

Testimony of Bev Yuen
Chair and Members of the City Council
March 18, 2009
Bill 4, CD1 (09)
Relating to the use of electronic devices while operating a motor vehicle.

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Chairman Apo and members of the Council, my name is Bev Yuen. I **SUPPORT** the intent of Bill 4, CD 1 (09) to promote traffic safety by regulating use of cell phones and text messaging by drivers but with **AN AMENDMENT** which provides an exemption to allow operations by licensed amateur radio operators.

As the bill is currently written, amateur ("ham") radio operators will be denied the use of their mobile radios while driving as they do not fall into any of the listed categories for exemptions. I request that an additional exemption be added as Section (c) (3) to read as follows:

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

Amateur or "ham" radio operators have been operating their radios while driving for many years before cell phones became widely used. While cell phones have been causing accidents in recent years since they have become popular, ham radio operators have been using their radios safely since the early days of radio. I have never heard, nor could I find any documented evidence, of the use of ham radio causing an accident.

One of the areas that ham radio is relied on is in emergency communications. Ham radio operators support the Oahu Department of Emergency Management, State Civil Defense, the American Red Cross, local hospitals and other disaster response agencies in Hawaii. Much of this is using their own equipment, maintained at their own expense in their vehicles. To have equipment ready to use in an emergency, the equipment, both in the vehicle and repeaters and other fixed equipment, must be regularly tested and used. Daily use provides constant training so that in the event of an emergency they will be familiar with their equipment. If they cannot use their radios, this equipment will, over time, cease to be installed in their vehicles. So, in the event of an emergency or disaster, many of these disaster response agencies will no longer have the support that they count on from the ham radio operators.

There is precedent in giving an exemption to licensed ham radio operators. For instance, the State of Washington included an exemption in their cell phone legislation that took effect on July 1, 2008. See <http://www.leg.wa.gov/pub/BillInfo/2007-08/Pdf/Bills/Senate%20Passed%20Legislature/5037-S.PL.pdf> for a copy of that bill:

I am testifying as an individual and not part of any organization. I have been licensed as an amateur radio operator for 18 years with the amateur radio call sign, AH6NF.

Thank you for your consideration in adding an exemption for licensed amateur radio operators to this bill.

Bev Yuen