

STAND. COM. REP. NO.

754

Honolulu, Hawaii

March 1, 2013

RE: H.B. No. 1101  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and  
Judiciary, to which was referred H.B. No. 1101, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR CARRIERS,"

beg leave to report as follows:

The purpose of this measure is to help reduce the number of  
uncertified motor carriers in the State by:

- (1) Prohibiting uncertified common carriers from recovering undercharges;
- (2) Prohibiting uncertified motor carriers from holding a statutory lien on transported freight or goods; and
- (3) Permitting a person who uses the services of an uncertified motor carrier to bring a judicial action for the recovery of all paid compensation.

The Hawaii Transportation Association testified in support of this measure. The Public Utilities Commission provided comments.

Your Committees have amended this measure by:

- (1) Requiring that a person who brings a judicial action to recover compensation paid to a common carrier by motor vehicle operating in violation of section 271-8, Hawaii Revised Statutes, to first file a complaint with the

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Public Utilities Commission and receive verification of the carrier's violation of section 271-8; and

(2) Changing its effective date to July 1, 2013.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1101, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1101, H.D. 2.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,



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KARL RHOADS, Chair



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ANGUS L.K. MCKELVEY, Chair





