

From: Ann Elizabeth Miller [millerann@hawaii.rr.com]
Sent: Tuesday, March 17, 2009 8:23 AM
To:
Cc:
Subject: Public Hearing Testimony--Bill 4, CD 1, Relating to the use of electronic devices while operating motor vehicles

Testimony of Ann E. Miller
Chair and Members of the Council
March 17, 2009
Bill 4, CD 1: Relating to the use of electronic devices while operating motor vehicles.

Chair Apo and Members of the Council,

Thank you for the opportunity to testify on this bill intended to make our roadways safer. I recommend and request an amendment to the bill that will permit operation of mobile licensed amateur radio, which I believe will contribute to the public benefit without weakening the bill's purpose.

I propose that a third exemption (or its equivalent) be added to Sec. 15-24 (c) as follows :

(3) Amateur radio operators licensed by the Federal Communication Commission (FCC).

Here are some reasons to support my request:

1. Licensed amateur radio, commonly known as "ham radio," has not been shown to be a road safety issue, even though it has been used in mobile vehicles for decades. It functions in a manner like the radio operations protected in the bill's two exemptions (emergency responders and work-related duties) rather than like cell phones.
2. Amateur radio has historically served as a volunteer supplement and mainstay to emergency and disaster communications, and has been particularly significant in Hawaii during and following power outages, major storms, hurricanes and earthquakes.
3. To extend coverage beyond what public services can provide, volunteers maintain their equipment (including emergency power) at their own expense. To be effective, they must be able to regularly test and use it in geographically diverse locations, because radio communication is subject to geographic and atmospheric factors differently from land lines.
4. The licensing and regulation of amateur radio by the Federal Communications Commission (FCC) adds a dimension of control, radio communications education, and usage protocols beyond what is present with cell phones.
5. Precedents for this exemption have become law in several other states; examples from Washington State and others are available.

I am testifying as a private citizen, and not representing any organization. For your information, I am: certified by the American Radio Relay League (ARRL) for emergency communications; an American Red Cross volunteer; a member of the Radio Amateur Civil Emergency Services (RACES); executive director of a non-profit that operates a free medical clinic for uninsured and conducts international medical missions for the underserved; FCC licensed amateur radio operator,

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Leaders in local amateur radio organizations like the Emergency Amateur Radio Club stand ready to help with drafting of bill language and justification as needed.

Ann E. Miller