

STAND. COM. REP. NO.

2017

Honolulu, Hawaii

Feb. 13

, 2006

RE: S.B. No. 3073
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Energy, Environment, and International Affairs and Intergovernmental Affairs, to which was referred S.B. No. 3073 entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RECOVERY,"

beg leave to report as follows:

The purpose of this measure is to require an advance refundable vehicle disposal fee for each registered motor vehicle.

The County of Hawaii Department of Environmental Management and Windward Ahupua'a Alliance submitted testimony in support of this measure. The Hawaii Automobile Dealers' Association and the Alliance of Automobile Manufacturers submitted testimony in opposition.

Your Committees find that a problem exists in this State regarding abandoned vehicles, especially on the neighbor islands. Abandoned vehicles are illegally dumped on roadways and in other public areas, creating problems for the counties and the communities. According to the Windward Ahupua'a Alliance, its members helped dispose of nearly one thousand vehicles since March 2003. This measure creates a financial incentive for vehicle owners to responsibly dispose of vehicles at vehicle disposal centers.

Upon further consideration, your Committees amended this measure by:



1. Restricting the measure to counties with a population of 500,000 or less;
2. Clarifying that the fee shall apply to all motor vehicles;
3. Requiring a registered owner of a new motor vehicle to pay the fee in one lump sum upon the issuance of the first certificate of registration;
4. Enabling a registered owner of any other motor vehicle to pay the fee over four annual registration renewals;
5. Clarifying that the claim to the fee shall be transferred upon a transfer of the title to or interest in the registered motor vehicle;
6. Clarifying that if a motor vehicle is abandoned, the fee for the motor vehicle shall escheat to the county and shall be deposited into an environmental management special fund to be used for disposing of abandoned vehicles; and
7. Leaving the disposal fee amount blank to encourage further discussion of that issue.

As affirmed by the records of votes of the members of your Committees on Energy, Environment, and International Affairs and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3073, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3073, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Energy,
Environment, and International
Affairs and Intergovernmental
Affairs,



DAVID Y. IGE, Chair



J. KALANI ENGLISH, Chair



**The Senate
Twenty-Third Legislature
State of Hawaii**

**Record of Votes of the
Committee on Energy, Environment and International Affairs
(Bills and Resolutions)**

Measure:* SB 3073	Committee Referral: EIA/IGA, WAM	Date: February 7, 2006		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to:				
<input type="checkbox"/> Pass, unamended (2312)	<input checked="checked" type="checkbox"/> Pass, with amendments (2311)	<input type="checkbox"/> Hold (2310)		
<input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
ENGLISH, J. Kalani (C)	✓			
KOKUBUN, Russell S. (VC)				✓
HANABUSA, Colleen				✓
HOOSER, Gary L.	✓			
HEMMINGS, Fred	✓			
TOTAL	3			2
Recommendation:				
<input checked="checked" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Do not list more than one measure per Record of Votes.

The Senate
 Twenty-Third Legislature
 State of Hawaii

Record of Votes of the
 Committee on Intergovernmental Affairs
 (Bills and Resolutions)

Measure:*	Committee Referral:	Date:
SB 3073	ETA/IGA, WAM	2/7/2006

The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is to:

Pass, unamended (2312) Pass, with amendments (2311) Hold (2310) Recommit (2313)

Members	Ayes	Ayes(WR)	Nays	Excused
IGE, David Y. (C)	✓			
KIM, Donna Mercado (VC)				✓
BAKER, Rosalyn H.	✓			
ENGLISH, J. Kalani	✓			
INOUYE, Lorraine R.				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	.		✓	
TOTAL	4		1	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *David Y. Ige*

Distribution: Original Yellow Pink Goldenrod

File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Do not list more than one measure per Record of Votes.

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE RECOVERY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding one new section to part III to be
3 appropriately designated and to read as follows:

4 "~~§286-~~ Advance refundable vehicle disposal fee;
5 environmental management special fund. (a) Beginning
6 September 16, 2006, any county with a population of 500,000 or
7 less shall impose an advance refundable vehicle disposal fee of
8 \$ for every motor vehicle to be paid:

9 (1) In one lump sum by the registered owner of any new
10 motor vehicle upon the issuance of the first
11 certificate of registration; and

12 (2) Over four annual registration renewals by the
13 registered owner of any other motor vehicle.

14 (b) The fee shall be refunded to the registered owner at
15 the time the motor vehicle is surrendered to a county vehicle
16 disposal center.



1 (c) Any claim to the fee shall be transferred upon a
2 transfer of the title to or interest of an owner in the
3 registered motor vehicle.

4 (d) The county shall issue a certificate acknowledging
5 payment of the fee and shall keep records necessary to refund
6 the fee.

7 (e) If a motor vehicle is abandoned pursuant to chapter
8 290, the fee for that motor vehicle shall escheat to the county
9 and shall be deposited into an environmental management special
10 fund to be established by each county and used for disposing of
11 abandoned vehicles.

12 (f) Each county shall adopt rules in accordance with
13 chapter 91 to effectuate the purpose of this section, including
14 instances when a motor vehicle is moved to another county."

15 SECTION 2. New statutory material is underscored.

16 SECTION 3. This Act shall take effect on upon approval.

Report Title:

Motor Vehicle Recovery Program; Advance Disposal Fee

Description:

Requires an advance refundable vehicle disposal fee for registration of motor vehicles; unclaimed fees escheat to county to be used for disposing of abandoned vehicles. Applies to any county with a population of 500,000 or less. (SD1)

