

HB 90, HD2

RELATING TO EMERGENCY RESPONSE VEHICLES.

Establishes a temporary Emergency Response Vehicle Noise Task Force to determine the impact of the emergency response vehicle sirens in terms of excessive noise, the effect on public safety, and the relative effectiveness of the use of emergency lights instead of the use of sirens at night. (HB90 HD2)

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

**Senate Committee on Energy and Environment
Senate Committee on Public Safety, Intergovernmental and Military Affairs**

H.B. 90, HD2, RELATING TO EMERGENCY RESPONSE VEHICLES

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

Tuesday, March 19, 2013, 2:15 pm

1 **Department's Position:** We appreciate the intent of this bill, but are **opposed** to the creation of a new
2 Task Force as the purpose could be fulfilled by the existing State Emergency Medical Services Advisory
3 Committee.

4 **Fiscal Implications:** If enacted as currently written, the Department would require a revenue stream for
5 task force activities.

6 **Purpose and Justification:** While "emergency response vehicles" is not defined in this measure, it
7 appears that the focus is on vehicles responding to medical calls, i.e. the emergency medical services
8 system. If this measure is primarily focused on emergency medical responses, then the State Emergency
9 Medical Services Advisory Committee (EMSAC) would be an appropriate venue to address the
10 concerns expressed. As set forth in HRS 321-22.5, EMSAC is established to advise the Department on
11 all matters related to the emergency medical services system. It is set forth in statute that EMSAC shall
12 review and evaluate the system on an ongoing basis, seek the input of the public, and prepare and submit
13 periodic assessments and reports. The EMSAC consists of emergency physicians, allied health
14 providers, paramedics, and consumer representatives from all four counties and the Director of
15 Transportation is an ex-officio member. Based on the number of complaints received by EMS agencies

1 regarding noise, it is timely that the Legislature draws attention to this matter and we agree that it should
2 be studied. We suggest that a sub-committee of EMSAC similar to the noise reduction task force could
3 be formed to address the issues in this measure and produce a report and recommendations.

4 It does appear from the suggested composition of the task force that perhaps law enforcement
5 and fire-fighting responses using lights and sirens are also expected to be addressed. However, we
6 respectfully suggest that another agency, perhaps the Department of Transportation or Public Safety
7 would be better suited to address the issues related to those types of emergency responses.

8 Thank you for the opportunity to testify on this bill.

NEIL ABERCROMBIE
GOVERNOR



DWIGHT TAKAMINE
DIRECTOR

AUDREY HIDANO
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8842 / Fax: (808) 586-9099
Email: dllr.director@hawaii.gov

March 14, 2013

The Honorable Mike Gabbard, Chair
Committee on Energy and Environment
The State Senate
State Capitol, Room 201
Honolulu, Hawaii 96813

The Honorable Will Espero, Chair
Committee on Public Safety, Intergovernmental, and Military Affairs
The State Senate
State Capitol, Room 231
Honolulu, Hawaii 96813

Dear Chairs Gabbard and Espero:

Subject: H.B. 90, H.D. 2 Relating to Emergency Response Vehicles

I am Robert Westerman, Vice Chair of the State Fire Council (SFC) and Fire Chief of the Kauai Fire Department (KFD). The SFC and the KFD supports the intent of H.B. 90, H.D. 2, which seeks to establish a temporary emergency response vehicle task force to determine the impact of the emergency response vehicle sirens in terms of excessive noise, the effect on public safety, and the relative effectiveness of the use of emergency lights instead of the use of sirens at night.

In compliance with Hawaii Revised Statutes 291C-65, which authorizes emergency vehicles to use audible and visible warning devices when responding to emergencies to warn other drivers and pedestrians and request the right-of-way. Emergency response with audible and visible warning devices activated still requires the vehicle operator to drive with due regard for the safety of all persons using our roadways. When either visible or audible warning devices are not used, emergency vehicles are not considered emergency vehicles and are subject to all the traffic laws and rules.

While the fire service is sensitive to the communities' concern for noise that sirens and horns create, we need to respond as safely and expeditiously as possible to the public's

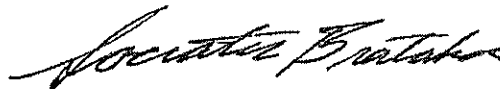
The Honorable Mike Gabbard and Will Espero, Chairs
Page 2
March 14, 2013

request for life safety and property protection assistance with all warning devices in operation.

The SFC and the KFD supports the intent of H.B. 90, H.D. 2, to discuss the issues and create a greater understanding with the various stakeholders related to emergency vehicle response.

Should you have any questions, please contact SFC Administrator Socrates Bratakos at 723-7151 or sbratakos@honolulu.gov.

Sincerely,



ROBERT WESTERMAN
Vice Chair

RW/LR:cc

ALAN M. ARAKAWA
MAYOR



JEFFREY A. MURRAY
CHIEF

ROBERT M. SHIMADA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
(808) 270-7561
FAX (808) 270-7919
EMAIL: fire.dept@mauicounty.gov

March 14, 2013

The Honorable Mike Gabbard, Chair
Committee on Energy and Environment
The State Senate
State Capitol, Room 201
Honolulu, Hawaii 96813

The Honorable Will Espero, Chair
Committee on Public Safety, Intergovernmental, and Military Affairs
The State Senate
State Capitol, Room 231
Honolulu, Hawaii 96813

Dear Chairs Gabbard and Espero:

Subject: H.B. 90, H.D. 2 Relating to Emergency Response Vehicles

I am Jeffrey A. Murray, Fire Chief of the County of Maui, Department of Fire & Public Safety (MFD) and a member of the State Fire Council (SFC). The MFD and the SFC supports the intent of H.B. 90, H.D. 2, which seeks to establish a temporary emergency response vehicle task force to determine the impact of the emergency response vehicle sirens in terms of excessive noise, the effect on public safety, and the relative effectiveness of the use of emergency lights instead of the use of sirens at night.

In compliance with Hawaii Revised Statutes 291C-65, which authorizes emergency vehicles to use audible and visible warning devices when responding to emergencies to warn other drivers and pedestrians and request the right-of-way. Emergency response with audible and visible warning devices activated still requires the vehicle operator to drive with due regard for the safety of all persons using our roadways. When either visible or audible warning devices are not used, emergency vehicles are not considered emergency vehicles and are subject to all the traffic laws and rules.

The Honorable Mike Gabbard and Will Espero, Chairs

Page 2

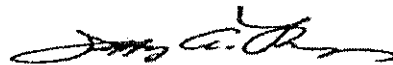
March 14, 2013

While the fire service is sensitive to the communities' concern for noise that sirens and horns create, we need to respond as safely and expeditiously as possible to the public's request for life safety and property protection assistance with all warning devices in operation.

The MFD and the SFC supports the intent of H.B. 90, H.D. 2, to discuss the issues and create a greater understanding with the various stakeholders related to emergency vehicle response.

Should you have any questions, please contact SFC Administrator Socrates Bratakos at 723-7151 or sbratakos@honolulu.gov.

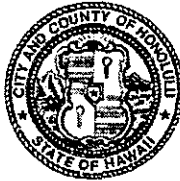
Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Murray".

JEFFREY A. MURRAY
Fire Chief

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK W. CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE KK-LC

March 19, 2013

The Honorable Mike Gabbard, Chair
and Members
Committee on Energy and Environment
The Honorable Will Espero, Chair
and Members
Committee on Public Safety,
Intergovernmental and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Gabbard and Espero and Members:

Subject: House Bill No. 90, H.D. 2, Relating to Emergency Response Vehicles

I am Kurt Kendro, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly opposes the passage of House Bill No. 90, H.D. 2, Relating to Emergency Response Vehicles. Passage of this bill would create a task force including a member representing the four county police departments to determine the impact of emergency response vehicle sirens in terms of excessive noise, the effect on public safety, and the relative effectiveness of the use of emergency lights instead of the use of sirens at night.

The response of emergency vehicles is regulated by Section 291C-26, Authorized Emergency Vehicles, Hawaii Revised Statutes, which requires the use of authorized audible and visual signals. There are limited exceptions for police vehicles to comply with the requirements of the section in specific situations. The use of audible sirens and visual emergency lights is essential for the safety of the first responder as well as the safety of the community. Emergency lights and sirens are developed to protect motorists, pedestrians, and anyone else who are using the roadways and sidewalks.

The HPD would strongly oppose any changes to the existing laws and requirements for the use of emergency lights and sirens. To make any changes would endanger motorists, pedestrians, and anyone else who use the roadways.

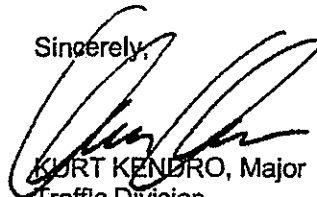
Serving and Protecting With Aloha

The Honorable Michael Gabbard, Chair
and Members
The Honorable Will Espero, Chair
and Members
Page 2
March 19, 2013

The HPD strongly urges you to oppose House Bill No. 90, H.D. 2, Relating to Emergency Response Vehicles.

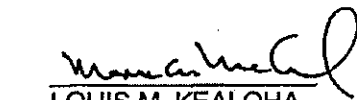
Thank you for the opportunity to testify.

Sincerely,

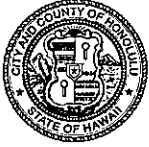


KURT KENDRO, Major
Traffic Division

APPROVED:



LOUIS M. KEALOHA
for Chief of Police



DOWNTOWN NEIGHBORHOOD BOARD NO. 13

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

**Testimony of
Thomas Smyth, Board Member**

**Before the
Committee on Energy and Environment
And
Committee on Public Safety, Intergovernmental and Military Affairs
Tuesday, March 19, 2013, 2:15 pm Room 224
On
HB 90 HD 2 Relating to Emergency Response Vehicles**

**Chairs Gabbard and Espero, Vice Chairs Ruderman and Baker and Members of
the Committee:**

**The Downtown Neighborhood Board strongly supports HB 90 HD 2, as amended,
that creates a task force to determine the impact of emergency response vehicle use of
sirens and emergency lights in terms of excessive noise and the safety of vehicle
operators, other drivers and pedestrians.**

**Those of us who live in the Downtown and Chinatown areas are particularly
concerned with the high levels of noise caused when emergency vehicles move through
our area with its many high-rise buildings amplifying the noise levels. We have two fire
stations in our neighborhood and the emergency trauma center, so there are many,
many emergency vehicles traveling our streets every day and night.**

**We note that in HB 90, as introduced, there were no “civilians” on the proposed
task force. We were glad to see that a vision impaired person has been added to the
task force and suggest that a hearing disabled person also be added. Those with
hearing disabilities may not hear sirens and during the daylight hours may not see a
vehicle’s emergency lights as it turns a corner.**

**We also feel that we individuals are affected by the very loud siren noise, not only
from emergency vehicles but also from the fire station immediately adjacent to some of
our condominiums. Perhaps a neighbor of that fire station could represent us on the
task force.**

Thank you for the opportunity to provide this testimony.





THE QUEEN'S HEALTH SYSTEMS

1301 Punchbowl Street • Honolulu, Hawaii 96813 • Phone (808) 691-5900

H.B. 90, H.D. 2, RELATING TO NOISE
Senate Committee on Energy and Environment
and
Senate Committee on Public Safety, Intergovernmental and Military Affairs
March 19, 2013, 2:15 p.m.
Room 224

Thank you for the opportunity to provide testimony in **opposition** to H.B. 90, HD2 Relating to Noise. My name is Cindy Kamikawa, Vice President, Nursing, Trauma, Emergency Department, and Chief Nursing Officer with The Queen's Medical Center (QMC). This measure will establish a task force to examine the use of emergency response sirens by emergency response vehicles.

We respectfully suggest that a task force on this issue is not necessary as sirens are an important option that EMS must retain the use of, as necessary, to navigate through traffic swiftly and safely. However, should the committee choose to advance this measure, we request a representative from a Level II Trauma Center be added as a member of the task force.

However, we do request that this measure be **held**.

HB90

Submitted on: 3/13/2013

Testimony for ENE/PSM on Mar 19, 2013 14:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Lipka	Individual	Oppose	No

Comments: Please take a moment and think about this. How else will emergency vehicles get to places where they are needed and provide adequate warning for the public if not with lights and sirens? Every emergency vehicle preferred in the entire known world uses lights and sirens. That is how we know there is an emergency vehicle present throughout the world. This is by far the most meaningless and pointless legislation I have ever read. Please don't waste taxpayer money on this. I'm sure that OSHA and the various emergency workers have plenty of research and rules already for the use of sirens and lights.

Deborah A. Agles M.D.

**Occupational Medicine
1200 Queen Emma St. #3103
Honolulu, HI 96813
Telephone: 808-591-3538
Fax: 808-356-8191
Email: DAGles@Juno.com**

March 18, 2013

Sir,

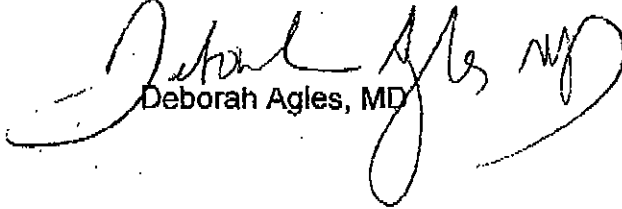
I would like to submit written testimony concerning excessive noise from emergency vehicles in downtown Honolulu. I live at Capitol Place, Beretania and Bishop streets, in close proximity to fire station #2 (located on Bishop Street). On the light pole at this corner, there is a CAT siren which is manually set off by the firemen in the fire station when they go out on a 911 call (in addition to the sirens on the truck). They set off the siren not only during the day in heavy traffic, but also at night, often in the middle of the night, when there are absolutely no vehicles in the road, and they do not go against a potential traffic pattern problem (wrong way on a one way street). It seems to me that this is very unnecessary, is a significant type of noise pollution, and is disruptive. There are many health effects from loud noise; these include heart disease, hypertension, poor hearing, and immune system dysfunction / deregulation. Certainly I can feel my blood pressure go up when sirens awaken me in the middle of the night, for no logical reason. The firemen have the ability to make all lights red, and the necessity of the CAT siren is certainly in question. It is archaic, burdensome, disruptive, and utilized inappropriately. I have had a few discussions with the fire station #2 battalion chief, Capt. Hao, who acknowledges the problem but insists that the decision to use the CAT siren be at the fireman's discretion when responding to 911 calls. It should be noted that sirens on ambulances (and I am sure the CAT siren) are set at 110 to 120 decibels, which is certainly damaging to the human hearing mechanism. Some cities have implemented noise control, particularly in the evening hours. In Denver, no noise over 60 dB is allowed in residential or commercial areas between 9 PM and 7 AM. It would be lovely to see a similar control on noise in our community. Other large cities, particularly in Europe, do not have nearly the exuberant and loud response to emergencies such as we have in Honolulu.

Additionally, the 911 response seems excessive and duplicitous. Fire trucks leave fire station number two on 911 medical calls with all sirens blaring, including the pole mounted siren. Within 10 to 45 seconds, an ambulance comes from Queen's hospital along the same route, to the same emergency call. This exuberant 911 response is excessive, duplicates efforts, and results in significant expense to the State of Hawaii. It is curious to note that with 911 medical calls, only approximately 50% of the patients are transported to hospital with true medical needs; the remainder are simple first aid or unnecessary calls (this data is from the most recent published from the Department of Health).

It seems to me that the 911 system needs to be evaluated and streamlined. Ambulances should be located at fire stations, and can respond to 911 medical calls from that locale, obviating the need for the fire truck to proceed as a first responder, and the duplicitous response. The EMT salary package and potential overtime benefits need to be addressed; EMT's can make up to \$200,000 / year because of overtime

benefits. In our economy, in this day, this is frankly egregious; it is a higher salary than many doctors command, who have much longer training and greater expertise. Some of these costs could be contained by combining the ambulance and fire responses at one location.

In summary, I believe the CAT siren is unnecessary and should be removed from service. Additionally, the 911 response needs to be overhauled and streamlined. I have over 50 signatures from residents in Capitol Place agreeing with this assessment; this is enclosed for your review.



Deborah Agles, MD

PETITION FOR REMOVAL OF CAT (POLE) SIREN FROM BERETANIA / BISHOP ST.

To: Mayor Carlisle, Department of Transportation, City Council, and EMS services

We the undersigned residents of Capitol Place (1200 Queen Emma St) request consideration of removal of the Cat siren from the above location. Its use is unpredictable and unnecessary, and results in considerable noise pollution during the day and night, even during quiet hours of 10 PM to 6 AM, when there is minimal traffic. Additionally, better coordination between Fire and EMS for 911 medical calls is requested, given the rapid dual response that often occurs.

<u>Name</u>	<u>Unit #</u>	<u>Telephone or E-mail Address</u>
1. John Pampalone	2507	808-258-5536
2. Janet Phillips	1306	850-261-0499
3. Lesley Kizzee	1300	850-449-0044
4. Mical Fu	2509	808-384-5126
5. DAVID NAKO	912	808-371-4522
6. Jody Nako	912	same
7. NEAL YORK	2012	424-7334
8. MARK D. SAKURAI	3703	371-5860
9. BILL IM	1003	224-1198
10. Deborah Agles	3103	672-0010
11. Kirk Shitaka	1803	375-3627
12. MAURICE GRASSO	1301	222-6174
13. Anthony Lee	2504	392-8688
14. Habet Phu	2911	542-8572

(Continuation of petition Re: Cat Siren)

15. ANGIE HO 3502 222-0233
17. KEN TREMBLAY 3401 860-885-9379
18. Davis Kobayashi 2404 216-7777
19. REED KISHIMOTO 2304 478-7741
20. Scot Davenport 2101 781-9478
21. Dorothy Leung 802 531 2892
22. SANDRA FURUKE 3108 2947623
23. Lynn Tokumine 1702 221-4752
24. Obi Kennin 1504 295.1848
25. Jerome Ch. 3202 722-9770
26. Edward L. Chung 1009 5544204
27. Christopher M. Bridges 2211 291-1370
28. Odafu 1409 728-0260
29. Emil Kiefer 2400 721-0211
30. Pauline 1601 561-3019
31. Hopman Wang 2483 538 9326
32. David Gage 3257 284-6935
33. RANDALL KURATA 1711 528-7200
34. Melissa Giguere 2002 306-8008
35. Wayne R. Meadows 864-1733
36. Mike Taylor 804. 617-872-9053

- 37. ALAN NAITO 708 AYNAITO@YAHOO.COM
- 38. Eugene Matsuyama 2706 734 8523
- 39. John A. Hamill 2107 ~~536-3888~~
- 40. Willy Stum 3101 536-3888
- 41. Betty T. Suelto 1312 230-3251
- 42. Gene Smith 1312 230-3251
- 43. Young McTernan 2502 864-8949
- 44. Cynthia Kamaleariwoole 1107 537-5251
- 45. Han Quok 1401 358-7835
- 46. Pat Cole 3105 271-7405
- 47. MARTINICK, DAVID M. 906 843 7091780
- 48. ABERNATHY, BRENDA 906
- 49. LYPON, STEVE 1506
- 50. Sandra Kagesa 1007 808-341-2561
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- 57.
- 58.

1221 Victoria St. Apt. 2004

Honolulu, HI 96814

Dear Legislators,

I am writing in support of House Bill 90 that establishes a siren task force. Along with thousands of other Honolulu residents, my family lives along one of the major routes that consolidates the traffic of emergency vehicles, particularly EMS ambulances and first-response fire engines. Each night my family is awakened several times by ambulances rushing down nearby streets using a variety of different but full-volume sirens. This occurs every night, despite the fact that there is no traffic on the streets in these late night and early morning hours.

This is not just an annoying problem, it costs us hours of sleep, makes life difficult and unpleasant inside our home, and also lowers the monetary value of our residence.

Despite this, we are among the luckiest of the tens of thousands of people living along major EMS routes. We have central air conditioning and are able to close our windows and doors at night. Many citizens who live along these routes, Ala Wai Blvd. Kapiolani Blvd. King St. and Beretania St., depend on open windows for ventilation. Imagine how they suffer with each passing siren incident.

While there may be no solutions that please everyone, let me suggest that simply flashing lights between 11 pm and 7 am are sufficient to warn traffic of an oncoming emergency vehicle. During the rest of the day, volume governors (mandatory controls) on sirens would ease the burden on residents. Better training of EMS personnel that stresses limiting the use of sirens to avoid creating unneeded disturbances of community life might also make a difference.

Presently the EMS says that it uses a system of priorities in determining whether to run sirens, or not. In practice, there is no supervision of EMS responders in the use of sirens. My family hears lots of sirens all day and all night. They even interrupt our church services on early Sunday Morning. They vary greatly in sound and volume. One thing is clear, there is little organization or supervision of siren use, type, and volume. Along with thousands of other voters, we get to hear it all.

I welcome the creation of this task force because I want to have a rational and regulated use of sirens. If nothing is done about the problem of careless and haphazard siren use, the EMS and fire department may become the object of voter anger, as citizens strike out politically against an extreme situation that devalues their lives both day and night, and devalues their property along with it.

Sincerely,

James Di Giambattista

HB90

Submitted on: 3/18/2013

Testimony for ENE/PSM on Mar 19, 2013 14:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No