

STAND. COM. REP. NO.

2746

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2974  
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2974, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM CERTIFICATE OF TITLE FOR VESSELS ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to codify the Uniform Certificate of Title for Vessels Act to:

- (1) Require certain vessel owners to apply for a certificate of title within twenty days of becoming an owner or within twenty days of establishing principal use of the vessel in waters of the State; and
- (2) Establish what information is required to be included in an application for certificate of title for a vessel; how to deal with transfer of vessel ownership and title; rights of a secured party; and rights of a purchaser other than a secured party.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Commission to Promote Uniform Legislation; and Ho'omana Pono, LLC. Your Committee received comments on this measure from the Civil Beat Law Center for the Public Interest.



Your Committee finds that vessels under the jurisdiction of the Department of Land and Natural Resources that do not have a United States Coast Guard documentation number are only required to obtain a certificate of number with the Department's Division of Boating and Ocean Resources' Vessel Registration Office, which does not ensure that a vessel has not been stolen and can lead to extensive fraud. This measure will improve the ability of the Department of Land and Natural Resources to reduce the number of stolen vessels being fraudulently registered in the State.

Your Committee has amended this measure by:

- (1) Adopting the language suggested by the Department of Land and Natural Resources to specify that information collected in the process of title registration shall be confidential; and
- (2) 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2974, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2974, S.D. 2.

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

  
BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:	Committee Referral:	Date:
SB 2974, SDI	WTL, JDC	2/27/2018

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
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				/
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	4	0	0	1

Recommendation:  Adopted     Not Adopted

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

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\*Only one measure per Record of Votes