and addresses
17 concerns Statewide. The addition of one FTE will allow us to continue servicing the community
18 to the best of our ability without disruption of service, while adding the ability to provide
19 technical training to County police, County liquor control, and any other interested agencies
20 Statewide. We currently have a curriculum (approximately 4 hours) in place to offer

1 certification to County Liquor Control Inspectors on an annual basis. A similar curriculum
2 would be used to certify County Law Enforcement Officers. The FTE should be an EHS
3 (Environmental Health Specialist) IV due to the independent nature of the newly established
4 position with a cost of approximately \$75,000-\$104,000 including fringe benefits. Depending on
5 scheduling, travel and lodging costs are difficult to estimate at this time. Purchasing of sound
6 level meters (10) will be approximately \$43,350, which includes 2 per county (4 for Honolulu)
7 with annual calibration (from year 2 on) of \$595 per SLM and calibrator. For the Department to
8 implement a training program, the approximate funding needed for fiscal year 2023-2024 would
9 be \$150,000 and \$110,000 for fiscal year 2024-2025, and every year thereafter if deemed
10 appropriate. When the FTE is not conducting training or related activities, the position may be
11 utilized as a public outreach and education vector to conduct presentations at community
12 meetings, board/association meetings, etc. to increase awareness and compliance with all noise
13 regulations. The Department agrees with the intent of this bill in protecting our public from
14 excessive noise and welcomes the opportunity to train other agencies in the use of sound level
15 meters. We would like to continue the conversation to address noise issues and how to
16 effectively offer protection to the public.

17

18 Thank you for the opportunity to testify.

19 **Offered Amendments:** None



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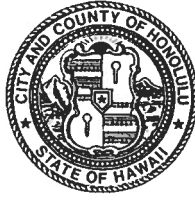
17

18 Thank you for the opportunity to testify.

19 **Offered Amendments:** None

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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RICK BLANGIARDI
MAYOR

ARTHUR J. LOGAN
CHIEF

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS

OUR REFERENCE **RP-SH**

March 15, 2023

The Honorable Della Au Belatti, Chair
and Members
Committee on Health and Homelessness
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Belatti and Members:

SUBJECT: Senate Bill No. 1418, S.D. 2, Relating to Noise Pollution

I am Randall Platt, Major of District 6 (Waikiki) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 1418, S.D. 2, Relating to Noise Pollution.

The HPD supports the regulation of excessive amplified noise in Waikiki but opposes Section 3 (1) of the bill in which funding is provided to the Department of Health (DOH) for the training of law enforcement officers in all counties in the proper use of decibel meters. The bill in its current form requires sound to be measured using the dBA scale, which, per the DOH's testimony, allows them to "turn off other contributing sound sources to receive an accurate reading of the equipment," such as a sound amplifier. This process is time consuming and highly technical and requires the downloading of captured sound from the decibel-level reader to a computer and then running software to strip ambient sound from the recording to obtain an "accurate reading."

The HPD strongly recommends having a DOH environmental health specialist testify regarding the different ways readings can be obtained using a decibel-level reader and the accuracy of those readings. It will help the committee to understand the complexities involved in obtaining sound readings.

Police officers in the field are already tasked with responding to a full range of requests for police services, including responses to 911 emergency and nonemergency calls for service at residences, private properties, commercial establishments, and government properties, including the following:

- Patrolling an assigned area on foot or in a mobile vehicle. Watching for and preventing unauthorized activity.
- Conducting investigations of complaints, misdemeanors, felonies, traffic violations, crimes of violence, etc. Questioning witnesses and suspects. Making arrests.
- Directing and controlling traffic. Conducting investigations of traffic accidents.
- Responding to emergencies, maintaining order, rendering first aid, safeguarding property, preserving evidence, and detaining suspected violators of the laws.
- Serving warrants, subpoenas, and penal summonses.
- Handling complaints involving the mentally ill and homeless.
- Preparing various reports.

During the past six months, police officers in District 6 responded to an average of 44 calls per day between the hours of 10:00 p.m. and 6:00 a.m., with many of these calls requiring multiple officers to respond. To further task a police officer to respond to a noise complaint, obtain a decibel-level reading, return to the substation, download the captured sound, obtain an accurate reading; and if a violation is found, return to the offender and issue a citation, is impractical and a poor use of departmental resources.

Furthermore, the bill does not explain the method for capturing amplified sound, whether a single snapshot reading is fair or acceptable or if we are taking a sampling of X-amount of seconds in an X-amount period. The HPD has concerns as to whether the Department of the Prosecuting Attorney would prosecute citations or arrests based on decibel-level readings and encourages the committee to solicit testimony from their office.

The HPD recognizes that excessive amplified sound is a significant problem for Waikiki residents, businesses, and visitors but feels that police officers should not be tasked with using decibel-level readers to obtain and enforce sound violations. The HPD supports the funding of the DOH to provide for additional environmental health specialist positions as these specialists have the knowledge, training, and equipment to obtain and enforce noise violations.

The HPD also feels that excessive amplified sound can be reduced via other strategies. Much of the testimony in support of this and Honolulu City Council Bill 43 (2021), FD1, Relating to Amplified Sound in Waikiki, centered on excessive noise from street performers. The

The Honorable Dela Au Bellatti, Chair
and Members
March 15, 2023
Page 3

Legislature may want to consider a partial ban on street performers on amplified sound after certain hours (for example, 10:00 p.m.) in designated areas of Waikiki, rather than taking an all-encompassing statewide approach.

The HPD suggests the formation of a work group with state and city legislators, neighborhood boards, and community/condominium associations and the HPD, DOH, Department of the Prosecuting Attorney, Department of the Corporation Counsel, and Department of the Attorney General to address the complex issue of regulating sound in a fair and effective way.

The HPD urges you to oppose Senate Bill No. 1418, S.D. 2, Relating to Noise Pollution.

Thank you for the opportunity to testify.

Sincerely,



Randall Platt, Major
District 6

APPROVED:


Arthur J. Logan
Chief of Police



WAIKIKI NEIGHBORHOOD BOARD NO. 9

10 NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BLVD. SUITE 160 • HONOLULU, HAWAII, 96817
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

Date: February 22, 2023

At the February 14, 2023 Regular Meeting of the Waikiki Neighborhood Board the board supported the concept of Senate Bill 1418

Noise that impedes the ability of residents to sleep, talk in a normal voice or listen to home entertainment devices on a reasonable setting is unreasonable. For years our residents have complained about amplified music or other sounds that create a unacceptable impact on their evenings.

Several apartment owners have spent large amounts of money to install “sound resistant windows” and then have installed air conditioning to cool their apartments. This is not only expensive but defeats the design criteria of the buildings designed to utilize trade winds for cooling and is an environmental negative for Waikiki.

We cannot deny that Waikiki is a noisy area. Traffic, loud mufflers and passing sirens are a part of our life but they are passing and not a constant noise that impacts our residents.

Hopefully this bill will remove amplified sound from our sidewalks when there are no permitted street events in Waikiki.

We supported a time frame from 7pm to 6am and understand the times were changed in the bill to 10pm to 6 am. This is not adequate to support the residents in Wakiki.

Mahalo for your concern,

Robert Finley

Robert Finley
Chair

SB-1418-SD-2

Submitted on: 3/13/2023 12:58:13 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jay Henderson	Citizens Against Noise	Support	Written Testimony Only

Comments:

On behalf of my organization, Citizens Against Noise, I strongly support SB1418 with the caveat that it be amended so the ***starting time each day is 7 p.m.***, not 10 p.m. Seven p.m. was the original Senate bill. It somehow got amended at the last minute. Please ***amend it back*** so noise does not disturb the peace during evening hours when we are eating dinner, relaxing, and putting our children to bed. Thank you for considering this.

SB-1418-SD-2

Submitted on: 3/14/2023 10:31:02 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	FREE ACCESS COALITION	Support	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition supports SB1418. We all deserve equal access to peace and quiet.

Mahalo for your time.



Committee on Health & Homelessness
Rep. Della Au Belatti, Chair
Rep. Jenna Takenouchi, Vice Chair

Testimony in opposition to SB 1418

Chair Belatti, Vice Chair Takenouchi, and Members of the Committee,

UNITE HERE Local 5 represents working people throughout Hawaii’s hotel, food service and health care industries. **We oppose SB 1418.** While we understand the concern the Legislature is attempting to address, the bill does not strike the appropriate balance between the rights of citizens to express themselves and the desire for quiet in areas where residents live, including areas in centers of visitor activity. A fuller exploration of strategies for noise mitigation is appropriate and necessary – no matter how restrictive this bill is, it may not resolve residents’ issues if the materials used in the built environment are exacerbating sound transmission.

If this bill does move forward, we support the time restrictions in the SD2 version of the bill. The bill should be further amended to apply to amplified noise specifically; otherwise this law could have a chilling effect on free speech, since it will not be clear to anyone without a sound reader whether they are in compliance with the law, assuming they even know the law exists.

It may prove chaotic to impose new noise controls on residents and (presumably) visitors, many of whom will no doubt be unaware of these rules, especially if restrictions start at a time when large numbers of people are awake, active, and outside. Passing legislation without analysis of possible solutions – especially given that there are engineering journals that focus on this subject – would be premature and may fail to resolve the issue.

We ask that you oppose SB 1418.

SB-1418-SD-2

Submitted on: 3/13/2023 9:56:06 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. I live in a high rise on the edge of Chinatown. I am in a mixed use district, business mixed use (BMX). Thousands of us live in BMX. I do not see us included. Please do not forget us. BMX includes residents, especially in high rises where upwards of 1,000 homo sapiens live. Often mixed use is not included, as residents in these areas seem not to exist. We are assaulted day and night by loud noises--boom boxes, garbage trucks as early as 2 a.m., no mufflers, screaming, yelling, motorcycles reving up, street festivals, drunks, etc., etc. This bill is a step in the right direction.

Please add BMX to those covered. We too crave and deserve protection.

SB-1418-SD-2

Submitted on: 3/13/2023 1:54:28 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Ganshert	Individual	Support	Written Testimony Only

Comments:

I am a young professional who lives in Waikiki with my wife and two young children. We enjoy living here because of the proximity to Kapiolani Park, the Zoo, Ocean, and the many amenities that both residents and tourists can enjoy. We are in support of SB1418 as late night amplified noise does not enhance the Waikiki experience for locals or for those visiting.

March 13, 2023

RE: Support of SB1418 SD1 but NOT SD2 Relating to Noise Pollution

Dear Representatives,

While I support SB1418, I DO NOT SUPPORT THE START TIME CHANGE from 7PM to 10PM. It needs to remain at 7PM, or 8PM at the latest.

The current amplified noise usually subsides just after 10PM, but this is AFTER all those in earshot have had to listen to the earsplitting circus for hours all evening.

Please change the time back to 7PM for the sake of:

- Keiki
- Exhausted parents of tired keiki!
- Kupuna
- Teachers and others who rise very early for their jobs
- Residents who can't watch tv or listen to music with windows open
- Hotel valets and shop employees who can't hear their customers
- Outdoor diners who can't have a conversation

Mahalo,

Denise Boisvert

Waikiki

P.S. Attached please find my testimony and some of the other testimony of Waikiki residents who supported the City Council's Bill 43. People need it to be quieter!

Aloha Chair Waters and Councilmembers,

Supporters of Bill 43 FD2 do not want to revoke the rights of people to express themselves on public sidewalks. Bill 43 would not ban amplifiers. It is simply a compromise that will set limits on when and how loudly their amplified sounds may be.

I live mauka of Kuhio, 3 ½ streets away from most amplifiers, but on many nights **it is like watching TV with the radio on in the same room, and with all windows closed!**

Waikiki has been a gathering place for friends and families for far longer than the invention of portable amplifiers. Now, when friends and families gather and hang out, they must close their windows. **Hotel guests and residents are a captive audience of decibels that could fill Aloha Stadium!**

Most visitors watch a street performance for a few minutes, or a couple songs, and move along to the next ones, then go somewhere else. The families in my building must listen nonstop for hours all evening long.

Would such excessively loud noise going up into the night air and heard for blocks be tolerated in other commercial or resort areas on the island?

A visitor from Florida even wrote to the Star Advertiser in September last year that they had to bring the lanai table and chairs inside their hotel room because of the **earsplitting circus**. She wrote that she knew about Hawaii's struggle with overtourism and wondered if it was a strategy to keep people from returning to Waikiki hotels!!

The residents in the Apartment Precinct understand city noises; but extremely loud nonstop amplified noise all evening long is not normal and definitely not healthful.

Please approve Bill 43 FD2. It is a fair compromise for people to live, visit and work together - and to have mutual respect for each other.

Thank you for understanding that both sides have rights.

Denise Boisvert

Name: Denise Boisvert	Email: infordenise@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 02:28 PM
Name: Kim Jorgensen	Email: hawaiiicondo@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 02:47 PM
Name: Salvatore Anello	Email: ring23@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:02 PM
<p>Testimony:</p> <p>I support Bill 43 (21) FD2. The noise and music coming from the street performers that are over 3 blocks away causes stress, anxiety and disruption of my sleep. I cannot even retire early if I am very tired because it wakes me up and then keeps me up. Instead of looking forward to a good night's sleep I start stressing over the anticipation of the noise that will happen later that evening.</p> <p>I am forced to hear full concerts of unnecessarily loud noise for hours. It never used to be this bad. Years ago, only a couple of the street performers used amplifiers or some electronics to blast music. Now, they all do, and it is like they are all trying to outdo each other's volume. How can this be allowed to continue every night, week after week, month after month?</p> <p>I understand how Waikiki is supported by tourism. But there needs to be some respect for those of us who live here and work here. I'm not complaining about very common urban noise. This is about the street performers with their amplifiers creating an unnecessary volume of noise that makes it seem like they are performing right in front of my building in the Apartment Precinct.</p>		
Name: Mike O'Dwyer	Email: bunsod4@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:08 PM
<p>Testimony:</p> <p>Aloha,</p> <p>I'm testifying in FULL SUPPORT of Bill 43 (21) FD1. I've lived at the Governor Cleghorn on Kaiulani Avenue since 1972 and have seen many changes in Waikiki over the decades; some good, some very bad.</p> <p>One of the worst changes in the last several years has become very stressful and disruptive on a nightly basis. Now almost every performing act on Kalakaua Avenue produces deafening amplified music that I am forced to hear several streets away in Waikiki's Apartment Precinct.</p> <p>I miss watching the local street musicians who gently played Hawaiian music. It was fun to bring visiting friends and family to Kalakaua to see them but the sound level of the types of acts today makes me need to avoid Kalakaua.</p> <p>Please pass Bill 43 because the rights of residents trying to enjoy a peaceful evening at home without being a captive audience to noise several blocks away should be as important as a street performer's right to speech and expression. That equity will not take place until an allowable decibel level is put into law and enforced.</p> <p>Mahalo, Mike O'Dwyer</p>		
Name: Staci Kennedy	Email: thriftchick@gmail.com	Zip: 96815
Representing:	Position:	Submitted:

Self	Support	Oct 28, 2022 @ 03:10 PM
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Testimony:

I am writing again on behalf of my elderly mother and myself as her caregiver in support of Bill 43 (21) FD1. For decades we have lived several months each year in Waikiki. **Over the past year I have realized how disruptive the noise from the street performers on Kalakaua is to the sleep and well-being of the elderly.**

With age and diminished thought processes come sun downers symptoms. It is difficult for seniors to distinguish between real and imagined during evening and night hours. My mother needs to go to bed early, but is very often awakened by the street performer noise each evening. It always leaves her agitated and unable to fall back to sleep right away.

At this stage in her life, routine is vital. Interrupted sleep is not routine and scientifically not healthful. I'm sure that she is not the only one who is going through this, as there are many elderly people in our neighborhood.

The constant amplified noise in the evenings that blares for hours all the way over to our side of Waikiki also affects me, her caregiver. It makes me stressed and tired, and I worry that it will affect my ability to properly care for my mother.

Please take this into consideration when making your decision about Bill 43 (21) FD1 on behalf of the kupuna and their family/caregivers. Mahalo.

Name: Indira Braschi	Email: zuica22@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:18 PM

Testimony:

Dear Council Chair Waters and Councilmembers,

Please note my full support of Bill 43 (21) FD1, and gratitude to all councilmembers for your consideration to pass it.

The unnecessarily loud noise created by the amplifiers used by performers on Kalakaua Avenue is not only disruptive to all who must listen to it while sleeping, working or dining, but such noise is known to be dangerous to people's health.

As a resident in Waikiki's Apartment Precinct, I am forced to listen to it in the distance while trying to relax while at home in the evening. **Closing my doors and windows does not help much at all;** and it prevents my enjoying the trade winds until the performances stop.

There is nothing wrong with street performers entertaining tourists and locals, but the sounds they create in their acts should not be so loud that they are easily heard several streets away.

I understand how Waikiki is supported by tourism. But there needs to be some respect for those of us who live here and work here. I'm not complaining about very common urban noise. This is about the street performers with their amplifiers creating an unnecessary volume of noise that makes it seem like they are performing right in front of my building in the Apartment Precinct.

This is our home, our sanctuary. Please pass Bill 43 (21) FD1; the restrictions are definitely needed.

Respectfully,
Indira Braschi

Name: Leonhard Nicolai	Email: nicolai.hawaii@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:21 PM

Testimony:

I partly own and manage a small apartment building on Koa Avenue located a block from Kalakaua Avenue.

The loud amplified music, singing, drumming, etc. coming from nearby street performers can be heard blocks away and has an

adverse affect on the quality of life for those of us who live in Waikiki and those visiting here.

I strongly support and hope you will pass Bill 43 (21) FD1. These regulations need to be established to insure that residents and our visitors can live and visit here in a peaceful environment.

Name: Sierra Laskowski	Email: sierralaskowski11@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:24 PM

Testimony:

I am submitting testimony in support of Bill 43 (21) FD1 because Waikiki residents have rights, too.

I chose to live in Waikiki when I moved here in January 2021 to work because of the ease of mass transit and proximity to the beach so I could learn to surf. I live in a residential building several streets away from Kalakaua Avenue that is filled with families, children, working people, and retired senior citizens.

A few months after my move when tourism started to come back, I was shocked that incredibly loud amplified music was allowed on sidewalks. How can such loud noise be legal when it is so unhealthy for all the people who work near it? And especially when it can be heard from blocks away and bother residents?

It makes it difficult for employees like me who must often be to work at 6 AM to get to sleep early. I am forced to stay awake or to get up again when they finally stop playing between 10 PM to 10:30 PM so that I may re-open my windows to have fresh air during the night. It is stressful and I am never refreshed in the morning.

The street performers need to understand that they are not being asked to stop playing or to stop using their amplifiers. We just need them, out of mutual respect, to lower the volume.

Please pass Bill 43, FD1.

Name: Cherlynn Thrasher	Email: sunnyhawaiiandays@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:27 PM

Testimony:

For the past 30 years I have spent several months a year in the Apartment Precinct of Waikiki and have done so because I love the diversity of the area, how close it is to the beach, mass transit, and being able to patronize the various restaurants within walking distance.

This past year has had the loudest street performers that I can remember in all those 30 years. It had been getting progressively disruptive over the last decade, but now that every performer has an unbelievably loud amplifier, it makes it uncomfortable to walk down Kalakaua or to dine at any of the restaurants with lanais or open window facing the street, especially in the evenings.

The volume of their amplifiers is not only deafening when walking by, but the noise is even heard all the way to my rental apartment between Kuhio and the Ala Wai. **It makes it difficult to watch television with my volume set at a reasonable level. I was warned by our resident manager to turn it down because it was too loud in the hallway.**

I support Bill 43 (21) FD1 because it will set decibel maximums for street performers which will be respectful of people living in the neighborhood around them.

Name: Bradley Patenaude	Email: braad@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:34 PM

Testimony:

Aloha,

Once again I am writing to support Bill 43 on Amplified Noise in Waikiki. The worst and most disruptive source of amplification is from street performers.

I live on Kaiulani Avenue just a few blocks from Kalakaua Avenue. Every evening we are subjected to street performers that set up on the corner of Kalakaua and Kaiulani with their amplifiers, and often times lighting etc...for a full concert. Some evenings the noise is so loud that it's near impossible to enjoy a quiet relaxing evening in our home. Couple it with the barrage of sirens and muscle cars that have become an ALL DAY NIGHTMARE in Waikiki, it's just really rather horrible.

We do not have air conditioning, nor do we want it, so our windows and sliders stay open 24/7. We do realize that part of Waikiki is a resort area, but it is also a residential neighborhood where people live, work and relax. This must be a consideration in passing this bill. Thank you for the consideration.

Bradley Patenaude
225 Kaiulani Aye, #1405
96815

Name: Terril Slusser	Email: terrilslusser@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 03:35 PM

Testimony:

This is testimony in FULL SUPPORT of Bill 43 (21) FD1.

Residents who live between Kuhio and the Ala Wai as I do should not be forced to hear the street performers' amplified music the way we do inside our homes for hours at a time in the evenings.

Bill 43 is not banning amplifiers so there should not be opposition to it from the street performers. The bill just addresses the need for decibel limits to be set starting at 7PM in the evenings to be fair to all people who live and work in Waikiki.

Name: Pamela Walker	Email: crystaltravel@earthlink.net	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 05:04 PM

Testimony:

Please pass Bill 43 (21) FD1. I have lived in the Governor Cleghorn on Kaiulani Avenue since 1993 and have always loved being part of the Waikiki community. Unfortunately, my residential community is being unfairly subjected to excessive volumes of unwanted noise caused by street performers using powerful amplifiers. No one can legitimately say that it is the residents' fault for living in Waikiki because we live in the residential area blocks away.

Kalakaua Avenue was not an earsplitting circus when I moved here. Over the years I enjoyed seeing the musicians playing Hawaiian music while some of their family members danced the hula. It really promoted a Hawaiian sense of place. They probably don't come to Kalakaua now because it is impossible for them to be heard with the other types of acts blasting so loudly. It is a loss for both tourists and residents.

One evening I was sitting in my living room (mauka of Kuhio) while on the phone with a friend and the performers on the corner of Kalakaua and Kaiulani Avenues started to play. The music from their 3 elevated loud speakers was so loud that my friend asked what all the racket was. We had to hang up because I couldn't hear her well from any of the rooms in my apartment.

It seems that the noise gets louder as the weeks go on and they often play all evening, even till well past 10:30 PM. I have visited the HPD Waikiki substation three times to discuss this matter, and was always told they can't do anything to help. Passing Bill 43 (21) FD1 will give them the ability to help.

Name: Margaret Murchie	Email: Margaret@margaretm.com	Zip: 96816
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Representing: Self	Position: Support	Submitted: Oct 28, 2022 @ 05:54 PM
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Testimony:
Please support Bill 43, which will restrict amplified "entertainment" with its current painful, earsplitting noise level on almost every block with each "performer" attempting to outdo each other, cranking up their boom boxes. **One cannot walk or hear themselves talk on the Waikiki sidewalks or restaurants with these chaotic competitions.** There are also a couple of restaurants in the International Marketplace that are way louder than they should be and their security and police have been called many times. Why do we allow this? Ask the workers at the hotels along the way how many complaints they get. It also creates chaos with the predators using the distracted crowds gathered to easily pick pockets and riles up the mentally challenged homeless. We walk about three times a week, either early morning or evening, from the Elks to Lewers and it is a deterrance for sure. It is definitely not enjoyable nor is it necessary. I own a long term rental condo near Kapahulu and Kalakaua and have lost good tenants over the noise issue. Please do something to quell the cacophony. We should also do something about the loud motorcycles and other vehicles with modified mufflers racing around the neighborhood night and day. Mahalo for your consideration and attention.

Name: barbara barry	Email: barbaraabarry@gmail.com	Zip: 96815
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Representing: Self	Position: Support	Submitted: Oct 29, 2022 @ 07:05 AM
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Testimony:
support Bill 43 (21) FD1.

Name: Board of Directors AOA Governor Cleghorn	Email: governorcleghornaoao@gmail.com	Zip: 96815
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Representing: Self	Position: Support	Submitted: Oct 29, 2022 @ 09:07 AM
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Name: Jim Cosgrove	Email: jhcogrove@juno.com	Zip: 96815
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Representing: Self	Position: Support	Submitted: Oct 29, 2022 @ 01:45 PM
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Testimony:
Dear City Councilmembers:

Thank you for this opportunity to testify in support of Bill 43 (21) FD1. Waikiki is divided into two distinct sections, the Resort Area makai of Kuhio, and the Apartment Precinct mauka of Kuhio.

City dwellers understand that normal sounds like traffic and sirens go with the territory. **The unregulated, highly-amplified music that can be heard from blocks away that comes from what tourists and residents alike have called the ear-splitting circus on Kalakaua is not normal in any city on a nightly basis.**

The unmitigated noise that continues for hours in the evenings disturbs residents, children and adults, who live several streets away in the quieter residential part of Waikiki, but are forced to listen to it all evening long after long days at work or school.

We respect the rights of street performers, but Bill 43 is obviously needed so the rights of residents to not be forced to hear the sounds as loudly as we do now will also be acknowledged and enforced.

This bill is not banning the performers or their use of amplifiers; it is just a matter of lowering the volume and limiting the hours of the currently uncontrolled high-decibel levels.

Please pass Bill 43 (21) FD1.

Sincerely,
Jim Cosgrove
225 Kaiulani Ave

Name: Cynthia Vanaria	Email: cmvana@aol.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 05:14 AM
<p>Testimony:</p> <p>Aloha Honolulu City Councilmembers,</p> <p>I reside in the Governor Cleghorn on Kaiulani Ave in Waikiki. I am writing in STRONG SUPPORT of Bill 43, and I implore you to pass this bill because something must be done about the unacceptably loud noise produced by the street performers on Kalakaua Ave.</p> <p>The performers are fun and clever tourist attractions, but the level of sound they produce makes them IMPOSSIBLE for me to enjoy. It is even unbearable when driving down Kalakaua with the car windows closed. I am now avoiding many of the restaurants on Kalakaua with outside seating.</p> <p>The amplified noise is loud enough to be a constant hours-long nightly disturbance, even for those of us who are residents MAUKA of Kuhio. I cannot begin to fathom how disturbing it must be for jetlagged tourists in any of the hotels on Kalakaua.</p> <p>Although I have no objection to the entertainment itself, it needs to be understood that we are truly a mixed neighborhood and the entertainers are not being considerate with their noise level. I hope that the bill will pass into law so the current unacceptable situation will be fairly corrected with mutual respect on BOTH sides.</p> <p>Thank you very much for your consideration to pass Bill 43. Cynthia Vanaria</p>		
Name: Rita Onorio	Email: rita.onorio@gmx.de	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 01:22 PM
<p>Testimony:</p> <p>I am a graduate student at HPU who lives on Kaiulani Avenue between Kuhio Avenue and Ala Wai Blvd. The amplified noise on Kalakaua Avenue that can be heard in my apartment makes it difficult to use the time in the evening to study. I also get up early in the morning to attend lectures and I often have to wait until the street performers stop playing before I can go to sleep.</p> <p>I support Bill 43 that would have the volume lowered starting at 7:00 PM.</p>		
Name: Kristina Holzapfl	Email: kristinaholzapfl@ymail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 01:25 PM
<p>Testimony:</p> <p>Aloha Honolulu City Councilmembers,</p> <p>I am in full support of Bill 43, FD1. The amplified music on Kalakaua Avenue should not be so loud that it can be heard in Waikiki's residential apartment district where people can even hear it in their living rooms. It disturbs the concentration I need for my studies. Please pass the bill.</p> <p>Mahalo for your consideration.</p>		
Name: Julia Schmatz	Email: juliaschmatz@ymail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 01:26 PM
<p>Testimony:</p>		

Thank you for this opportunity to testify in support of Bill 43 to lower the volume of amplified noise on sidewalks in Waikiki so **people may relax or study without being disturbed for hours every evening**. As a student I will really appreciate the change in volume.

Name: Jaime Smedes	Email: jaime.smedes@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 03:31 PM

Testimony:
The noise level in Waikiki and around Oahu is unfortunate and negatively impacts the mental health of more residents than we can understand. I urge the city and law enforcement to hold people accountable for creating unnecessary noise in the form of excessive vehicle exhaust systems both in cars, trucks, and motorcycles.

Name: Julia Rivera	Email: rivera30julia@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 30, 2022 @ 06:48 PM

Testimony:
We need limit on noise so people living here can sleep and work without interruption

Name: John Bickel	Email: jbickel15@yahoo.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 31, 2022 @ 07:53 AM

Testimony:
I have lived in Waikiki on Ala Wai Blvd for almost twenty years. Since then the unit next to mine has been bought and sold a number of times. Each time someone moves in thinking Waikiki is a fun place to live. In about two years they tire of the noise and move out. **So many of us suffer from sleep deprivation due vehicle noise and people screaming at all hours.** More needs to be done. This bill is a good step.

Name: Rob Coutts	Email: r.coutts@comcast.net	Zip: 96815
Representing: Self	Position: Support	Submitted: Oct 31, 2022 @ 08:43 AM

Testimony:
Please pass this legislation - Waikiki does not need carnival barkers and "entertainers" clogging the streets and generating so much noise.
Nobody wants to hear someone's amplified yelling, singing, and music especially in the evenings.
It's like having the idiot with the boombox in their car loudly playing "music" park in front of your house.
It's annoying and needs to stop.

Name: Carlino Giampolo	Email: carlinog@hotmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 08:04 AM

Testimony:
I strongly support the passage of Bill 43.
No one should have the right to disrupt the peace and tranquility, as well as adversely impact the health and well-being of residents, with their loud and excessive noises. This includes street performers who are not local to the neighborhood where they perform.
Bill 43 respects the dignity of Waikiki neighborhood residents.

Please pass Bill 43 for final approval by the mayor.

Name: Michael Mischer	Email: michaelmischer@me.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 10:55 AM

Testimony:
I am in favor of Bill 043.

The health of citizens living in Waikiki is of most importance.

Name: Sharon Moriwaki	Email: senmoriwaki@capitol.hawaii.gov	Zip: 96813
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 02:31 PM

Name: Adrian Tam	Email: reptam@capitol.hawaii.gov	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 1, 2022 @ 02:32 PM

Name: Alessandra Gallian	Email: alessa.gallian@gmail.com	Zip: 96815
Representing: Self	Position: Support	Submitted: Nov 2, 2022 @ 08:25 AM

Testimony:
I live on 225 Kaiulani Avenue. My windows go out ocean side and I can hear the music very clearly as if it were played in my living room. I don't want to have to listen to a full blown concert every night. There is especially one band that has two large speakers set up with a stage. This is taking it too far. We have asked them kindly many times to turn it down but they don't care. This is not Aloha. Do they even have a license to have all that set up? They are being very disrespectful to our residents in this community. This is not Pono.

Also the sound on the corner they are set up echoes. It is really bothersome.

Name: Winston Welch	Email: winston@outdoorcircle.org	Zip: 96815
Representing: The Outdoor Circle	Position: Support	Submitted: Nov 2, 2022 @ 09:44 AM

Testimony:
I want to provide oral testimony on this and other items on the agenda. Please send login instructions.

March 13, 2023

RE: SB1418 Relating to Noise Pollution

Aloha,

Please return the start time of SB1418 to **7:00 PM**.

Look at this Star-Advertiser Letter to the Editor from a disappointed visitor. The noise pollution on Kalakaua is truly an earsplitting circus.

Just ask the management of the hotels, shops and restaurants on Kalakaua between Kaiulani and Seaside how many complaints they get.

Look at all the residents mauka of Kuhio who signed this petition in support of Council Chair Waters' Bill 43 to control amplified noise.

The noise is unhealthy!

- The World Health Organization has defined **55 decibels** or higher as the threshold for cardiovascular disorders and high blood pressure
- Noise is the second biggest environmental factor causing health problems only after air pollution

Mahalo,
Kim Jorgensen

EDITORIAL | LETTERS

Letters: Culturally appropriate tourism welcomed; Restaurants need to help defeat coronavirus; No justice in releasing Reagan's would-be killer

Today • Updated 7:17 pm

Hooray for the new tourism plan so well summarized in Jayna Omaye's article, ["Culture and tourism"](#) ([Star-Advertiser, Sept. 26](#)). The new plan will attract a higher caliber of visitors by culturally appropriate and sensitive marketing before they arrive.

Once they are here, the new plan will better manage tourists through overdue best practices such as reservations, curated and authentic experiences, redistribution of excess demand, a tourism fee and better enforcement at hot spots.

With this plan, our tourism industry can be profitable again while our island paradise will be protected for kamaaina to enjoy. A special kudo should go to the Hawaii Tourism Authority for asking the Council for Native Hawaiian Advancement and the Native Hawaiian Hospitality Association for advice before deciding everything.

Maybe that kind of strategic, long-range thinking is what we should expect from our very first Native Hawaiian in the HTA driver's seat.

Jay Henderson

Ala Moana

Noisy Kalakaua Avenue mars visitor experience

As we concluded our nine-night stay at the Hyatt Regency Waikiki, we were forced to wonder if all the hotels within earshot of Kalakaua Avenue are in collusion by not warning prospective visitors on their websites that the main street in paradise is really an earsplitting circus.

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Email:

We were never able to relax on our balcony in the evenings because of the cacophony of noise from amplified electric guitars, singing and deafening music, all along the sidewalk of Kalakaua Avenue. In fact, we brought the balcony table and chairs into our room on the 16th floor in order to have a seated conversation without shouting to hear each other.

Sleeping was yet another challenge. We are visiting from Florida, meaning a time difference of six hours. Recovering from our long flight to Hawaii never happened because of waking repeatedly to the sound of street performers every night.

We are aware of Hawaii's struggle with overtourism. Maybe this is a strategy to keep people from returning to Waikiki hotels?

Denise Landay

St. Petersburg, Fla.

Restaurants need to help defeat coronavirus

Your editorial, ["Don't falter in pandemic fight" \(Star-Advertiser, Our View, Sept. 26\)](#), reminded me of the Kailua restaurant owner whose business was shuttered for a single night recently because he chose to not check diners' vaccine cards.

This person then went on social media to publicly berate the customer who notified the Honolulu Liquor Commission. He abdicated any and all responsibility and accountability for choosing to break the law, potentially endangering all who dined at this restaurant.

No one is above the law. Wearing a mask and pulling out a vaccine card to enter a restaurant, theater or other place of business is not the way we would like to live out our days, but choices and actions we take today have consequences that affect our future.

We need "good public participation." We must work together to defeat COVID-19!

Don't people get this simple concept?

Jill Thach









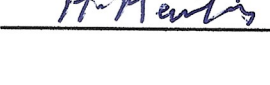
Kailua

ATTN: Transportation, Sustainability, & Health Committee, Honolulu City Council
 RE: Support of Bill 43 regarding Amplified Noise in Waikiki

We, the undersigned, residents of Waikiki are in FULL SUPPORT of Bill 43 for the following reasons:

- While we are not at all against street performers, we have the right to not be forced to listen to the noise produced by their performances
- The street performer noise can be heard in the Apartment Precinct mauka of Kuhio that is several streets away
- Our neighborhood has many families with babies and school age children, and adults of all ages whose health could be adversely affected by intrusive noise and lack of sleep
- The amplified noise forces us to close our windows and prevents us from breathing fresh air and can still be heard through our windows
- As residents in Waikiki, we understand that ambulance, siren, and traffic noise come with the territory, but amplified noise is voluntary and the decibel level needs to be controlled to be fair to everyone

Please pass Bill 43.

Name (print)	Signature	Street Address
COURTNEY David		218 Kaiulani Ave #2
Anna Rhodan		218 Kaiulani Ave #19 Hon, HI 96815
Deborah Bokala		424 Waiwai St #53 #815 HONOLULU
Vu Dinh		218 Kaiulani Ave #21
Lisa Somsan		2442 TUSITALA ST
Einstein Romero		222 Kaiulani Ave #105
James Palakos		2423 Cleghorn St
Leigh Johnson		2415 Alahai #1405
Arpine Martirosian		2452 TUSITALA ST. #73





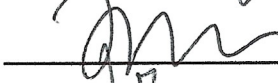



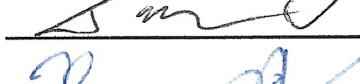

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Honolulu, HI 96815

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Please pass Bill 43.

Name (print)	Signature	Date	Apt #
Andre Souza		08/12	301
SERAFINA SPARRELL		8/12/22	1203
Lisa Sparrell		8/12/22	1203
BRENCE CYNKEL		8/12/22	205
TIFFANY TORRE		8/12/22	705
JOSH TERESCO		8/12/22	705
Julia Rivera		8/12/22	703
Camilo Mojica		8/13/22	904
Janara Abu Hamer		8/17	1602
Bryan Mosley		8/17	1505


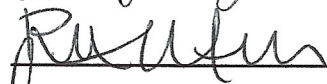


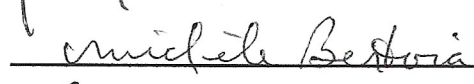
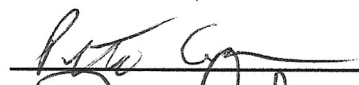
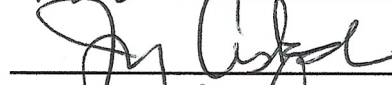



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Please pass Bill 43.

Name (print)	Signature	Date	Apt #
Dave I Hori		8-12-22	403
Rita McFarland		8-12-22	804
Johan Morala		8-12-22	804
Terril Swuser		8-12-22	405
Michelle Bertoin		8-12-22	1606
Peter Galavnean		8-12-22	"
Jerry Custals		8-12-22	445
Kyle Vidal		8-12-2022	704
ERIC VIDAL		8-12-2022	704
Jiro Ku		8-12-2022	408







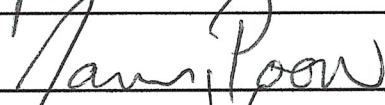



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Please pass Bill 43.

Name (print)	Signature	Date	Apt #
Darren Blair		08-11-22	303
Tom Elvrom		08/11/22	PH6
Alessandra Gallian		08-11-22	703
Claire Carlton		8/11/22	904
Mohamed El Gobry		8/11/2022	701
Vy Le		8/11/2022	802
James Poou		8/11/2022	902
Gracie Knoth		8/11/22	903
FRANCISCA BENNETT		8/12/22	Apt 505
RJ BARROGA		8/12/22	306

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Please pass Bill 43.

Name (print)	Signature	Date	Apt #
<u>Luya Xu</u>	<u>Luya Xu</u>	<u>8/27/22</u>	<u>1001</u>
<u>William Albratton</u>	<u>[Signature]</u>	<u>8/27/2022</u>	<u>304</u>
<u>ADISAK WONGUDERWAN</u>	<u>[Signature]</u>	<u>8/29/22</u>	<u>702</u>
<u>Kelis Kaleopa'a</u>	<u>Kelisy K.</u>	<u>9/12/22</u>	<u>1401</u>
<u>Peter Horwitz</u>	<u>[Signature]</u>	<u>9/2/22</u>	<u>PH 4</u>
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SB-1418-SD-2

Submitted on: 3/13/2023 4:43:11 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Mischer	Individual	Support	Written Testimony Only

Comments:

I am in favor of building an infrastructure to support the excessive noise legislation. In order to satisfy the objections voiced by Honolulu PD, the necessary funds to purchase the equipment needed to enforce this legislation, should be part of the process. Please vote yes, for a quieter and healthier Waikiki.

SB-1418-SD-2

Submitted on: 3/13/2023 6:25:48 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Darrell C. Bareng	Individual	Support	Written Testimony Only

Comments:

We certainly need to address noise pollution. Noise detecting cameras are the answer for those of illegally modified cars and motorcycles/scooters. These violators should not infringe on someone else's health and public space. Drivers should be responsible to fix them before they can be re-registered. Decades of research links noise pollution with not only sleep disruption, but also a host of chronic conditions such as heart disease, cognitive impairment, depression and anxiety. Police and lawmakers don't seem to care, even though neighbors constantly raise their concerns with local officials. At the corner of Salt Lake Blvd and Ala Napunani St it is almost unbearably loud. It's getting worse. The loudest noises initially, the cars and motorcycles that outweigh everything. This is steadily increasing and we are concerned for our general health and peace of mind.

SB-1418-SD-2

Submitted on: 3/13/2023 7:05:50 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Pam Walker	Individual	Support	Written Testimony Only

Comments:

I have lived in Waikiki since 1993, and it has become increasingly difficult to enjoy my home in the evenings with the loud amplified music playing on the corner of Kalakaua and Kaiulani. The so called band plays the same music, that is broadcasted over raised amplifiers, that projects the noise blocks away. It has become impossible to sit on my lanai and enjoy the pleasant trade winds in the evening.

There is also a drummer that is in front of the Maui Brewing Company with his amplifiers blasting music so loud that the receptionist cannot hear the customers. I have been dining across the street at the Cheesecake Factory. and his noise interrupts our conversations.

I support bill SB1418 with a modification of quiet time starting at 8:00 PM. The local residents and visitors deserve the right to enjoy their evenings uninterrupted by this loud racket.

SB-1418-SD-2

Submitted on: 3/14/2023 5:49:16 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In support of SD2. Thank you.

SB-1418-SD-2

Submitted on: 3/14/2023 8:55:33 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Carlino Giampolo	Individual	Support	Written Testimony Only

Comments:

I support SB1418 but with the hours between 7:00 p.m. and 6:00 a.m. The problem will not be resolved with a start time of 10:00 p.m.

Having a start time of 7:00 p.m. will respect the dignity and show compassion for all residents and visitors severely impacted by the noise abuse.

SB-1418-SD-2

Submitted on: 3/13/2023 1:10:31 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret Murchie	Individual	Comments	Written Testimony Only

Comments:

The noise bill was passed by the senate but they tweaked it to begin at 10pm rather than 7pm (which is when the racket begins and ramps up disturbing local neighbors and nearby businesses, including hotel guests) I wondered why the Union weighed in against the start up time of 7pm, but I guess they wanted to bang their drums and shriek while picketing hotels everytime they don't get their way) The rest of the amplified noisemakers are operating at a painful level and crowding people off the sidewalks onto busy street. Talked to a valet, Larry, at the Moana Hotel yesterday and they actually warn guests of the predatory pickpockets that hang around the crowds. These "performers" are not tax payers, don't have permits or insurance and he said that bullying goes on with these performers reaching into people's pockets or waiting for the venmo confirmation. That is ridiculous. The whole of city council voted to approve of Waters' bill, which the police voted against even though we had worked on the verbiage with them and then the mayor vetoed on advice of Alm and police, who didn't want to enforce. I have to tell you that they don't like to enforce rules on the books, loud speeding cars and motorcycles race by regularly and it is just a matter of time. You can hear them coming for miles. Please consider the locals and amend the start time back to 7pm. Talk to the valets at the Outrigger, too.

SB-1418-SD-2

Submitted on: 3/14/2023 10:59:23 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Marilyn Mick	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I am against this Bill as written as it states "Appropriates funds for enforcement."

Past news on this Bill stated that the Dept of Health would buy sound measurement meters and train HPD to enforce this Bill. I do not feel that we need to assign HPD more enforcement powers when they are unable to carry out the powers currently assigned to them. HPD needs to concentrate on crime and not going after loud mopeds or motorcycles.

Mahalo, Marilyn Mick, Honolulu

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
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STEVEN S. ALM
PROSECUTING ATTORNEY



THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH AND HOMELESSNESS
Thirty-Second State Legislature
Regular Session of 2023
State of Hawai`i

March 15, 2023

RE: H.B. 1418, S.D. 2; RELATING TO NOISE POLLUTION.

Chair Bellati, Vice-Chair Takenouchi and members of the House Committee on Health and Homelessness, the Department of the Prosecuting Attorney, City and County of Honolulu (“Department”), submits the following testimony, in **opposition** to S.B. 1418, S.D. 2.

The Department understands that noise pollution is a very real concern, particularly on Oahu, that affects not only quality of life but also the actual health and welfare of many residents and visitors here. To better address this issue, the Department has been speaking with Honolulu Mayor Rick Blangiardi, members of the Honolulu City Council, the Honolulu Police Department, and others, to develop new approaches to address these noise concerns, such as S.B. 224 (would allow State and counties to enact and enforce noise-control infractions), which is part of the Department’s 2023 legislative package.

That said, the Department also understands—based on discussions with the State Department of Health and the Honolulu Liquor Commission—that taking accurate decibel readings is a rather involved and time-consuming process, that could potentially take patrol officers off of the streets for long periods of time. Given the myriad of matters to which patrol officers are already expected—and needed—to respond, in order to protect the safety and welfare of our community, the Department is concerned that taking decibel readings may not be an efficient use of our police department’s limited resources.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **opposes** the passage of S.B. 1418, S.D. 2. Thank you for the opportunity to express the Department’s concerns on this matter.

SB-1418-SD-2

Submitted on: 3/14/2023 11:37:22 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
irene kloepfer	Individual	Support	Written Testimony Only

Comments:

Please please pass this bill. Queen st toward south and south st plus king and punchbowl going into kapiolani has become a drag strip with the hotrod cars starting early morning, sometimes 4.30am and through to 7.30-8am Monday through Friday between cars, motorcycles and scooters. Weekends can be 2.30am with or without boom box noise. Has gotten worse since Covid restrictions lifted. This bill and those audio cameras might fix this. And we need the police to give out tickets. Mahalo

SB-1418-SD-2

Submitted on: 3/14/2023 11:42:50 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Chris Barzman	Individual	Support	Written Testimony Only

Comments:

Strongly support this bill.

SB-1418-SD-2

Submitted on: 3/14/2023 11:46:16 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Godbey Carson	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. It's hard to live Aloha when it's too noisy to be heard in many of our neighborhoods. We need some reasonable limits so that the peace and charm of our residential areas are not wrecked by excessive noise all hours of the day and night.

Thank you for your consideration of my testimony.

Ellen Carson

SB-1418-SD-2

Submitted on: 3/14/2023 12:40:23 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Yu Xian He	Individual	Support	Written Testimony Only

Comments:

I support this bill as there has been an uptick of loud noise in my neighborhood. The current offended is a bar called the Rooftop Restaurant and Bar, that has an open rooftop dining area with live music and DJs on the weekends. The noise is audible from my apartment building just a block away and I can't imagine how the residential areas next to the bar are. Although this bill appears to target persons making noise, both kinds of noise from people, establishments, and fireworks are damaging. Hawaii is small in that residential neighborhoods are close together but making loud noise does effect everyone due to proximity of homes close to bars and restaurants.

SB-1418-SD-2

Submitted on: 3/14/2023 1:35:02 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

The noise level in my neighbor(Ala Moana) has continued to rise over the past few years...Mostly loud mufflers and backfiring mufflers. Three days ago I saw...and heard...a Smartcar emitting a loud muffler sound. To get a muffler sound at all out of an electric car, you have to be trying to create noise. We need incentive for this practice to STOP. I have purchased noise cancelling headphones to be able to hear TV or just have peace at times of peak disturbance. I shouldn't need them to enjoy my day. Please pass this bill!

SB-1418-SD-2

Submitted on: 3/14/2023 2:06:16 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Atlas Cook	Individual	Support	Written Testimony Only

Comments:

Noise pollution is the number one problem in Hawaii.

HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023

COMMITTEE ON HEALTH & HOMELESSNESS

Rep. Della Au Belatti, Chair
Rep. Jenna Takenouchi, Vice Chair

Rep. Terez Amato
Rep. Greggor Ilagan
Rep. Bertrand Kobayashi

Rep. John M. Mizuno
Rep. Scott Y. Nishimoto
Rep. Diamond Garcia

Testimony in Favor of **SB1418**

Chair Della Au Bellatti, Vice Chair Jenna Takenouchi and Members of the Committee,

I urge you to consider and vote Aye in favor of passing **SB1418**.

As a resident of Waikiki, we have endured an increasingly high level of amplified music on a nightly occurrence.

I agree with the new adjustment of hours to reflect the ‘Quiet Time’ of 10:00pm to 6:00am.

I believe passage of **SB1418** will improve Quality of Life for residents and businesses here in Waikiki.

This is well written Bill. I don’t see any legal issues with the passing of **SB1418**

I understand Honolulu Police Departments concern regarding enforcement, but that is a funding and training issue.

The time is NOW to pass **SB1418**

Thank you for your dedication and service,

Jason Moore
234 Ohua Avenue
Honolulu, Hawaii 96815

SB-1418-SD-2

Submitted on: 3/14/2023 3:26:56 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Samuel M Mitchell	Individual	Support	Written Testimony Only

Comments:

I fully support SB1418 SD2 because we need to find a way to control street noise.

Samuel Makiki Makiki NB-10 & Leg. V.P. NARFE Hawaii

SB-1418-SD-2

Submitted on: 3/14/2023 5:01:54 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Matt Wong	Individual	Support	Written Testimony Only

Comments:

I write in support of SB 1418. I have been a resident of Waikiki since 2009. I was hesitant to move to Waikiki from Kailua, but the cost of living is lower, and I soon came to love the neighborhood. Locals wave to one another on the street, and greet each other in the lineup at Queens, Canoes, and Pops. Despite the tone of some testimonies opposing this bill, Waikiki is still a local neighborhood, with long time residents, living and working to better their communities on Oahu. When I first moved in, I was able to get a full night's sleep with the windows open, enjoying the breeze and a reasonable level of city noise. In recent years I have had to close all windows and bedroom doors in an attempt to get to sleep, or remain asleep, without being awoken by noise. In the past year, the high decibels of noise happen both late at night and early in the morning by shouting, chee-hooing, motorcycles, cars, radios, street performers, and car horns. I have gotten somewhat used to the late night noise, and manage to get to sleep by closing my windows and using a fan. But, on average, I am woken three times a week, before 5:00 am, by garbage pickup. This noise includes backup beeping, metal crashing, and engine revving, and lasts from between 45 min to an hour and a half. My 4:45 am routine then begins...try to compete with the trucks by using a louder white noise machine, put in my \$250 noise cancelling earbuds, and try to get another hour or 2 of sleep before going in to work.

If the noise in our Waikiki neighborhood continues to worsen, it will no longer be home and I will have to find another place to call home.

Note: I am aware that Bill 23 (2022) on trash collection is currently postponed in the Committee on Transportation, Sustainability and Health.

Testimony In Support of SB1418 SD2

Submitted for: Health & Homelessness Committee Hearing, scheduled to be heard on Wednesday, 3/15/23 at 9:45 AM.

Aloha Chair Belatti, Vice Chair Takenouchi, and Members of the Committee,

I support SB1418 SD2, as it will provide a path to a better quality of life for the residents of Waikiki who are impacted by frequent amplified noise and street performances 365 days a year.

I also understand the other side, and those who say “it’s nice to have street performers” and “this adds to the allure of Waikiki for tourists and residents.” I think there are plenty of venues along the Waikiki main strip with many shows and performances that all people can enjoy (locals and tourists). Some of them are free to attend and are held on a regular or weekly schedule. It is not hard to find them, unless you are trying to walk down the sidewalk and are blocked by the many street performers lined up, and large crowds gathering to watch the numerous random pop-up performances. What everyone in the discussion should remember is that the sidewalks are meant for the public to walk on, and are not established as “temporary venues” for anyone to perform their own musical or theatrical shows.

I suggest that the City and County of Honolulu look into providing an open-air venue or venues for street performers to perform on a regular basis, with a set published schedule. This could include open microphone nights for comedy and musical performances.

While I support SB1418 SD2, I also think that common sense dictates that the Honolulu Police Department (HPD) has the authority to ask anyone blocking the sidewalk (and limiting the free flow of pedestrian traffic) to move along. The portion of the sidewalk that is designated as public space is mostly where street performers set up and perform. HPD simply needs to ask them to move along. If they choose to set up on the private side of the sidewalk, then the shops and hotels can also ask them to move along, as they are on private property.

Our goal should be to make everyone happy by supporting; 1) the rule of law; 2) the public’s desire for the peaceful enjoyment of their homes and; 3) those who want to show the world they have what it takes to be a star, or are just trying to earn some extra money.

I ask the Committee and all State Legislators to please support SB1418 SD2, and please amend it to move the start time for enforcement back to 7:00 PM.

I ask the Honolulu Police Department to please enforce the laws.

And I ask the City and County of Honolulu (Mayor Blangiardi) to find a creative solution and a place for street performers to do what they do best.

Mahalo,
Greg Misakian

2nd Vice President, Kokua Council
Board Member, Waikiki Neighborhood Board

SB-1418-SD-2

Submitted on: 3/14/2023 7:43:27 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tammy Chu	Individual	Support	Written Testimony Only

Comments:

I support this proposed bill. The noise level in the Kakaako area particularly with very loud cars and motorcycles with on main streets like Kapiolani, Piikoi, and Ala Moana Blvd seems to be increasing at late hours past 10pm even during the weekdays. It has woken me from sound sleep many times in the middle of the night.

SB-1418-SD-2

Submitted on: 3/14/2023 8:29:59 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah K Worth	Individual	Support	Written Testimony Only

Comments:

Dear Chair San Buenaventura and Committe Members,

I strongly support SB1418. Please provide our law enforcement officers with the basic tools and training to protect us from noise pollution.

Mahalo nui loa,

Sarah K. Worth

SB-1418-SD-2

Submitted on: 3/14/2023 9:18:57 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen T Hazam	Individual	Support	Written Testimony Only

Comments:

Please SUPPORT SB1418. This is an important health and quality of life issue. We need to set standards and limits and provide the resources necessary for equipment , training and enforcement.

Please SUPPORT SB1418

SB-1418-SD-2

Submitted on: 3/14/2023 10:51:32 PM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen Shishido	Individual	Support	Written Testimony Only

Comments:

Noise pollution in the urban core from refuse collection and bars has gone unaddressed for too long. I once measured 80db of noise in a 14th floor apartment from dump trucks at 4am.

SB-1418-SD-2

Submitted on: 3/15/2023 7:41:48 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Scofield	Individual	Support	Written Testimony Only

Comments:

i live near Ala Moana Center and the auto engine noise on weekend evening around mid night is very distrurbing. I think it is much worse in Waikiki and offensive to both residents and touritsts. i strongly support any legliation regarding suppression of noise pollution from whatever source. Thank you for you consideration, Richard Scofield

SB-1418-SD-2

Submitted on: 3/15/2023 10:30:21 AM

Testimony for HLT on 3/15/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Salvatore Anello	Individual	Support	Written Testimony Only

Comments:

I support this Bill with 8:00 PM instead of 10:00 PM as the time to start.

Those extra two hours will allow us to enjoy a more peaceful time without trying to compete with outside noises. Our music, TV, and coversations can be at a little lower. Our windows and doors can remain open so we can cut down on very expensive electricity for A/C.

And those of us who suffer from Tinnitus, these sounds can be quite jarring.

Mahalo

From: Jean Jeremiah <jeanjeremiah2d5g@gmail.com>

Sent: Tuesday, March 14, 2023 6:04 PM

To: Venus Delos Santos <v.delossantos@capitol.hawaii.gov>

Subject: Support for SB 1418

I strongly support SB1418 which prohibits the emission of excessive noise after certain hours in the residential areas by amending the offense of Disorderly Conduct to include the production of noise over a certain decibel limit. These loud noises include motorcycle mufflers that come from the Muffler company on Ilaniwai Street. Their customers just speed in and out of Kakaako.

In addition, the karaoke bars and restaurants that have extended their music playing outside in open areas (under tents) - at times even with DJs and microphones - encouraging customers to sing along. I am referring particularly to the Work Play establishment and another open outdoor seating restaurant directly across it on Ilaniwai Street in Kakaako. Keep in mind, Kakaako is a residential area with several residential condominium buildings with Senior tenants.

Work Play starts playing their Karaoke music outside as early as 5pm-6pm and goes on till past 11pm on a weekday. Residents in the area have to go to bed early, in order to go to work early the next morning. Our children are doing their homework after dinner; need to go to bed early, in order to go to school the next day. On weekends, our only day of rest and relaxation, it starts as early as 11am and continues on throughout the day until past midnight. The noise volume gets worse when there is a sports game being shown on their wide screen. Many residents in the area have been complaining. I was informed that some of them have even called the Liquor License Dept to complain. They were told to "gather as many residents to call and file a complaint so that the Liquor License Dept has reason not to renew their liquor license". Many times we can't even hear our own TV. Work Play has private rooms. Why can't they hold these music and parties inside their private rooms. In addition, these customers are not the "Pau Hana" employees that just want to "wind down" after a hard day's work. These are young teenagers, in their skimpy shorts, cut out jeans, half cut tops, etc. Some residents have wondered if these young kids are being served liquor.

In addition, the Waikiki Trolley and the Waikiki Bike Trolley regularly goes there to unload tourists. Keep in mind that Ilaniwai Street is a very narrow street - one lane in and one lane out. These trolleys don't just unload their tourists. They park there for 1-1/2 hours until their customers are done dining and eating. In the meantime, they are blocking other vehicles coming and going. Some residents in the other surrounding high rise condominiums have even taken pictures of these trolleys. When they are parked on Ilaniwai Street - other vehicles have to take the other lane - meeting other vehicles "head on" because there is no other way to get through because these trolleys have taken up the lanes in front of Work Play.

I really hope that these concerns and issues can be resolved soon before an accident happens. Also, sometime last year, there was even a big fight among customers of Work Play. This even escalated outside on Ilaniwai Street.

Jean Jeremiah