

# Late Testimony

Testimony of Kimo Chun IN SUPPORT of SB2755 WITH AMMENDMENTS.  
Relating to Highway Safety

Committee on Transportation, International and Intergovernmental Affairs  
February 3, 2010

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

I am a co-owner of Delta Communications, Inc., a local radio communications supplier in Hawaii. I have been in this business for over 30 years.

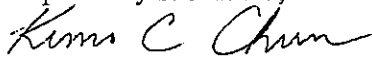
I support SB2755, prohibiting the use of mobile electronic devices with the following amendments.

I strongly feel that the provisions in subsection (c) (2) relating to drivers using two-way radios are too restrictive and discriminates against small company, small vehicle radio users. There is a conflict between definitions of Commercial Vehicle License vehicles in HRS versus the City and County of Honolulu regulations. With the HRS minimum of vehicles of 26,000 pounds GVW and the City's at 6,500 pounds, you will disallow the majority of businesses from using two-way radios. My own vehicle carries commercial "tags" but is only a SUV. Many small businesses use two-way radios in personal vehicles and light trucks for their business that may not have commercial licenses at all or meet the minimum requirement of 25 vehicles to allow registration as "fleet" vehicles.

I request that section (c) (2) be amended to delete requirements of fleet vehicle or commercial vehicle license status or that it follow the Oahu and Big Island ordinances. If ease of enforcement is the issue then require that the driver must produce a copy of the FCC license or contract with the provider of services indicating their FCC license (as their radio system is required to be licensed to provide this service) and adequate proof they work for the company in question. Like the Amateur Radio exemption proper documentation of their radio use is easily provided and carried in the vehicle.

"Drivers using two-way radios while in the performance and scope of their work-related duties. Driver or vehicle must carry proof of valid FCC licensing by their employer or contract for services by another FCC licensed provider."

Respectfully submitted,



Kimo C. Chun