

Honolulu, Hawaii

FEB 14 2023

RE: S.B. No. 1173

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

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred S.B. No. 1173 entitled:

"A BILL FOR AN ACT RELATING TO VEHICLES,"

begs leave to report as follows:

The purpose and intent 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 penalties.

Your Committee received testimony in opposition to this measure from Hawaii Transportation Association and one individual.

Your Committee finds that emissions from motor vehicles are one of the greatest sources of manmade pollution. The practice of intentional discharge of diesel exhaust, also known as "rolling coal", occurs when modifications to a vehicle's parts are adjusted to bypass pollution controls. The usage of "defeat devices", including electronic programmers or "tuners" adjust fuel and timing settings while also turning off certain emission controls that are designed to inhibit the release of visible exhaust.



Your Committee further finds that pollution in exhaust can aggravate asthma, allergies, and cardiovascular and respiratory diseases. Additionally, the discharge of clearly visible exhaust emissions also emits harmful chemicals, toxins, and other pollutants into the environment. Prohibiting clearly visible discharge from exhaust emissions will protect Hawaii's people from harmful emissions, while also protecting the environment from air contaminants.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1173 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Culture and the Arts,



CHRIS LEE, Chair



