

RE: BILL 4 (2009), CD1 RELATING TO THE USE OF ELECTRONIC DEVICES WHILE OPERATING MOTOR VEHICLES

Chair Okino and members of the City Council:

I would like to submit testimony in support of Bill 4 (2009), CD1 but with an amendment to the language of the bill by adding a section: "(c) (3) Drivers licensed by the U.S. Federal Communications Commission or equivalent international bodies using their amateur two-way radio."

I am part owner of a local two-way radio communications company, Delta Communications. I have been in the radio / wireless communications field for 30 years. I acknowledge and support the changes from the original language of Bill 4 that now exempts the use of two-way radios while in the performance and scope of their work-related duties. However, two-way radio communication is not restricted to business or work related use. You must include non-work related use as well, specifically, amateur radio stations and their operators that are mobile. I have also been a licensed amateur radio operator for 35 years.

Two-way radio use is much like listening to the AM broadcast radio. You are semi-detached as you are interacting in a limited way. With two-way radio the other party does not have the same expectation for immediate responses or the ability to escalate involvement in an instant as in a cellular phone call. It is expected that responses are subject to radio range issues or at times the need to concentrate on driving so, again, it is self-limiting. People involved with two-way radio accept the nature of that communication mode.

Mobile Amateur Radio use is equally essential and subject to the same limited expectations of response such that primary attention is naturally left to the driver for driving without question. Amateur Radio operators are also licensed by the Federal Communications Commission. The Amateur Radio Service is mandated by law to become a trained pool of communicators to serve the public in times of need. One could say they are even more expert at understanding the nature of radio communications than even first responders or other heavy users of two-way radio. They don't just use it, they study it and work to make its use as efficient and successful as possible within any situation, such as while driving.

The acknowledged essential usefulness of Amateur Radio by Emergency Management organizations and other disaster responders must not be limited in their field use and duties by not allowing them to communicate and report while driving. From reporting dangerous incidents and situations or bad weather to making timely reports to support their emergency response task it is imperative that they be allowed to use their mobile communications just as First Responders or commercial radio users.

Other states such as the State of Washington have deemed it appropriate to exempt Amateur Radio from their similar regulation of mobile electronics use. I urge you to do so as well.

Respectfully submitted,

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