STAND. COM. REP. NO. 243

Honolulu, Hawaii

FEB 1 4 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:

- 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.

(



STAND. COM. REP. NO. Page 2

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



The Senate Thirty-Second Legislature State of Hawaiʻi

i i

Record of Votes Committee on Transportation and Culture and the Arts TCA

Bill / Resolution No.:*	Committee Referral:			Date:	
SB1173	TCA,	JDC	7	2/2/20	23
The Committee is reconsidering its previous decision on this measure.					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)					
INOUYE, Lorraine R. (VC)					
ELEFANTE, Brandon J.C.		∇_{i}			
KEOHOKALOLE, Jarrett		V			
AWA, Brenton		V			
		<u> </u>			
· · · · · · · · · · · · · · · · · · ·			 		
		<u> </u>			
		····-			
			· · · · ·		
			l		
TOTAL		5			
Recommendation:					
Chair's or Designee's Signature:					
Distribution: Original Yerow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only <u>one</u> measure per Record of Votes