

SB 539

RELATING TO VETERANS.

Exempts certain totally and permanently disabled veterans from paying motor vehicle registration expenses.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
FORD N. FUCHIGAMI
JADE BUTAY
RANDY GRUNE
JADINE URASAKI

IN REPLY REFER TO:

January 29, 2013

**SB 539
RELATING TO VETERANS**

Senate Committee(s) on Public Safety, Intergovernmental and Military Affairs
& Transportation and International Affairs

The Department of Transportation (DOT) appreciates veterans and respectfully recognizes the merits to reward their sacrifices for duty, honor and country with lower fees and charges.

However, the DOT **opposes** SB 539 because it would have an adverse impact on fees that support the operations, maintenance, and construction of our highways.

This lower fee for the state vehicle weight tax will reduce the revenues deposited into the State Highway Fund. The state vehicle weight tax is estimated to make up 26 per cent of the total State Highway Fund Revenues for fiscal year 2014 and any proposed decrease would have a negative impact on the health of the State Highway Fund.

Thank you for the opportunity to provide testimony.



SB539

Submitted on: 1/25/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lowell Kalapa	Tax Foundation of Hawaii	Comments Only	No

Comments: Here is the Tax Foundation of Hawaii testimony on SB 539.

TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

CONVEYANCE, MISCELLANEOUS, Exempt motor vehicle registration for disabled veterans

BILL NUMBER: SB 539; HB 170 (Identical)

INTRODUCED BY: SB by Espero, Green and 1 Republican; HB by Takai, Aquino, Johanson, McKelvey, Thielen and Tsuji

BRIEF SUMMARY: Amend HRS section 286-51 to provide that disabled veterans shall be exempt from the motor vehicle registration fees imposed under this section. These include: (1) fees charged for the issuance of a new certificate of motor vehicle ownership; and (2) highway beautification fees (including a fee for the removal of abandoned/derelict vehicles).

EFFECTIVE DATE: Upon approval

STAFF COMMENTS: Incidental fees that may be collected along with the registration of a motor vehicle in the state may include a fee for the issuance of a duplicate or new certificate of ownership of a motor vehicle and fees for the beautification of highways and the removal of abandoned or derelict vehicles. The amount of the fees varies by counties. This measure proposes to exempt disabled veterans from these specific motor vehicle registration fees.

It should be remembered that any reduction in fees for a particular program or purpose granted to a select group of motor vehicle owners would result in the lost revenues being made up by those who must continue to pay the fees. Motorists who will have to pick up the additional cost created by this proposed exemption should hold those who would propose such an exemption responsible for raising their taxes.

It should be remembered that these fees, in addition to the fuel tax, the motor vehicle weight tax and registration fees, are user charges designed to recover the cost of construction and maintenance of Hawaii's highway system. All motorists who use the state highways should pay their fair share of that cost. While these specific fees go toward beautification or, in the case of the certificate of ownership which accrues to the general fund, the exemption proposed is not based on whether or not the beneficiary of the exemption is capable of paying the fee. Exemptions based solely on physical condition or age have no place in the tax law and represents poor tax policy. So while the exemption would provide relief to a disabled veteran, a single mom making minimum wage, barely making ends meet, must continue to pay these fees. As such, this proposal cannot be justified.

Digested 1/25/13

SB539

Submitted on: 1/25/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Carolle Brulee-Wilson	Office of Veterans Services	Support	No

25 January 2013

To: Chair, Transportation and International Affairs Committee
Chair, Public Safety, Intergovernmental and Military Affairs Committee
Chair, Ways and Means Committee
From: Ms. Carolle Brulee-Wilson, Office of Veterans Services,
Advisory Board Member, East Hawaii Representative

Telephone: (808) 756-0852

Aloha to all of you,

I'm writing this testimony today to Testify and support SB 539.

I am a 14-Year Veteran of the United States Navy, Honorably Discharged in 1996. Living here since 1996, I have for several years and now, currently volunteer with several Veteran Service Organizations to include Office of Veteran Services Advisory Board Member, active member of Disabled American Veterans Department and Chapter, and several others. I reside in Keaau, Hawaii on the Big Island.

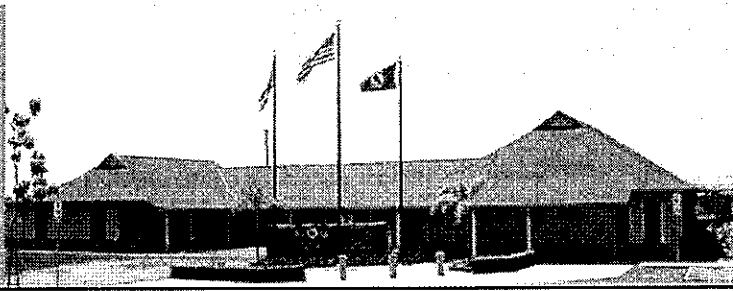
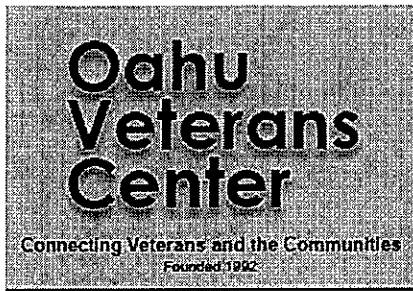
SB 539 must be passed. The importance of moving this measure goes without saying, as it will reflect the legislature's sincere Thank You and gratitude to all the Veterans that are totally or permanently disabled, because of their selfless commitment to the United States of America.

I was personally "in total dis-belief" when paying for my latest Vehicle Registration tax. I find it perplexing especially in a State that has experienced the profound events and effects of a history of war, with the present existence of it's "living Veterans and their families, who if they don't go them selves, depend on family to take them to and from their transportation needs. 3 Cemeteries embrace the ground of the Big Island, with the Honorable Veterans who gave it all, who "paid in full." The sons and daughters that are the living Veterans here who are permanently or totally disabled must be cared for and shown respect and gratitude.

I ask again, please "Move this Bill " forward so that our Totally and Permanently Disabled Veterans know our State really saids "Thank You for Serving"

Very respectfully,

Carolle Oma Brulee-Wilson
Office of Veterans Services
East Hawaii Representative



January 29, 2013

**TESTIMONY IN SUPPORT OF SENATE BILL 539
RELATING TO VETERANS BENEFITS**

**SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY,
TRANSPORTATION AND INTERNATIONAL AFFAIRS**

**HEARING ON TUESDAY, JANUARY 29TH AT 2:45 AM, IN CONFERENCE
ROOM 224**

Aloha Chair Espero and English: The Oahu Veterans Council is honored to serve at the pleasure of our veterans and their families. On January 26th, our delegates reviewed and voted unanimously to support Senate Bill 539.

We are extremely grateful for your efforts to exempt certain totally and permanently disabled veterans from paying motor vehicle registration expenses.

Providing this legislative protection in state law is greatly appreciated by our disabled veterans who served so selflessly and ask for no more recognition than we would expect for ourselves.

The Oahu Veterans Council respectfully urges your committee to consider passing Senate Bill 539 as written. Mahalo, for allowing us to testify, regarding this extremely important issue.

Dennis Egge

Dennis Egge; Chairman, Legislative Committee



1298 Kukila Street, Honolulu, Hawaii 96818

Email: sballard@oahuveternascenter.com; Phone: 808-422-4000; Fax: 808-422-4001

www.oahuveternascenter.com

SB539

Submitted on: 1/25/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis A Kamimura	Div of Motor Veh & Lic	Support	Yes

Comments:

JAN 18 2013

A BILL FOR AN ACT

RELATING TO VETERANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 286-51, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§286-51 Registration, expense[-]; disabled veterans
4 exemption. (a) The certificate of registration for each motor
5 vehicle in the counties of the State shall be renewed on a
6 staggered basis as established by each county. The director of
7 finance of each county may adopt rules to carry out the purposes
8 stated in this section and shall expend the necessary funds from
9 the director's operating funds as may be necessary for these
10 purposes; provided that the director of finance, if the director
11 has ascertained as of the date of the application that the
12 registered owner has not deposited or paid bail with respect to
13 any summons or citation issued to the registered owner for
14 stopping, standing, or parking in violation of traffic
15 ordinances within the county, may require, as a condition
16 precedent to the renewal, that the registered owner deposit or
17 pay bail with respect to all such summonses or citations. The
18 certificates of registration issued hereunder shall show, in



1 addition to all information required under section 286-47, the
2 serial number of the tag or emblem and shall be valid during the
3 registration year only for which they are issued. The
4 certificates of ownership need not be renewed annually but shall
5 remain valid as to any interest shown therein until canceled by
6 the director of finance as provided by law or replaced by new
7 certificates of ownership as hereinafter provided.

8 (b) This part shall be administered by the director of
9 finance in conjunction with the requirements of sections 249-1
10 to 249-13 and shall entail no additional expense or charge to
11 the person registering the ownership of a motor vehicle other
12 than as provided by this section or by other laws; provided that
13 for each new certificate of ownership issued by the director of
14 finance under section 286-52, the director of finance may charge
15 a fee which shall be deposited in the general fund. The fees
16 charged to issue a new certificate of ownership shall be
17 established by the county's legislative body.

18 Notwithstanding any other law to the contrary, an
19 additional fee of not more than \$1 for each certificate of
20 registration for a U-drive motor vehicle and \$2 for each
21 certificate of registration for all other motor vehicles may be
22 established by ordinance and collected annually by the director



1 of finance of each county, to be used and administered by each
2 county:

3 (1) For the purpose of beautification and other related
4 activities of highways under the ownership, control,
5 and jurisdiction of each county; and

6 (2) To defray the additional cost in the disposition and
7 other related activities of abandoned or derelict
8 vehicles as prescribed in chapter 290. For the
9 purposes of this paragraph, other related activities
10 shall include but need not be limited to any and all
11 storage fees that are negotiated between each county
12 and a towing company contracted by the county to
13 remove and dispose of abandoned or derelict vehicles.

14 The \$2 fee established pursuant to this subsection for
15 certificates of registration for motor vehicles other than U-
16 drive motor vehicles may be increased by ordinance up to a
17 maximum of \$10; provided that all amounts received from any fee
18 increase over \$2 shall be expended only for the purposes of
19 paragraph (2). The moneys so assessed and collected shall be
20 placed in a revolving fund entitled, "the highway beautification
21 and disposal of abandoned or derelict vehicles revolving fund".

22 (c) Any totally and permanently disabled veteran who is:



- 1 (1) A resident of Hawaii;
2 (2) Honorably discharged from the United States uniformed
3 armed forces;
4 (3) Determined by the United States Department of Veteran
5 Affairs or its predecessor to have a service-connected
6 one hundred per cent disability rating for
7 compensation or a service-connected disability rating
8 of one hundred per cent; and
9 (4) In receipt of disability retirement pay from any
10 branch of the uniformed armed forces;
11 shall not be required to pay any motor vehicle registration
12 expenses as required by this section."

13 SECTION 2. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

16

INTRODUCED BY:

Will Enger
Gold
Timothy S. Lee



S.B. NO. 539

Report Title:

Motor Vehicle Registration; Veterans; Exemption

Description:

Exempts certain totally and permanently disabled veterans from paying motor vehicle registration expenses.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



SB539

Submitted on: 1/24/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
christine johnson	Individual	Support	No

Comments: Great idea! Being disabled myself i think this will be greatly appreciated and needed by those who are in this catagory of disability and who served our country.. thank you for caring about them..

SB539

Submitted on: 1/24/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
COREEN WILLIAMS	Individual	Support	No

Comments: I totally support SB539. Veterans should be treated with honor and respect. This is the least that can be done for our veterans!

SB539

Submitted on: 1/27/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Alvarez	Individual	Support	No

SB539

Submitted on: 1/27/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Zahn	Individual	Support	No

Comments: Aloha Chairs. I am Charles Zahn a retired Veteran with a VA Disability Rating of 100 percent. While I support SB539, I must ask that the language be changed to reflect the fact that while one can be in receipt of disability compensation from the VA the individual may not be receiving disability retired pay from their parent service. Respectfully. Charles Zahn

SB382

Submitted on: 1/27/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
SCOTT STODDARD	Individual	Support	No

SB539

Submitted on: 1/27/2013

Testimony for PSM/TIA on Jan 29, 2013 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Ribbentrop	Individual	Support	No

To: COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS, Senator Will Espero, Chair

Date: Tuesday, January 29, 2013, 2:45 p.m., Conference Room 224, State Capital,

Re: SB 539 - Relating to Veterans

Chair Espero and Committee Members:

Thank you for the opportunity to submit written testimony in STRONG SUPPORT of SB 539 Relating to Hawaii's Veterans. My name is Keith Ribbentrop and I am retired from the United States Air Force and disabled combat veteran of the Vietnam War, I live in Volcano Hawai'i. The passage of SB 539 is vital in providing peace of mind to Hawai'i veterans and their dependents. Permanently disabled veteran often lives on their disability income the fixed income generally falls short of day-to-day necessities. Further the nature of their disabilities quite often will not allow pursuit of work, gainful or supplemental. The exemption totally and permanently disabled veterans from paying motor vehicle registration expenses will serve to not only improve the quality of live for a veteran and his family, but also say thank you for your individual sacrifices.

I urge you to support our military members and family by voting yes on SB 539.

Keith Ribbentrop
Volcano Hawai'i