

Testimony of Peter Yuen
Chair and Members of the City Council
March 18, 2009
Bill 4, CD1 (09)

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Chairman Apo and members of the City Council, my name is Peter Yuen and I SUPPORT WITH AMENDMENTS the purpose of this bill to promote traffic safety by controlling cell phone use and text messaging by drivers.

I ask for your consideration to amend the Bill to exempt amateur radio operators licensed by the Federal Communications Commission.

In times of emergency, local and/or national disaster, traditional communications systems such as cellular telephones, landline telephones, email, internet, and text messaging can easily be overwhelmed and/or disabled as a result of the disaster. The amateur radio community has historically provided quick and timely deployment of backup communications resources (mostly personal mobile/portable radio equipment) and highly skilled volunteers in response to these life threatening events (i.e. Hurricane Iniki) . The City's Department of Emergency Management (RACES) (radio amateur operators) volunteers man the Emergency Operations Center to establish and maintain vital radio communications links to various locations in the field, which are usually mobile and portable radio units that are also manned by licensed, skilled and trained volunteers (radio amateur operators) at the scene of the disaster. Volunteers at State Civil Defense (State RACES) provide critical backup radio communications between the islands, within the islands and nationally as required. A few of the other organizations served by amateur radio operators during an emergency include the National Weather Service, for weather spotting and communications (SKYWARN), the American Red Cross, providing backup radio communications for shelters and health and welfare communications traffic, the Salvation Army (SATERN) and the U.S. Military (MARS). Health care emergency backup radio communications are also supported by amateur radio volunteers.

Quick response to any emergency can only be accomplished by having the necessary radio communications equipment and manpower available at a moment's notice when a disaster strikes. This means that the mobile and/or handheld radios must be physically available, mostly located, connected in the operators' cars and not stored away at another location. Amateur Radio operators maintain their operational skills and equipment though normal everyday usage of their equipment, mostly which are located in their cars, for their own everyday personal use (not covered under Work Use provision) and their equipment could instantly be pressed into service to support emergency communications, should a disaster occur. Not every disaster will have luxury of advanced warning such as earthquakes, blackouts, airplane crash, flash floods, tsunamis, "9/11" situations, or terrorist activity. "No time to go home and get equipment!" Emergencies and disasters generates a need for pre-disaster mobile communications such as setup, deployment, tactical, logistics (which may not covered by Civil Defense

provision); during the disaster mobile communications (covered by Civil Defense provision, for Civil Defense organizations, but not for operations in support of other organizations); and post disaster mobile communications such as search and rescue (may not covered by Civil Defense provision) as evident in the many emergency situations where normal communications links and services are disrupted, damaged or heavily overloaded.

This Bill in its current form would create a situation where the installed radio equipment(s) in the vehicle (which is not used for work) would be illegal to operate in normal day to day mobile activities and in some emergency situations. As a result, most of these mobile communications radios could eventually be removed from the vehicle due to non use and/or disrepair, thus reducing the amount and availability of radio equipment in the field that can be immediately pressed into emergency service, should a disaster situation occur (this equipment will not be available at a time when it is needed the most). This could dramatically impact disaster response and could negatively affect the served organizations readiness and disaster recovery capabilities. In these days of tight budgets, replacement for this currently free resource, could not be readily duplicated by many of the served organizations. The above situations could be mitigated by amending this Bill with an additional exemption to Section 15-24 subsection (c).

The proposed exemption language as follows:

Sec. 15-24. Mobile electronic devices.

(c) The following persons shall be exempt from the provisions of subsection (a):

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

Thank you.

Peter Yuen