

# HB994 HD1

Measure Title: RELATING TO MOTOR VEHICLE INSURANCE.  
 Report Title: Motor Vehicle Insurance; Covered Loss Deductible  
 Description: Excludes benefits paid or incurred under the workers' compensation law from the covered loss deductible. Effective January 1, 2013. (HB994 HD1)  
 Companion:  
 Package: None  
 Current Referral: JDL, CPN  
 Introducer(s): NAKASHIMA

<u>Sort by Date</u>		<b>Status Text</b>
1/24/2011	H	Pending introduction.
1/26/2011	H	Introduced and Pass First Reading.
1/26/2011	H	Referred to LAB, CPC, referral sheet 2
12/1/2011	D	Carried over to 2012 Regular Session.
1/18/2012	H	Bill scheduled to be heard by LAB on Friday, 01-20-12 10:05AM in House conference room 309.
1/20/2012	H	The committees on LAB recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 9 Ayes: Representative(s) Rhoads, Yamashita, Cullen, Ichiyama, Luke, Souki, Takumi, Fontaine, Johanson; Ayes with reservations: none; Noes: none; and 4 Excused: Representative(s) Aquino, M. Lee, Okamura, Saiki.
1/25/2012	H	Reported from LAB (Stand. Com. Rep. No. 1-12) as amended in HD 1, recommending passage on Second Reading and referral to CPC.
1/25/2012	H	Passed Second Reading as amended in HD 1 and referred to the committee(s) on CPC with none voting no (0) and none excused (0).
2/3/2012	H	Bill scheduled to be heard by CPC on Monday, 02-06-12 2:00PM in House conference room 325.
2/6/2012	H	The committees on CPC recommend that the measure be PASSED,

		UNAMENDED. The votes were as follows: 12 Ayes: Herkes, Yamane, Brower, Coffman, Ito, Keith-Agaran, Luke, Souki, Tsuji, Ching, Marumoto, Thielen; Ayes with reservations: none; 0 Noes: none; and 3 Excused: Cabanilla, Carroll, McKelvey.
3/1/2012	H	Reported from CPC (Stand. Com. Rep. No. 667-12), recommending passage on Third Reading.
3/1/2012	H	Passed Third Reading with none voting aye with reservations; none voting no (0) and Herkes excused (1). Transmitted to Senate.
3/2/2012	S	Received from House (Hse. Com. No. 23).
3/2/2012	S	Passed First Reading.
3/8/2012	S	Referred to JDL, CPN.
3/9/2012	S	The committee(s) on JDL has scheduled a public hearing on 03-13-12 10:15AM in conference room 016.
3/13/2012	S	The committee(s) on JDL recommend(s) that the measure be PASSED, UNAMENDED. The votes in JDL were as follows: 5 Aye(s): Senator(s) Hee, Shimabukuro, Gabbard, Ihara, Slom; Aye(s) with reservations: none ; 0 No(es): none; and 0 Excused: none.
3/23/2012	S	Reported from JDL (Stand. Com. Rep. No. 2984) with recommendation of passage on Second Reading and referral to CPN.
3/23/2012	S	Report adopted; Passed Second Reading and referred to CPN.
3/27/2012	S	The committee(s) on CPN will hold a public decision making on 03-30-12 9:30AM in conference room 229.



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TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

TWENTY-SIXTH LEGISLATURE  
Regular Session of 2012

Friday, March 30, 2012  
9:30 a.m.

**WRITTEN TESTIMONY ONLY**

**TESTIMONY ON HOUSE BILL NO. 994, H.D. 1 - RELATING TO MOTOR VEHICLE INSURANCE.**

TO THE HONORABLE ROSALYN BAKER, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Gordon I. Ito, State Insurance Commissioner ("Commissioner"), testifying on behalf of the Department of Commerce and Consumer Affairs ("Department").

The Department takes no position on this version of the bill and offers the following comments.

The purpose of this bill is to exclude workers' compensation benefits from the covered loss deductible in Hawaii Revised Statutes ("HRS") § 431:10C-301.5 retroactive to January 1, 2012. The H.D. 1 contains an effective date of January 1, 2013.

Under the covered loss deductible, a motor vehicle insurance claimant's recovery is reduced by \$5,000 or the amount of person injury protection benefits ("PIP") incurred, whichever is greater, up to the maximum limit. The purpose of the covered loss deductible was to discourage frivolous lawsuits and to set a reasonable standard for litigation on legitimate claims.

We thank this Committee for the opportunity to present testimony on this matter.