

STAND. COM. REP. NO.

1750

Honolulu, Hawaii

April 7, 2017

RE: S.B. No. 288
S.D. 2
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 288, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SELF-SERVICE STORAGE FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to modernize Hawaii's self-service storage facilities law by:

- (1) Allowing self-service storage facility owners to tow motor vehicles and boats after sixty or more days of delinquency provided that the occupant is given notice at least fifteen days prior to the towing and waiving the facility owner's liability for property once it is removed;
- (2) Allowing self-service storage facility owners to publish notices of sales and send other notices to occupants by electronic mail and other commercially reasonable methods;
- (3) Limiting self-service storage facility owners' liability for stored goods to the maximum monetary value of

SB288 HD2 HSCR JUD HMS 2017-3556



property that may be stored as stated in a rental agreement; and

- (4) Requiring the inclusion of any late fees in the rental agreement and setting maximum limits for late fees.

The National Self Storage Association testified in support of the measure. The Office of Consumer Protection and Hawaii Association for Justice testified in opposition.

Your Committee has amended this measure by:

- (1) Deleting the term verified mail and replacing it with the term certified mail;
- (2) Deleting the waiver of the storage facility owner's liability for property that is removed from the facility and in the possession of a third-party;
- (3) Deleting the provision that limited the storage facility owner's maximum liability for the monetary value of personal property stored in the occupant's space to the storage contract's limitation on the value of personal property that may be stored there; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 288, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 288, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SCOTT Y. NISHIMOTO, Chair



