

Honolulu, Hawaii

MAR 03 2017

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

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

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

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

begs leave to report as follows:

The purpose and intent of this measure is to modernize the  
self-service storage facilities laws to:

- (1) Allow self-service storage facility owners to tow motor vehicles and boats after sixty or more days of delinquency; provided that owners provide delinquent occupants with appropriate notice;
- (2) Reflect the modern needs of the industry by 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) Allow self-service storage facility owners to limit their liability to the maximum monetary value of property that may be stored pursuant to a rental agreement;



- (4) Require any late fees charged by self-service storage facility owners to be provided for in the rental agreement; and
- (5) Require self-service storage facility owners to notify occupants of the changes in this measure.

Your Committee received testimony in support of this measure from the National Self Storage Association. Your Committee received testimony in opposition to this measure from the Office of Consumer Protection, Department of Commerce and Consumer Affairs.

Your Committee finds that the State's self-storage facilities lien law has remained virtually unchanged since its enactment in 1984. This measure updates and clarifies Hawaii's self-storage lien laws.

Your Committee has amended this measure by:

- (1) Specifying that only a motor vehicle may be towed away at the expense of the owner of the vehicle pursuant to section 290-11, Hawaii Revised Statutes, because that section does not cover boats;
- (2) Clarifying that "verified mail" means any method of mailing that is offered by the United States Postal Service that provides evidence of the mailing or a private delivery service that provides evidence of the delivery of the document;
- (3) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 288, S.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.



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

  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 288, SDI</b>	Committee Referral: <b>CPH, JDL</b>	Date: <b>3/2/17</b>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     
  Pass, with amendments 2311     
 Hold 2310     
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>

Recommendation:     
 Adopted     
 Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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