

STAND. COM. REP. NO.

2323

Honolulu, Hawaii

FEB 14 2018

RE: S.B. No. 2479

S.D. 1

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

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Transportation and Energy, to which was referred S.B. No. 2479 entitled:

"A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES,"

beg leave to report as follows:

The purpose and intent of this measure is to require the counties to remove and dispose of abandoned vehicles on public roads within ten business days.

Your Committees received testimony in support of this measure from the Maui Police Department; Ho'omanapono Political Action Committee; Ho'omana Pono, LLC; Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii; Hawaii County Councilmember Eileen O'Hara; and eleven individuals. Your Committees received testimony in opposition to this measure from the Department of Customer Services for the City and County of Honolulu and the County of Maui Department of Environmental Management Abandoned Vehicles Administrator.

Your Committees find that abandoned vehicles on public roads are a widespread environmental disaster that can impact human health and safety. Recently, the incidence of abandoned vehicles on public roads has increased significantly. Indeed, testimony presented to your Committees by the Department of Customer Services for the City and County of Honolulu indicates that last



year alone their department investigated 28,263 abandoned vehicle complaints and took action on 9,668 unwanted vehicles left on public property. Moreover, abandoned vehicles are often left sitting for extended periods before they are removed. Your Committees find that abandoned vehicles on public roads need to be removed in a timely manner to prevent and reduce public health and safety dangers.

Your Committees also recognize the concerns raised by the Department of Customer Services of the City and County of Honolulu relating to requirements that may impede the county's ability to deal with abandoned vehicles on public roads. Specifically, your Committees note needed changes to statutory requirements for the issuance of written notice to owners of abandoned vehicles and the disposal of abandoned vehicles via public auction. Your Committees find that these requirements are unnecessarily burdensome considering that notice is already attached to an abandoned vehicle and the counties hold regular public auctions of abandoned vehicles. In addition, your Committees note that the statutory conditions that define "derelict vehicles" should be updated to provide the counties with greater flexibility to rapidly dispose of these types of vehicles.

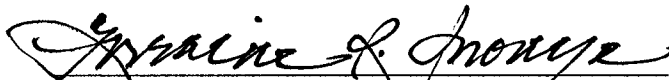
Accordingly, your Committees have amended this measure by:

- (1) Repealing the requirement that the counties dispose of abandoned vehicles within ten business days of abandonment;
- (2) Inserting language to specify that the requirement to provide written notice to the registered owner of an abandoned vehicle under section 290-2, Hawaii Revised Statutes (HRS), applies only to those abandoned vehicles that have been reported stolen;
- (3) Inserting language to amend the conditions that constitute a derelict vehicle under section 290-8, HRS;
- (4) Repealing section 290-3, HRS, requiring the disposal of abandoned vehicles by public auction; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Transportation and Energy that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2479, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2479, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Public Safety, Intergovernmental, and Military Affairs and Transportation and Energy,


LORRAINE R. INOUBE, Chair


CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 2479	Committee Referral: PSM/TRE, WAM	Date: 2/8/18		
<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
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
IHARA, Jr., Les				✓
THIELEN, Laura H.	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

