STAND. COM. REP. NO.



Honolulu, Hawaii

## MAR 0 3 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

## The Senate Thirty-Second Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*  SB 1173	Committee	Referral:	Da	te: 3/1/	23
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		V ,			
GABBARD, Mike (VC)					
ELEFANTE, Brandon J.C.			<b>)</b>		
SAN BUENAVENTURA, Joy	A.				
AWA, Brenton					V
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TOTAL		4			1
Recommendation:  Adopted Not Adopted					
Chair's or Designee's Signature:					
<b>Distribution:</b> Original File with Committee F		ellow 's Office D	Pink rafting Agency		denrod ee File Copy

\*Only one measure per Record of Votes