

STAND. COM. REP. NO. 3353

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2004
H.D. 2
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2004, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to protect consumers and legitimate businesses from unauthorized transportation services rendered for compensation by establishing a new criminal offense for these activities.

Your Committee received written comments in support of this measure from Robert's Hawaii Incorporated, Visitor Transit Coalition, Hawaii Transportation Association, and Polynesian Hospitality Incorporated. Your Committee received written comments on this measure from the Public Utilities Commission.

Your Committee finds that there have been complaints about illegal commercial transportation services that arrive ahead of scheduled pickups by legitimate businesses to collect customers and fares meant for the legitimate business. Tourists have complained about being deceived into paying higher-than-quoted fares and additional payments and being driven to destinations without subsequent return transportation. This measure seeks to halt the activities of illegal transportation services that fail to comply with industry requirements, deceive customers, and steal the business of legitimate transportation operators.

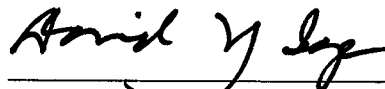


Your Committee has amended this measure by:

- (1) Replacing references to "visitor" with "consumer" with regard to the victims of the new offense established by this measure;
- (2) Amending the definition of "bona fide transportation service" to:
 - (A) Clarify that it includes the operation of a licensed taxi cab;
 - (B) Require that vehicles used in the transportation service display a valid identification number issued by the Public Utilities Commission pursuant to section 271-29, Hawaii Revised Statutes; and
 - (C) Replace the reference to "medical examiner's certificate" with "medical examination certificate"; and
- (3) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2004, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2004, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* #B2004 #D2SD1	Committee Referral: TTA, WAM	Date: 3-29-12		
<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 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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.				/
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	13	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes