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PRESENTATION OF
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TO THE SENATE COMMITTEES ON
TRANSPORTATION AND INTERNATIONAL AFFAIRS
AND
INTERGOVERNMENTAL AND MILITARY AFFAIRS

TWENTY-FOURTH STATE LEGISLATURE
REGULAR SESSION OF 2008

Monday, March 17, 2008
1:30 p.m.

TESTIMONY ON HOUSE BILL NO. 509, HD2 – RELATING TO TRANSPORTATION.

TO THE HONORABLE J. KALANI ENGLISH AND LORRAINE R. INOUE, CHAIRS,
AND MEMBERS OF THE COMMITTEES:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify in support of House Bill No. 509, HD2, Relating to Transportation. My name is Stephen Levins, and I am the Executive Director of the Department's Office of Consumer Protection.

House Bill No. 509, HD2 seeks to clarify the provision of the towing law relating to unhooking fees. Currently, such fees are prohibited only if the owner of a vehicle

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targeted for towing appears on the scene before the vehicle has been moved. Although the law was just amended last year, further clarification may be necessary since the Office of Consumer Protection has recently learned of at least one instance in which a tow company apparently charged a consumer a fee merely because the "towed vehicle" was moved a few feet before the owner arrived on the scene and interacted with the tow truck driver. To rectify this situation, House Bill No. 509, HD2 makes it clear that as long as the vehicle's owner arrives on the scene before the vehicle is towed away; no unhooking fee should be charged.

Thank you for this opportunity to testify on House Bill No. 509, HD2. I will be happy to answer any questions that the members of the Committees may have.

In the matter of HB 509 HD2 and SB 2954, D & H Towing, along with other tow companies and related businesses from the Big Island, we come forth in support. Maintaining these fees is important in many levels of what us as Tow Companies, property owners, and communities are trying to accomplish.

In our business the American tow driver is very under-respected. There is always an article, or a news story that challenges the honesty and integrity of our industry. In fact, it is almost always one-sided, as we do not go out looking randomly for vehicles. No one really takes into account the laws, or violations that caused the tow-aways. But we are most certainly left to deal with the "consequence" of our jobs. We are NOT a dishonest industry. We provide and invaluable service.

Tow operations have considerable obligations to be able to function efficiently. In order for us to do our contracted tow aways , we must have adequate insurance coverages, storage facilities, and training. All of which incur great costs. And of course , not let us not forget are largest expense-fuel, in which costs have been constantly rising.

WE support request for reinstatement of unhooking fees and over time pay. Denying this request will only leave the public the ability to violate rules and laws regulated by the State / and or County. It is allowing vehicles to illegally park, but not get caught. Where we live in Kona, the shortage of police officers have left the property owners to turn to the tow company first, as tow aways can be pushed aside for more important matters (that requires the law's attention.)

I SUPPORT HB 509HD2 and SB 2954

Helen Telling / Owner
Name/Title

D & H TOWING
Business