

Honolulu, Hawaii

Feb. 16, 2006

RE: S.B. No. 2065
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 Transportation and Government Operations and Intergovernmental Affairs, to which was referred S.B. No. 2065 entitled:

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

beg leave to report as follows:

The purpose of this measure is to establish that unpaid parking citations do not prevent the transfer of registration or ownership of a motor vehicle.

Specifically, this measure:

- (1) Clarifies that the payment of a default judgment on a parking violation is the responsibility of the registered owner incurring a parking violation;
- (2) Clarifies that an unpaid parking violation does not prevent the issuance or renewal of a certificate of motor vehicle registration and transfer of title;
- (3) Requires the clerk of the court in such instances to issue a clearance to effectuate the transfer of the motor vehicle; and
- (4) Clarifies that a clearance does not absolve the registered owner incurring the parking violation from paying the fine, prevent subsequent issuance or renewal



or of the registration or transfer of title, or otherwise encumber the motor vehicle's title.

Your Committees received testimony in support of this measure from the Honolulu Police Department, Aloha Auto Group, Catrala-Hawaii, and Hawaii Automobile Dealers' Association.

Your Committees find that current law attaches parking citations to the vehicle rather than the vehicle's owner, which prevents the registration and transfer of ownership to a new owner until the parking fines are paid. This situation has wreaked havoc with some motor vehicle registration transfers by refusing to permit the transfer until the new owner pays for the parking fines incurred by the previous owner.

In the past, citations issued against vehicles have hindered those purchasing them from registering the vehicles. This measure corrects that problem by permitting the new owner to register the vehicle, while requiring the previous owner who incurred the citations to pay the fines.

Your Committees have amended this measure by making a conforming amendment.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2065, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2065, S.D. 1, and be referred to the Committee on Commerce, Consumer Protection, and Housing.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Government Operations and
Intergovernmental Affairs,



DAVID Y. ISE, Chair



LORRAINE R. INOUÉ, Chair



