



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 9, 2009

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 144

COMMITTEE ON TRANSPORTATION

House Bill 144 allows medium-speed electric vehicles to be operated on roads with a posted speed limit of 45 mile per hour or less. The legislation also proposes that the director of transportation shall adopt rules pursuant to chapter 91 as may be necessary to regulate the use of medium speed vehicles.

The Department of Transportation (DOT) opposes this bill.

In the Federal Register dated September 26, 2008, the National Highway Traffic Safety Administration (NHTSA) denied a petition for rulemaking that would establish a new class of motor vehicles known as medium speed vehicles, which would have a maximum speed capability of 35 mph. The petitioners contemplated that these vehicles would be subject to a set of safety standards greater than those that apply to low speed vehicles but substantially less than the full set of safety standards that apply to other light vehicles such as passenger cars. NHTSA was of the opinion that the introduction of such a class of motor vehicles without the full complement of safety features required for other light vehicles such as passenger cars would result in significantly greater risk of deaths and serious injuries.

In addition, while NHTSA agrees with the importance of environmental issues, the agency believes that it is not appropriate to significantly increase the risk of deaths and serious injuries just to save fuel. We agree with the position of NHTSA.

RE: HB 144 HEARING_TRN_02-09-09, 9 AM, Room 309

February 8, 2009

Myself Jinene Jay West and my husband Dennis Cigainero, of Kamuela, Hawaii, do not **SUPPORT HB 144** (Allows medium-speed electric vehicles to be operated on roads with a posted speed limit of 45 miles per hour or less).

Even though we support renewable energy, we feel that allowing electric powered vehicles (with a maximum speed of 35 miles an hour) to travel on roads with a posted speed of 45 mph, only will cause a safety hazard for all motorists.

Our driveway fronts a highway with a maximum posted speed of 45 mph, however people still travel on an average at 55 mph. Also many of our highways had been built with sub-standard specifications in the past so our state highway division's solution for safety is to install a multitude of guardrails on these highways, which include the highway fronting our property.

If this bill is passed you can expect to have enhanced golf carts traveling a speed of 35 mph or less on highways where drivers are exceeding the 45 mph posted speed. With guardrails this makes it impossible for these electric vehicles to pull off the road to let others pass, thus cause for multi-car accidents.

Again, we DO NOT support House Bill 144.

Sincerely,



J. Jay West



Dennis Cigainero

62-2410 Kawaihae Rd.
P.O. Box 2071
Kamuela, HI 96743

808-882-7520
artglass@aloha.net

From: Michael Horst [hawaiigor@yahoo.com]
Sent: Sunday, February 08, 2009 1:54 PM
To: TRNtestimony
Subject: HB 144 HEARING_TRN_02-09-09, 9 AM, Room 309

I Michael Horst urge you to support HB 144 because I think it will help make Hawaii's economy and environment better and healthier.

Michael Horst
P.O. box 1052, Volcano, HI. 96785
808-967-8553

awana3-Elenoa

From: Sher Glass [kipuka22@yahoo.com]
Sent: Sunday, February 08, 2009 1:07 PM
To: TRNtestimony
Subject: HB 144 HEARING_TRN_02-09-09, 9 AM, Room 309

I, Sherrill Glass, of Volcano, Hawaii, **SUPPORT HB 144** because in Hawai'i

Our ratio of renewable energy (5%) vs. fossil fuel use (95%) is among the worst in the nation.

Transportation accounts for half of Hawai'i's energy consumption (48%), compared with residential (13%), commercial (14%), and industrial (25%) uses.

The U.S. Department of Energy has indicated that we are one of the best positioned states for renewable energy potential, with abundant wind, solar, geothermal and other resources. Yet, we perform among the worst in terms of using renewable energy sources. This stems from a lack of political will and capital investment, a regulatory scheme that seems to discourage renewables, and a not in my backyard attitude that seems to prevent projects from getting off the ground. The result so far is that we continue to rely almost solely on imported fossil fuels.

There is irrefutable evidence that global warming is real and occurring at an alarming rate. As the planet warms over the next fifty years, sea levels are rising, impacting our coastal areas. Hawai'i could also be struck by stronger and more frequent storms because of these changes. Homes, hotels, businesses, harbors and waterfront properties are increasingly at risk. We must aggressively address the impact of global warming and rising sea levels for our island state.

STRATEGIC ACTIONS

1. Reduce reliance on fossil (carbon-based) fuels.

Energy use pervades all aspects of contemporary life, from vehicles to air conditioners, computers, dishwashers and dryers. About 95% of our primary energy supply is imported fossil fuel that contributes to global warming and the deterioration of our environment. There are other sources of energy that can be produced locally. We must reduce our reliance on fossil fuels by expanding renewable energy opportunities. We must rethink how we use energy by improving efficiencies in all that we do.

- * Expand renewable energy opportunities.
- * Increase energy efficiency in private and public buildings, including retrofitting existing buildings.
- * Improve energy efficiencies and options in transportation.
- * Encourage the production and use of locally produced bio-fuels.
- * Adopt building codes that encourage “green building” technology.
- * Encourage all government agencies to adopt sustainable practices, including purchasing hybrid cars, buying biodegradable products, and mandating recycling.

Taken from the Hawai'i 2050 Sustainability Plan
pages 33 - 37

I know that electric vehicles use electricity created by fossil fuels to charge batteries, but this bill is a step in the right direction and part of a bigger plan to reduce our dependence on oil. We can also use solar energy, wind or geothermal power to charge batteries if we choose sustainable methods. Arguments that the vehicles won't be safe are silly because they can be made safe to travel at 35 mph. Please support Hawai'i by voting for this bill.

Sherrill Glass
Kipuka Graphics
PO Box 1052

Volcano, HI 96785

808-967-8553

Location: Volcano, Big Island of Hawaii

From: sheldon sleightholm [bigyellowhouse1@yahoo.com]
Sent: Sunday, February 08, 2009 10:10 AM
To: TRNtestimony
Cc: buck@tiki.net
Subject: In support of SB 586

Aloha State Senators and committee members:

Thank you for your time to view my opinion. As a Hawaii State Registered Mechanic (MR-4381) for over 30 years and Specializing in Electric Vehicles I believe increasing just 10 MPH more will have little to no effect on increasing accidents. Most city and town areas are surrounded by 45 MPH speed limits prior to entering them where people including myself live and would use MSEV"s to commute to city and town areas. Please vote in favor so we may enjoy driving our none polluting, safe, quite, more desired means of transportation. Let's work together.

Mahalo. Sheldon Sleightholm
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PO box 384195 Waikoloa
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808-557-3489
Located Kamuela, Big Island

From: Russell Sydney [rsydney1@verizon.net]
Sent: Sunday, February 08, 2009 8:09 AM
To: TRNtestimony
Subject: HB 144 HEARING_TRN_02-09-09, 9 AM, Room 309

In support of HB 144

Dear Representatives:

It is an honor to be able to address you as you consider passing legislation that will help get electric vehicles on the roads of your beautiful State. As a frequent visitor to your Islands I can envision many great places these 35 mph vehicles would fit in.

As the Principle Organizer for the Sustainable Transport Club here in California I know how important it is to start getting electric vehicles (EVs) on the road ASAP. I work with many EV advocates and understand the challenges involved with switching from our dependence on foreign oil to using clean renewable energy to get around our local communities. These 35 mph vehicles will help to make that possible.

There are people across this country that are working on this effort. We already have five states with similar legislation and there are at least a half dozen more with this on their state level agenda right now. There is even a group that is working with the Federal Government to get regulations to support this effort. We are all talking and working together to get this done and are very excited about the prospects with the new administration.

Your State can help lead the way and let the Feds know that you want to run your cars on the power from that great sunshine of yours rather than draining your economy by sending money for oil purchased from despots and sponsors of terrorism.

Mahalo nui loa

Russell Sydney
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From: Jerry Levey [Jerry@LeveyCPA.com]
Sent: Sunday, February 08, 2009 2:05 AM
To: TRNtestimony
Subject: HB 144 HEARING_TRN_02-09-09, 9 AM, Room 309

In support of HB 144

Please accept this brief written testimony concerning this bill because I am traveling right now and have limited time on the computer. I previously wrote to the Senate concerning this issue in support of it. I understand that the basic opposition is coming from a government employee. Why I don't understand except he might be upset that he didn't think of it first.

I own a hybrid and have for years. If Hawaii and the nation are to become energy independent, we have to start somewhere. This is a start. Please vote in support of it to send to the House for passage. This is one bill that should be passed immediately.

Jerry Levey CPA, CMA, CFS
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awana3-Elenoa

From: dreamriche@mac.com
Sent: Sunday, February 08, 2009 7:29 AM
To: TRNtestimony
Subject: support for HB 144
Attachments: dmfbanner.jpg

Medium Speed Electric Vehicle class is a welcome and much needed addition/incentive to encourage 100% plug-in EV

It was 1992 that I went to the first ever meeting of the Hawaii Electric Vehicle Association. I was the ONLY Maui attendant. Working vehicles (I actually drove in one) were 100% plug-in. They completely vanished. I had thought it might have been because of their slow driving speed. If a higher speed class of vehicle is created, I believe it will propel the use of EV here in Hawaii and lay a strong foundation for continued and expanded research and future use of this very important EV industry to flourish in Hawaii.

Aloha,
Jason Schwartz

Dream Makers Foundation

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From: Buck Joiner [buck@tiki.net]
Sent: Saturday, February 07, 2009 10:21 PM
To: TRNtestimony
Subject: HB 144 HEARING_TRN_02-09-09, 9 AM, Room 309,
Attachments: ATT00001.jpg; ATT00002.jpg; ATT00003.jpg; ATT00004.jpg; ATT00005.jpg; ATT00006.jpg; ATT00007.jpg; ATT00008.jpg; ATT00009.jpg; ATT00010.jpg; ATT00011.jpg; ATT00012.jpg; ATT00013.jpg; ATT00014.jpg; ATT00015.jpg; ATT00016.jpg; ATT00017.jpg; ATT00018.jpg; ATT00019.jpg; ATT00020.jpg; ATT00021.jpg; ATT00022.jpg; ATT00023.jpg; ATT00024.jpg; ATT00025.jpg; ATT00026.jpg; ATT00027.jpg; ATT00028.jpg; ATT00029.jpg

In support of HB 144

There is tremendous concern about our global environment and what we are doing to it. There is no question that global warming is real and is having an incredibly detrimental impact on the world. Air pollution caused by vehicles is a major contributing factor, particularly here in Hawaii. There were articles in all Hawaii newspapers January 30 about greenhouse gases in Honolulu having increased 53% from vehicles in the past 15 years according to the University of Hawaii. What are we going to do about it?

The governor, the Legislature, and county governments have all made strong words about decreasing the dependence of Hawaii on imported oil. What are we going to do about it? The easiest and best way is to facilitate dramatically increased use of electric vehicles in Hawaii.

At the moment state and federal law recognizes low-speed vehicles, LSV which are limited to 25 mph on roads with speed limits not exceeding 35 mph. All of these vehicles are electric. However there is very little public interest in Hawaii for electric vehicles that can only go 25 mph. Full size, full speed, 100% plug-in electric vehicles, which are projected to start at \$50,000 and go higher, are still on the drawing board. Project Better Place looks like it may be outside the reach of most citizens. But there is a solution available today.

By creating a new class called "medium speed electric vehicles" which would allow electric vehicles to achieve a maximum speed of 35 mph on roads with speed limits not exceeding 45 mph, interest and use of 100% plug-in electric vehicles would dramatically increase. HOWEVER, after some discussions with Brennon Morioka, Director of the Hawaii Department of Transportation, it would seem more appropriate for the state of Hawaii to allow Medium Speed Electric Vehicles to go 35 mph on roads with a posted speed limit not to exceed 35 or 40mph. This is because the normal rate of travel on many Hawaii posted 45 mph roads is actually 60 mph.

Safety requirements for LSV are included in both state and federal law. In creating this new class of MSEV, safety requirements are increased to accommodate the slightly increased speed. A section should be added to the bill stating "*The vehicle must be equipped with hard surface doors enclosing all occupants.*" It would also be advisable to add a section stating "*The vehicle must have a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater.*" This would duplicate requirements that have been included in the MSEV laws of other states.

There are already MSEV laws in five states; Washington, Montana, Minnesota, Oklahoma, and Tennessee. In addition to Hawaii, MSEV bills have been, or will be, submitted for the 2009 legislative session in, New York, Georgia, South Carolina, Louisiana, New Mexico, Massachusetts, and hopefully Florida and Connecticut. There may be others that I'm not aware of. The National Highway Traffic Safety Administration has not yet adopted rules or guidelines for MSEV and actually rejected a petition to establish criteria for MSEV. The individual states are taking the initiative just as they did in establishing laws for low-speed vehicles. It wasn't

until 12 states had already adopted LSV laws that NHTSA finally took action to develop a criteria at the federal level. The petition to NHTSA for MSEV was submitted prematurely when only two states had approved MSEV laws. This was not sufficient to cause the NHTSA to respond positively.

An extremely important issue that must be added to SB 586 is that *"nothing in this law shall preclude modification or conversion of existing low-speed vehicles or conventional vehicles to meet MSEV requirements."* The reason is that there is not a single MSEV manufactured anywhere in the world today, but many existing LSV can be upgraded to MSEV standards. In addition, this nation achieved its greatness through individual initiative and creativity. We have largely gotten away from that characteristic by standardization and excessively restrictive laws. We need to recapture that pioneering spirit, we need change.

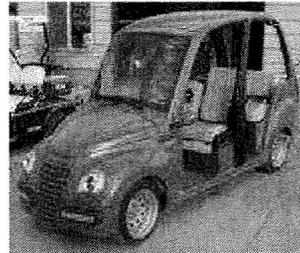
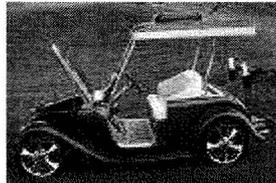
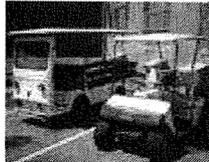
Yours truly,
Buck Joiner
Maui

Here are some examples of LSV that would be acceptable as MSEV if they can meet the 30 to 35 mph speed criteria.

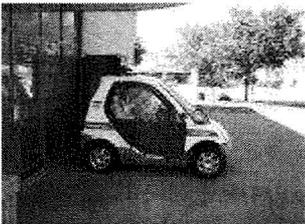
ACCEPTABLE



NOT acceptable/does not meet the proposed MSEV criteria



Police NEV/LSV not suitable for 35 mph



curtains

W./side curtains W./side