

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1173
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 1173 entitled:

"A BILL FOR AN ACT RELATING TO VEHICLES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit a person from causing a diesel or gas-powered vehicle to discharge clearly visible smoke, soot, or other exhaust emissions onto another person or motor vehicle; and
- (2) Establish penalties.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association and three individuals.

Your Committee finds that the proliferation of intentional discharge of diesel exhaust, also known as "rolling coal", poses a threat to the environment and public health. "Rolling coal" is emitted when motorists modify vehicles to pump excessive fuel into the engines, increasing horsepower and torque. While advances in emission technology have improved to capture and burn soot with diesel particulate filter systems, the intentional modification of



such systems creates a public nuisance and further environmental harm. This measure protects public health and safety while also reducing the concentration of air contaminants.

Your Committee has amended this measure by inserting a fine amount of \$500.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1173, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1173, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



