

STAND. COM. REP. NO.

2328

Honolulu, Hawaii

FEB 14 2018

RE: S.B. No. 2326
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Transportation and Energy, to which was referred S.B. No. 2326 entitled:

"A BILL FOR AN ACT RELATING TO TOWING,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure individuals who have failed to pay for parking because of an inoperable ticket issuing machine are not unfairly punished by prohibiting a towing company from towing a vehicle that has failed to pay for parking if the ticket issuing machine is inoperable.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and one individual.

Your Committee finds that having a car towed can be stressful and costly, and having a car towed even though the driver is not at fault can be especially burdensome. Your Committee concludes that this measure enhances consumer protection by ensuring that drivers who have not paid for parking due to an inoperable ticketing machine will not have their cars towed.

However, your Committee finds that while protecting drivers from towing when the driver cannot pay due to an inoperable ticket issuing machine can reduce stress, drivers might still feel stressed by not knowing what to do when the ticket issuing machine



is inoperable. Your Committee believes that providing clear instructions is important in maintaining consumer protection.

Accordingly, your Committee has amended this measure to:

- (1) Require owners or operators of parking ticket issuing machines to list a customer service number on a visible, unobstructed location on the ticket issuing machine;
- (2) Require a client to call the customer service number listed on an inoperable ticket issuing machine within two hours of recognizing that the ticket issuing machine is inoperable to avoid being subject to towing;
- (3) Require an owner or operator to respond within ten minutes of the initial call by a client that the ticket issuing machine is inoperable and to send an attendant to service the ticket issuing machine within thirty minutes; and
- (4) Add a definition of "client".

As affirmed by the record of votes of the members of your Committee on Transportation and Energy that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2326, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2326, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Energy,


LORRAINE R. INOUE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* SB 2326	Committee Referral: TRE, JDC	Date: 2/9/2018		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ESPERO, Will (VC)		✓		
ENGLISH, J. Kalani	✓			
HARIMOTO, Breene	✓			
SHIMABUKURO, Maile S.L.		✓		
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Will Espero				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes