

TESTIMONY ON SB 2857- RELATING TO TOWING

LATE

POSITION: Opposed to current language definition of "On scene", and "Releasing vehicle to any key holder".

PRESENTATION OF
BARNABY ROBINSON, OWNER WAIALAE TOWING

THE SENATE
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

COMMITTEE ON TRANSPORTATION AND ENERGY

Senator Lorraine R. Inouye, Chair
Senator Mike Gabbard, Vice Chair

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair
Senator Michelle N. Kidani, Vice Chair

Wednesday, February 11, 2016

I want to thank the legislature for addressing several nagging problems concerning illegally parked vehicles.

The definition of "Hook up", "On Scene" (requiring "free" unhooking), and "Vehicle Owner" language for release of illegally parked vehicles to vehicle owners has been problematic since its inception in 2008.

The language in SB 2857 proposes that once we have hooked up the illegally parked vehicle and the vehicle owner shows up, that we are required to release the vehicle "free" of charge if the owner arrives while we are within a 50 foot radius of the pick-up location.

This 50 foot radius is unacceptable, as it creates an arbitrary situation where a tape ruler or some other measuring device to be involved. Additionally, there is a negative safety factor involved as we will be required to conduct this lengthy measurement in the middle of the very road we are trying to clear for traffic ease, causing further delay and congestion.

Further proposed complicating language would require us to travel in excess of the 50 foot radius to find a safe place to unhook, which may be several blocks if not miles away.

We recommend that once we are hooked up to the illegally parked vehicle, that this "free" unhooking work be limited to a **ONE FOOT RADIUS**.

Releasing a vehicle to anyone in possession of a key or remote keyless is also unacceptable. Releasing an illegally parked vehicle in our care and custody needs to be to either to the registered or legal owner only, and in the case of a rented vehicle, proof of a valid rental agreement. We need some sort of verification that we are releasing the vehicle to its proper owner, and vehicle registration or rental agreement validates a person trying to claim the vehicle.

Parking enforcement is a necessity in society, both on public land and private property. Reaching across the aisle to our legislators and regulatory agencies is vital to helping maintain order, protecting property rights, and clearing roadways for the motoring public. Please favorably consider our requests to properly manage parking enforcement.

Barnaby Robinson

Waialae Towing Service

LATE

Name	Organization	Position
Janie Gueso (808) 457-6209	Solid Towing LLC	oppose HB2857 (towing)

My name is Janie Gueso and I have testified in opposition of #S.B. No. 2857. I am testifying on behalf of Solid Towing LLC. We have concerns about the proposed amendments to HRS 290-11 which is introduced in SB. No 2857. Some of our concerns are: the definition of "scene" - it will cause a safety concern if vehicles are in the process of being towed and ~~and~~ people chase after the tow truck hooked up to a vehicle. adding the "fifty-foot radius" encourages people to approach a moving truck which is hooked-up to a moving vehicle - this creates a serious safety concern.

Another concern is: the amendment proposed to change the definition of "vehicle owner" - adding "any person in possession of the key" - leaves the towing company in severe liability of releasing a vehicle. ~~to~~ ~~an~~ ~~an~~ What if the person in possession of the key is a minor child or unlicensed driver? Please consider our small family owned and operated business - which has an "A" rating with the Hawaii Better Business Bureau and is in good standing with the State of Hawaii - D.C.C.A. Aloha! Janie Gueso