HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES REGARDING NOISE LEVEL STANDARDS FOR RESIDENTIAL AND COMMERCIAL AREAS OF THE STATE.

WHEREAS, the Department of Health administers Chapter 342F, Hawaii Revised Statutes, relating to noise pollution in the State; and

WHEREAS, under section 342F-1, Hawaii Revised Statutes, pollution means "excessive noise", and "excessive noise" is defined as "the presence of sound as measured by standard testing devices as established by the noise rules adopted by the department of a volume or in quantities and for durations which endangers human health, welfare or safety, animal life, or property or which unreasonably interferes with the comfortable enjoyment of life and property in the State or in such areas of the State as are affected thereby"; and

WHEREAS, the Department of Health adopted Title 11, Chapter 46, entitled "Community Noise Control" in 1996; and

WHEREAS, although empowered to do so, the Department of Health has not adopted administrative rules to regulate noise level standards in residential and commercial areas of the State, except for certain limited cases; and

WHEREAS, the lack of noise level standards for residential and commercial areas adversely affect residents and visitors throughout the State, and the Department of Health has the authority and experience to control, mitigate, and prevent noise pollution in Hawaii; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the Department of Health is requested to adopt by June 30, 2019, administrative rules establishing noise level
standards for residential and commercial areas of the State, including the enforcement of these standards; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor and Director of Health.

OFFERED BY:

[Signatures]

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