

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
ADMINISTRATION
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PETER B. CARLISLE
MAYOR



GAIL Y. HARAGUCHI
DIRECTOR

DENNIS A KAMIMURA
LICENSING ADMINISTRATOR

March 18, 2011

The Honorable Joseph M. Souki, Chair
and Committee Members
Committee on Transportation
House of Representatives
State of Hawaii
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Souki and Committee Members:

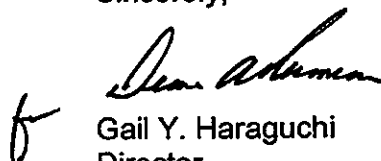
Subject: S.B. No. 30 S.D.1, Relating to Abandoned Vehicles

The City and County of Honolulu is opposed to S.B. No. 30 S.D.1 which adds more time for the vehicle owner to claim a towed abandoned vehicle before the vehicle may be auctioned.

Based on the current statutorily required investigation, owner notification, and auction publication requirements, the earliest that an abandoned vehicle will be auction is approximately 23 calendar days after the vehicle had been marked as an abandoned vehicle (goldenrod notice placed on the vehicle's windshield and tires marked). We believe that a minimum of 23 calendar days is sufficient time for a vehicle owner to notice that the vehicle is being investigated as an abandoned vehicle and begin an inquiry with the Honolulu Police Department after the vehicle had been towed from where it was parked. Additionally, if the vehicle owner had provided the motor vehicle office a correct mailing address, the owner would have received the certified mailing. Adding 10 working days before an unclaimed towed abandoned vehicle is auctioned will place an unnecessary burden on the City's tow contractors' limited storage facilities.

The City and County of Honolulu recommends that S.B. No. 30 S.D.1 be held. If, however, the Committee feels that this bill is in the best interest of the public, we recommend that the contents of H.B. No. 1241 H.D.1 be inserted.

Sincerely,


Gail Y. Haraguchi
Director

S.B. 30, S. D. 1
Relating to Abandoned Vehicles
Hearing: Monday, March 21, 2011 at 9:00.m.
Conference Room 309

Chair Souki and Members of the Committee on Transportation:

I am Paul Kopel, General Manager/Vice President—Hawaii, testifying on behalf of EAN Holdings, LLC, operating Enterprise Rent-A-Car, Alamo Rent-A-Car and National Car Rental in Hawaii (collectively referred to as “Enterprise”).

Enterprise **supports** SB 30, S.D. 1. Currently, Hawai‘i law provides a 10-day window for repossession by the legal and registered owner of an abandoned vehicle. S.B. 30, S.D. 1 extends this period to 20 business days. This is a companion to H.B. 1240 which you introduced and passed out of your committee.

This measure would establish a more reasonable time within which legal and registered owners may recover their vehicles that have been towed away after being classified as “abandoned.” Sometimes, lessees and renters mistreat or “abandon” rentals, and a 10-day window is not enough time for the rental car companies to be assured they can recover their vehicles.

When the House companion measure—H.B. 1241, HD2—was heard in your Committee, there was testimony requesting a compromise that the 20-day window apply only to vehicles registered in other states. H.B. 1241 was amended to provide that, “in the case where the address of the registered owner on record at the vehicle licensing division is an out-of-state address,” the legal and registered owner will be sent a notice informing it of the intended disposition of the vehicle if not repossessed within “twenty business days after the mailing of the notice.” Enterprise would support a similar amendment to S.B. 30, S.D. 1.

Thank you for the opportunity to testify on this matter.