

HB 113, HD1

RELATING TO HIGHWAYS.

Exempts vehicles transporting asphalt or other high temperature loads from the requirement that their loads be covered; provided that the physical characteristics of the load are not susceptible to blowing off during transport. (HB113 HD1))



March 15, 2017

COMMITTEE ON TRANSPORTATION AND ENERGY

Sen. Lorraine Inouye, Chair; Sen. Donovan Dela Cruz, Vice Chair; and Committee Members
Public Hearing, March 15, 2017 at 1:15 p.m., Conference Room 225

**TESTIMONY of WILLIAM F. ANONSEN
MANAGING PARTNER/PRINCIPAL of THE MARITIME GROUP, LLC
IN SUPPORT of H.B. 113 HD1 (HIGHWAY – VEHICLE TARP COVER EXCEPTION)**

My name is William Anonsen and I am the Managing Partner/Principal of THE MARITIME GROUP, LLC. We support HB 113 HD1 which would exempt vehicles transporting hot asphalt mix from the requirement that their loads be covered.

We support the current Hawaii law requiring that unless the vehicle is so constructed, no vehicle shall operate on any highway, if it is improperly covered, or loaded so that any part of its contents or load spills, drops, leaks, blows, sifts, or in any other way escapes from the vehicle. We concur with the current exceptions, of clear water or feathers from live birds, and recommend that asphalt and other similar high temperature loads be included in these exceptions that require vehicles to cover their loads.

Nothing is worse for a car driver than to be following behind a truck only to become a victim of a piece of gravel or debris flying off the top of a truck. Even such small projectiles can shatter windshields at high speeds. The best way for a vehicle operator to prevent their load from damaging other vehicles is to cover it with a tarp, however with the physical characteristics of asphalt; these cargoes do not create any hazards from blowing or otherwise escaping from their transport vehicle as do other road transport commodities.

We support amending Section 291C-131 to include this exception, with an additional amendment:

“Vehicles transporting asphalt or other loads that are of a temperature that would melt or otherwise damage a tarp or other covering shall be exempt from the requirement that the load be covered, **provided the physical characteristics of the high temperature load are such as not to be susceptible to blowing off or otherwise escaping from their vehicle during its transport on any highway**”

The exception of hot asphalt is incorporated in the highway safety laws of other mainland jurisdictions.

Mahalo for the opportunity to comment in support of this measure.

Sincerely,

William F. Anonsen

William F. Anonsen
Managing Partner/Principal

**1221 Kapiolani Blvd., Suite 1032, Honolulu, Hawaii, 96814
Tel: (808) 589-1223 www.The-Maritime-Group.com**

Dons Trucking LLC
771 Kekaulike Ave
Kula, HI 96790
(808) 878-1868

Statement of **Don Tavares**
Owner of Dons Trucking LLC
Before the

SENATE COMMITTEE ON TRANSPORTATION AND ENERGY

March 15, 2017 at 1:15 p.m.
State Capitol, Room 225

In consideration of
H.B. 113, HD1
RELATING TO HIGHWAYS.

Good afternoon Chair Inouye, Vice Chair Dela Cruz, and Members of the Committee.

My name is Don Tavares and I would like to voice my **strong support** for House Bill 113, which exempts vehicles transporting asphalt or other high temperature loads from the requirement that their loads be covered.

As an owner of a local trucking company, I know firsthand the safety and health hazards of closely dealing with hot asphalt. Besides the risk in handling material that is 400 degrees, asphalt in its molten state generates toxic fumes and exposure to it can pose both acute and serious long-term consequences. Putting a cover or tarp over extremely hot asphalt is counterintuitive as it will melt the material and produce other toxic fumes into the air as well, so exemption to this requirement is necessary.

According to the U.S. Department of Labor's Occupational Safety & Health Administration, effects of exposure to asphalt fumes include headache, skin rash, fatigue, reduced appetite, throat and eye irritation, cough, and cancer. There are numerous studies that show asphalt workers are at high risk of lung, stomach, and skin cancers.

Would you want your employees to be only inches away from the steaming hot 400-degree asphalt just to try to put a tarp over that will melt anyway?

Vehicles carrying agricultural produce and vehicles carrying dirt, sand, or gravel do not have to cover their load (if they meet certain conditions). There are other exemptions in place already, so why not the one that aims to protect our workers? It seems like a common sense safe workplace policy to me.

California, one of the most environmentally friendly state, has already passed the same law. Colorado is another. It is time Hawaii does the same and sets an example for other states to follow.