

STAND. COM. REP. NO.

468

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 549
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 549 entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT, "

begs leave to report as follows:

The purpose of this measure is to include motorcycles in the State's Lemon Law and thereby make statutory remedies under the State Certified Arbitration Program available to owners of defective motorcycles.

Your Committee received testimony in support of this measure from Street Bikers United and two private citizens. Testimony with comments on this measure was received from the Department of Commerce and Consumer Affairs. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the inclusion of motorcycles in the State's Lemon Law and the resultant access for owners of defective motorcycles to the State Certified Arbitration Program (SCAP) will not overly tax SCAP's existing resources. Your Committee further finds that in order to successfully implement this measure, the Department of Commerce and Consumer Affairs as well as motorcycle dealers and manufacturers should be given adequate time to establish compliance procedures and to update their informational materials.



Your Committee has amended this measure by clarifying that it applies to sales of motorcycles that take place on or after September 1, 2009, in order to allow all affected parties an opportunity to adequately prepare for the inclusion of motorcycles in the State's Lemon Law.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 549, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 549, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted, on
behalf of the members of the
Committee on Commerce and
Consumer Protection,

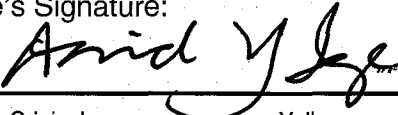


ROSALYN H. BAKER, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 549	CPN	2-25-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les				✓
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes