

STAND. COM. REP. NO. 1367

Honolulu, Hawaii

Ajilz , 2009

RE: H.R. No. 110
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.R. No. 110 entitled:

"HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO STUDY THE MINIMUM SOUND LEVEL NECESSARY TO ENSURE THAT BLIND PEDESTRIANS CAN HEAR HYBRID AND OTHER "SILENT" VEHICLES IN ALL PHASES OF THEIR OPERATION,"

begs leave to report as follows:

The purpose of this resolution is to increase safety for disabled pedestrians by requesting the Department of Transportation (DOT) to study the minimum sound level necessary to ensure that blind pedestrians can hear hybrid and other "silent" vehicles in all phases of their operation.

The Disability and Communication Access Board, National Federation of the Blind of Hawaii, and two concerned individuals testified in support of this measure. DOT opposed this measure.

Hybrid vehicles, as well as other electric vehicles, are often called "silent" vehicles because when they are operated in certain modes their vehicles become virtually silent. Although this is a benefit for many who are concerned with increased noise being emitted from automobiles, it can be a hazard for disabled pedestrians, particularly the blind, who rely on vehicular noise to safely walk on roadways and cross streets. Establishing minimum sound levels to be emitted from these vehicles will

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increase pedestrian safety, especially for blind pedestrians, and allow these individuals to continue to travel independently.

However, your Committee understands the concerns raised by DOT that the more appropriate agencies to direct this measure to would be the United States Department of Transportation (USDOT) and the United States Environmental Protection Agency (EPA) as these agencies develop the vehicle standards that automobile manufacturers must abide by. Accordingly, your Committee has amended this measure by:

- (1) Changing its title to read: "REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, ALONG WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, TO STUDY THE MINIMUM SOUND LEVEL NECESSARY TO ENSURE THAT BLIND PEDESTRIANS CAN HEAR HYBRID AND OTHER "SILENT" VEHICLES IN ALL PHASES OF THEIR OPERATION";
- (2) Changing all references to DOT to the EPA and USDOT;
- (3) Clarifying that EPA and USDOT are requested to recommend minimum sound standards to vehicles sold in, and licensed to travel on the roads of, the United State and not just Hawaii;
- (4) Deleting the requirement that DOT submit a report to the Legislature prior to the convening of the Regular Session of 2010; and
- (5) Changing the recipients of certified copies of this measure from the Director of DOT to the Director of EPA and USDOT.

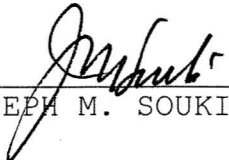
Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 110, as amended herein, and recommends that it be referred to the Committee on Health in the form attached hereto as H.R. No. 110, H.D. 1.



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



JOSEPH M. SOUKI, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

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Record of Votes of the Committee on Transportation

Bill/Resolution No.: HR 110	Committee Referral: TRN, HLT	Date: 03/30/2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	✓			
2. AWANA, Karen Leinani (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HANOHANO, Faye P.	✓			
5. KEITH-AGARAN, Gilbert S.C.	✓			
6. LEE, Marilyn B.	✓			
7. NAKASHIMA, Mark M.				✓
8. RHOADS, Karl	✓			
9. SAIKI, Scott K.				✓
10. TAKUMI, Roy M.	✓			
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
TOTAL (12)	9	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ Karen Awana				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				