

STAND. COM. REP. NO. 1368

Honolulu, Hawaii

April 2, 2009

RE: H.C.R. No. 137  
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.C.R. No. 137 entitled:

"HOUSE CONCURRENT 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 concurrent 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.C.R. No. 137, as amended herein, and recommends that it be referred to the Committee on Health in the form attached hereto as H.C.R. No. 137, H.D. 1.



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

HSCR 1368

Record of Votes of the Committee on Transportation

Bill/Resolution No.: <b>HER 107</b>	Committee Referral: <b>TRN, HLT</b>	Date: <b>03/30/2009</b>		
<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				✓
<b>TOTAL (12)</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>3</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee member(s) did not support recommendation.				
Vice Chair's or designee's signature: <u><i>Karen Awana</i></u>				
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