

STAND. COM. REP. NO.

1748

Honolulu, Hawaii

MAR 21 , 2023

RE: S.B. No. 1173
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred S.B. No. 1173, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VEHICLES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit a person from causing a diesel or gas-powered vehicle to discharge clearly visible smoke, soot, or other exhaust emissions onto another person or motor vehicle; and
- (2) Establish a \$500 fine for violators.

Your Committee received testimony in support of this measure from Hawaii Bicycling League. Your Committee received testimony in opposition to this measure from 808 Street Chevy Street Trucks and 808 Street Rods, Polynesian Adventure Tours, Hawaii Transportation Association, Hawaii Logistic Services, and one individual. Your Committee received comments on this measure from Oahu Motorsports Association.

Your Committee finds that the practice of intentional discharge of diesel exhaust, also known as "rolling coal", poses a

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threat to the environment and public health. While advances in emission technology have improved to capture and burn soot with diesel particulate filter systems, the intentional modification of such systems creates a public annoyance and further environmental harm. Your Committee further finds that this measure protects public health and safety while also reducing the concentration of air pollutants.

Your Committee has amended this measure by:

- (1) Clarifying what constitutes the intentional release of exhaust emissions;
- (2) Inserting language to exempt certain drag racing events, military events, community events, and parade events;
- (3) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of 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 is in accord with the intent and purpose of S.B. No. 1173, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1173, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



CHRIS TODD, Chair



