

Honolulu, Hawaii

MAR 03 2023RE: S.B. No. 224
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 224, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow for noise control infractions to be processed under the traffic and emergency period infractions adjudication process; and
- (2) Grant the District Court concurrent jurisdiction over noise control infractions committed by minors.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Office of the Mayor of the City and County of Honolulu, Department of the Prosecuting Attorney of the City and County of Honolulu, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that many living in urban and high-density areas make legitimate noise complaints quite frequently. Each county has adopted noise control ordinances, violations of which result in the issuance of a citation. The State currently



has an expedited adjudication process for similar citations issued for violations of traffic and emergency period infractions. This measure will provide an extra tool for county police officers to expedite the adjudication of noise control infractions and maintain acceptable living standards for the residents of the State.

Your Committee has amended this measure by:

- (1) Clarifying that the preaddressed envelope included with the notice of traffic infraction, notice of emergency period infraction, or notice of noise control infraction be directed to the traffic violations bureau of the applicable district court; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 224, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 224, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,




KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 224 SD1	Committee Referral: TCA, JDC	Date: 2/23/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	<i>MR</i>
TOTAL	4	—	1	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes