



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 30, 2009

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE CONCURRENT RESOLUTION 137
HOUSE RESOLUTION 110

COMMITTEE ON TRANSPORTATION

House Concurrent Resolution 137 and House Resolution 110 require the Department of Transportation to determine the minimum sound level necessary to ensure that blind pedestrians can hear hybrid and other silent vehicles in all phases of their operation.

The Department opposes these resolutions.

Establishing sound levels for motor vehicles is the responsibility of the U.S. Environmental Protection Agency (EPA). Manufacturers must certify that their vehicles comply with EPA standards prior to the first sale. A state may regulate the operation of a vehicle, but it does not have authority to regulate the sale of vehicles. If a manufacturer certifies that a vehicle is in compliance with federal standards, a state may not prevent the sale of the vehicle via a state law. Since these resolutions seem to be aimed at regulating the manufacturer of motor vehicles prior to their first sale, it appears these resolutions would be preempted by federal law.

awana3-Elenoa

From: Charlene Ota [caota@hawaii.rr.com]
Sent: Sunday, March 29, 2009 9:03 PM
To: TRNtestimony
Subject: testimony for HCR 137 / HR110 The Silent Cars issue

From: Charlene Ota
resident, Honolulu, HI

To: COMMITTEE ON TRANSPORTATION
Rep. Joseph M. Souki, Chair
Rep. Karen Leinani Awana, Vice Chair

Rep. Henry J.C. Aquino
Rep. Karl Rhoads
Rep. Faye P. Hanohano
Rep. Scott K. Saiki
Rep. Gilbert S.C. Keith-Agaran
Rep. Roy M. Takumi
Rep. Marilyn B. Lee
Rep. Kyle T. Yamashita
Rep. Mark M. Nakashima
Rep. Kymberly Marcos Pine

Hearing: Monday, March 30, 9 a.m. Conference Room 309

I am writing in support of this bill. As a blind person who regularly walks from one destination to another in this city, I am concerned for my safety in regard to the hybrid "quiet" cars. At lower speeds, these cars make almost no sound. Backing out of driveways, making right turns are just a couple of examples of when cars are moving at low speeds and could easily not be detected and I could accidentally, unknowingly walk out into their path.

I belong to the National Federation of the Blind, the largest consumer group of blind people in the United States, and this organization has been striving through research, meetings with car manufacturers and legislation at both the state and national level to deal with this issue.

Accidents have already occurred because people didn't hear a car moving and were hit by the car.

Thank you for your consideration.

Very sincerely,
Charlene Ota

From: phelan [phelanl001@hawaii.rr.com]
Sent: Monday, March 30, 2009 5:20 AM
To: TRNtestimony
Subject: Hearing for HCR 137/HR 110

Date: March 30, 2009
From: Yolanda Phelan
Sub: Hearing HCR 117/HR110
To Rep. Joseph M. Souki, Chair
Rep. Karen Leinani Awana, Vice Chair
AND COMMITTEE MEMBERS.

Regarding HCR 137/HR 110

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. (TRN, HLT)

I have encountered two experiences in two different locations. I have friends who also experienced close calls in parking lots. Thank goodness my Guide Dog Miss Pearline refused to obey my forward command to cross the street because a silent car was making a right turn. Because of her, I am able to give testimony today.

I have a suggestion for your study.
I attended the American Council of the Blind convention in Louisville Kentucky last year and they did a demonstration of the Silent car perhaps one can be arranged for your committee. You all can wear sleep shades and stand at a corner and have someone make a right turn and listen to see if you can hear it coming. You can do the same in a parking lot.
There is a solution what we need is car manufactures to add sound to the Hybrid cars.

With Respect,

Yolanda Phelan
Member Board of Directors
Hawaii Association of the Blind
808-341-3187

Much Aloha,
Landa