

STAND. COM. REP. NO. 427

Honolulu, Hawaii  
Feb 18, 2011

RE: H.B. No. 1241  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 1241 entitled:

"A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES,"

begs leave to report as follows:

The purpose of this bill is to provide a more practicable timeframe within which abandoned vehicles may be reclaimed by extending the time period during which a legal and registered owner of an abandoned vehicle may repossess the vehicle before disposal from ten days to 20 business days after mailing of a written notice of the intended disposition of the vehicle.

The Hawaii Credit Union League and EAN Holdings, LLC, testified in support of this bill. A concerned individual testified in support of the intent of this measure. The City and County of Honolulu opposed this bill.

Currently, an abandoned vehicle will be auctioned approximately 23 days after it is marked abandoned and towed, based on statutorily-established investigation, owner notification, and auction publication requirements. Unfortunately, rental car companies are sometimes caught in a quandary because their vehicles may have been towed and deemed abandoned without their knowledge. As the registered owners of these particular vehicles are often located on the mainland, it may be more than 23 days before the local representatives for

HB1241 HD1 HSCR TRN HMS 2011-2258



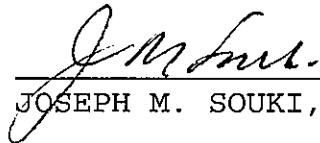
these companies are aware the vehicle is going to be disposed of. This measure attempts to address this issue.

However, your Committee notes that, according to the rental car companies, this problem mainly affects vehicles whose registered owners reside on the mainland. Accordingly, your Committee has amended this bill by applying the 20-business-day notification requirement only to vehicles whose registered owner resides out-of-state and maintaining the ten-day notification requirement for in-state registered owners.

Technical, nonsubstantive amendments have also been made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1241, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1241, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,



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JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HCR 421

**Record of Votes of the Committee on Transportation**

Bill/Resolution No.: <b>HB 1241</b>	Committee Referral: <b>TRN, JUD</b>	Date: <b>2/14/11</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	/			
2. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.				✓
4. CULLEN, Ty	/			
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia	/			
7. SAIKI, Scott K.	/			
8. TAKUMI, Roy M.	/			
9. YAMASHITA, Kyle T.	/			
10. FONTAINE, George R.	/			
11. JOHANSON, Aaron Ling	/			
<b>TOTAL (11)</b>	<b>10</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u>          <i>Rindee Ichijama</i>          </u>				
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