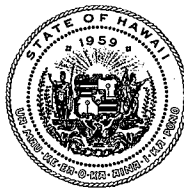


LINDA LINGLE
GOVERNOR



BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI
JIRO A. SUMADA

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

IN REPLY REFER TO:

February 4, 2009

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

SENATE BILL NO. 586

COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS

Senate Bill 586 allows medium-speed electric vehicles to be operated on roads with a posted speed limit of 45 mile per hour or less. The legislation also proposes that the director of transportation shall adopt rules as may be necessary to regulate the use of medium speed vehicles.

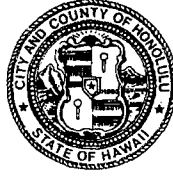
The Department of Transportation (DOT) opposes this bill.

In the Federal Register dated September 26, 2008, the National Highway Traffic Safety Administration (NHTSA) denied a petition for rulemaking that would establish a new class of motor vehicles known as medium speed vehicles, which would have a maximum speed capability of 35 mph. The petitioners contemplated that these vehicles would be subject to a set of safety standards greater than those that apply to low speed vehicles but substantially less than the full set of safety standards that apply to other light vehicles such as passenger cars. NHTSA was of the opinion that the introduction of such a class of motor vehicles without the full complement of safety features required for other light vehicles such as passenger cars would result in significantly greater risk of deaths and serious injuries.

In addition, while NHTSA agrees with the importance of environmental issues, the agency believes that it is not appropriate to significantly increase the risk of deaths and serious injuries just to save fuel. We agree with the position of NHTSA.

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
ADMINISTRATION
P.O. BOX 30300
HONOLULU, HAWAII 96820-0300

MUFI HANNEMANN
MAYOR



DANA TAKAHARA-DIAS
DIRECTOR

DENNIS A. KAMIMURA
LICENSING ADMINISTRATOR

February 2, 2009

The Honorable J. Kalani English, Chair
and Committee Members
Committee on Transportation, International
and Intergovernmental Affairs
The Senate
State of Hawaii
State Capitol, Room 205
Honolulu, Hawaii 96813

Dear Chair English and Committee Members:

Subject: S.B. No. 586, Relating to Highways

The City and County of Honolulu is opposed to S.B. No. 123 which will allow medium speed electric vehicles to be operated on roads with a posted speed limit of 45 miles per hour or less.

Since the National Highway Traffic Safety Administration (NHTSA) has denied the medium speed manufacturers' petitions to create a new class of motor vehicles known as medium speed vehicles, we do not register or title such vehicles. According to the NHTSA, "After carefully reviewing the petitions, we are denying them because the introduction of such a class of motor vehicles without full complement of safety features required for other light vehicles such as passenger cars would result in significantly greater risk of deaths and serious injuries. While NHTSA agrees with the importance of environmental issues, the agency believes that it is neither necessary nor appropriate to significantly increase the risk of deaths and serious injuries to save fuel."

The City and County of Honolulu recommends that S.B. No. 586 be held.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis A. Kamimura", is written over a faint, larger version of the same signature.

DENNIS A. KAMIMURA
Licensing Administrator

DAK:bk

Sent: Saturday, January 31, 2009 11:39 PM
To: TIATestimony
Subject: SB586, TIA hearing 2-4-09, 1:15PM, Room 224

In support of SB 586

Dear Sen. English and members of COMMITTEE ON TRANSPORTATION, INTERNATIONAL AND INTERGOVERNMENTAL AFFAIRS,

I strongly support SB 586 creating a new class of Medium Speed Electric Vehicles.

There is tremendous concern about our global environment and what we are doing to it. There is no question that global warming is real and is having an incredibly detrimental impact on the world. Air pollution caused by vehicles is a major contributing factor, particularly here in Hawaii. January 30 there were articles in all Hawaii newspapers about greenhouse gases having increased 53% from vehicles in the past 15 years according to the University of Hawaii. What are we going to do about it?

The governor, the Legislature and county governments have all made strong words about decreasing the dependence of Hawaii on imported oil. What are we going to do about it? The easiest and best way is to facilitate dramatically increased use of electric vehicles in Hawaii.

At the moment state and federal law recognizes low-speed vehicles, LSV which are limited to 25 mph on roads with speed limits not exceeding 35 mph. All of these vehicles are electric. However there is very little public interest in Hawaii for electric vehicles that can only go 25 mph. Full size, full speed, 100% plug-in electric vehicles are still on the drawing board. But there is a solution available today.


By creating a new class called "medium speed electric vehicles" allowing a maximum speed of 35 mph on roads with speed limits not exceeding 45 mph, interest and use of 100% plug-in electric vehicles would dramatically increase. Safety requirements for LSV are included in both state and federal law. In creating this new class of MSEV, safety requirements are increased to accommodate the slightly increased speed.

There are already MSEV laws in five states; Washington, Montana, Minnesota, Oklahoma, and Tennessee. In addition to Hawaii, MSEV bills have been, or will be, submitted for the 2009 legislative session in, New York, Georgia, South Carolina, Louisiana, New Mexico, and hopefully Florida and Connecticut. There may be others that I'm not aware of. The National Highway Traffic Safety Administration has not yet adopted rules or guidelines for MSEV. The individual states are taking the initiative just as they did in establishing laws for low-speed vehicles.

An extremely important issue that must be added to SB 586 is that "nothing in this law shall preclude modification or conversion of existing low-speed vehicles or conventional vehicles to meet MSEV requirements." The reason is that there is not a single MSEV manufactured anywhere in the world today, but many existing LSV can be upgraded to MSEV standards. In addition, this nation achieved its greatness through individual initiative and creativity. We have largely gotten away from that characteristic by standardization and excessively restrictive laws. We need to recapture that pioneering spirit, we need change.

Yours truly,

Buck Joiner
Maui



From: Hans Riecke [riecke@aloha.net]
Sent: Monday, February 02, 2009 10:00 AM
To: TIATestimony
Subject: SB 586

I am in favor of SB 586 to allow electric vehicles on road with a max. speed limit of 45 MPH
Hans Riecke
Haiku Maui
riecke@aloha.net

[REDACTED]

From: [REDACTED]
Sent: Saturday, January 31, 2009 11:57 PM
To: TIATestimony
Subject: SB586, TIA hearing 2-4-09, 1:15PM, Room 224

I support SB 586!

There are many reasons for this important legislation.

Aloha,
Betsy Cammack

[REDACTED]

From: [REDACTED]
Sent: Sunday, February 01, 2009 8:10 AM
To: TIATestimony
Subject: SB586, TIA hearing 2-4-09, 1:15PM, Room 224

Dear Sen. English and members of the Committee on Transportation,

I hope you will support efforts to approve SB 586 which creates a new class of medium speed electric vehicles. Although I live and work in Massachusetts, I support all efforts being made on behalf of this legislation. I've been selling and servicing small, personal electric vehicles for over 12 years and I am working with a local Senator on similar legislation for my state.

Thank you for your serious consideration of SB 586.

Regards,

Scott MacGregor
EVdeals
Plainville, MA 02762
508-695-3717

www.evdeals.com

[REDACTED]

From: Jerry Levey [REDACTED]
Sent: Sunday, February 01, 2009 10:05 AM
To: TIATestimony
Subject: SB586, TIA hearing 2-4-09, 1:15PM, Room 224

In support of SB 586

Dear Senator English and members of the Committee:

As a hybrid owner, I strongly favor the passage of SB 586 to create the new class of Medium Speed Electric Vehicles. It is time we started walking the walk instead of just talking the talk. If Hawaii isn't going to be a leader in having these type of vehicles on its roads, than when will it join the parade? There is no better place than Hawaii to lead this effort.

To do that, we need legislation that will make it worthwhile to pursue importing and maybe even building a reasonable alternative to the gasoline and diesel vehicles. You can't have vehicles that won't travel at a reasonable speed and get people to buy them. The 25 mph limit just isn't realistic in today's market. In fact the only thing I see wrong with the bill under consideration is that the speed limit isn't higher. Why the electric vehicle should be hindered from competing against the gasoline vehicle with its higher limit is beyond me.

Something is better than nothing though. Please pass this bill so we can start making Hawaii known for its forward thinking about how to combat the greenhouse and other associated negative climate warming effects.

Jerry Levey CPA, CMA, CFS
2575 S Kihei Road, Unit T-308
Kihei, HI 96753
808-891-2363, Cell 503-703-7087


[REDACTED]

From: Maury King [REDACTED]
Sent: Sunday, February 01, 2009 4:37 PM
To: TIATestimony
Subject: In support of SB 586

I am writing in support of SB 586 to allow electric vehicles to legally travel faster than 25 mph on State roads and in addition I am writing in support of anything that will make it absolutely user friendly for anyone that wants to drive an electric vehicle to be able to do so. I am in support of removing any impediments or challenges to electric vehicles that can go as fast as all other vehicles are allowed to go. Why should they be penalized for wanting to use a different kind of fuel? What direction are we supposed to be heading in this state and our country? Everyone knows all electric vehicles are a potentially great alternative for us here on these islands. These cars could actually be integrated into a smart grid. Such that when not being used or charging they would become the storage batteries for the grid. In fact the thinking that is causing a citizen supported bill needing to be written and nursed along by citizen involvement instead of our state jumping on the bandwagon (that our Governor seems to be strongly on) and getting out ahead of this with powerful, forward thinking legislation promoting all things green and alternative to petroleum, and opening up the state for adventurous solutions, is not demonstrating the political will that is needed to deal with the new world we face. Heckuva run on sentence. Business as usual will leave us miserably behind where we will need to be next time oil prices spike and stay there.

Maury King
Kihei, HI

808-874-5955

 Please consider the environment before printing this e-mail.

From: [REDACTED]
Sent: Sunday, February 01, 2009 7:42 PM
To: TIATestimony
Subject: Support Bill SB 586 -MAUI

Subject **SB586, TIA hearing 2-4-09, 1:15PM, Room 224**

In support of SB 586

Kenneth K. Martinez Burgmaier
Hana, Maui, HI
Makawao, Maui, HI
808-573-5530


Who's never won? [Biggest Grammy Award surprises of all time on AOL Music.](#)

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 01, 2009 5:12 PM
To: TIATestimony
Cc: doctord@hawaii.rr.com
Subject: Testimony for SB586 on 2/4/2009 1:15:00 PM

Testimony for TIA 2/4/2009 1:15:00 PM SB586


Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Diane Shepherd
Organization: Individual
Address: 300 Ohukai Rd Kihei, HI
Phone: 8088749372
E-mail: doctord@hawaii.rr.com
Submitted on: 2/1/2009

Comments:



From: Dwight Streamfellow [streamfellow@yahoo.com]
Sent: Monday, February 02, 2009 4:45 AM
To: TIATestimony
Subject: HB144 and SB 586 Medium Speed Electric Vehicles

Dear Sirs and Ladies, Please support legislation to allow Medium speed electric vehicles! I am a current owner of a E-ride electric vehicle that I charge with Photovoltaic panels. Yes we can have solar powered transportation! This vehicle could easily and safely be upgraded to go 35 mph. This would improve my safety as it would allow me to flow with traffic speed here on Kalaniana'ole Hwy. This legislation would open a whole new industry of transportation here in Hawaii. Electric vehicles in this speed range are the most affordable, practical , and available to us now! Thank you for your support. Dwight Streamfellow



From: Les Seagraves [les@ruffandtuff.net]
Sent: Tuesday, February 03, 2009 4:41 AM
To: TIATestimony
Subject: SB586, TIA hearing 2-4-09, 1:15PM, Room 224

In support of SB586:

Dear members of the Committee on Transportation, International and Intergovernmental Affairs,

By passing laws that allow the use of Medium Speed Electric Vehicles, Hawaii will join a growing number of states that are encouraging the use of electric vehicles as a clean, safe and economical alternative to today's cars. MSEVs are clearly the bridge product that will prepare consumers for full speed electric vehicles that are still a few years out. MSEVs can be purchased today and by increasing the speed to 35 mph, they will be available to a wider range of people and uses.

Thanks,

Les Seagraves
Legislative Counsel, Ruff & Tuff Electric Vehicles, Inc.
Board Member, Medium Speed Electric Vehicle Coalition
Atlanta, GA

From: Russell Sydney [rsydney1@verizon.net]
Sent: Tuesday, February 03, 2009 7:28 AM
To: TIATestimony
Subject: SB586, TIA hearing 2-4-09, 1:15PM, Room 224

In support of SB 586

Aloha Senators:

It is an honor to be able to address you as you consider passing legislation that will help get electric vehicles on the roads of your beautiful State. As a frequent visitor to your Islands I can envision many great places these 35 mph vehicles would fit in.


As the Principle Organizer for the Sustainable Transport Club here in California I know how important it is to start getting electric vehicles (EVs) on the road ASAP. I work with many EV advocates and understand the challenges involved with switching from our dependence on foreign oil to using clean renewable energy to get around our local communities. These 35 mph vehicles will help to make that possible.

There are people across this country that are working on this effort. We already have five states with similar legislation and there are at least a half dozen more with this on their state level agenda right now. There is even a group that is working with the Federal Government to get regulations to support this effort. We are all talking and working together to get this done and are very excited about the prospects with the new administration.

Your State can help lead the way and let the Feds know that you want to run your cars on the power from that great sunshine of yours rather than draining your economy by sending money for oil purchased from despots and sponsors of terrorism.

Mahalo

Russell Sydney
Sustainable Transport Club
9 Village Park Way
Santa Monica, CA 90405
310-450-7419



From: Jeanie Stewart [jeanieonmaui@gmail.com]
Sent: Tuesday, February 03, 2009 11:33 AM
To: TIATestimony
Subject: In support of SB586

Hello,
I'm writing to voice my support for SB 586 which is scheduled for the hearing tomorrow.
Mahalo,
Jeanie Stewart
2844A Panepoo Street
Kihei, HI 96753
808-879-0689