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February 25, 2009

**TESTIMONY BEFORE THE HONOLULU CITY COUNCIL  
 ON BILL 4 RELATING TO THE USE OF ELECTRONIC DEVICES  
 WHILE OPERATING MOTOR VEHICLES**

Thank you Chair Apo and Council members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association (HTA) which has 380 transportation related members throughout the state of Hawaii.

HTA opposes this bill as written. We ask for your consideration to exempt drivers of a commercial bus, truck, truck tractor, or combination of vehicles from the prohibition to write, send, or read a text based communication.

Since there is no direct supervision over drivers, it is critical for companies to maintain communication with drivers in the case of routing changes and emergency purposes. Company communications are not sent casually and are not frivolous in nature.

In cab audio communications has been safely used in the industry for over 50 years. A commercial driver's required training and sheer time spent behind the wheel sharpens their ability to use these devices safely.

While the driver of an automobile has many opportunities to park or pull off the road to receive communications, a driver of a bus, truck, truck tractor, or combination of vehicles has extremely limited safe and legal parking opportunities.

It is imperative that business messages be received and read, and imperative to acknowledge receipt of the message. Proposed exemption language follows:

(D) ...

"Use or using" means holding a mobile electronic device while operating a motor vehicle, **except for a driver of a commercial bus, truck, truck tractor, or combination of vehicles.**"

Thank you.