

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHAN GREMS
DEPUTY CHIEFS

OUR REFERENCE DI-MK

March 29, 2018

The Honorable Brian T. Taniguchi, Chair
and Members
Committee on Judiciary
State Senate
415 South Beretania Street, Room 219
Honolulu, Hawaii 96813

Dear Chair Taniguchi and Members:

Subject: House Bill No. 2442, H.D. 2, S.D. 1, Relating to Abandoned Vehicles

I am Major Darren Izumo of District 5 (Kalihi) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 2442, H.D. 2, S.D. 1. This bill will help the City dispose of vehicles taken into custody, thus making more storage space available. The lack of legal storage space has been the limiting factor in the removal of untaxed, abandoned, and derelict vehicles on Oahu.

The HPD is aware that abandoned and derelict vehicles are a safety and quality of life issue for the residents of Oahu, and this bill will help to make our island safer.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Izumo".

Darren Izumo, Major
District 5

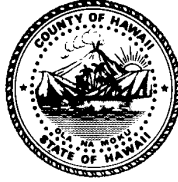
APPROVED:

A handwritten signature in black ink, appearing to read "Susan Ballard".

Susan Ballard
Chief of Police

Harry Kim
Mayor

Wilfred M. Okabe
Managing Director



William A. Kucharski
Director

Diane A. Noda
Deputy Director

County of Hawai'i
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāʻo'a Street, Suite 41 · Hilo, Hawai'i 96720
(808) 961-8083 · Fax (808) 961-8086
cohdem@co.hawaii.hi.us

<http://www.hawaiicounty.gov/environmental-management/>

March 27, 2018

Senator Brian T. Taniguchi, Chair
Committee on Judiciary
State of Hawai'i Senate
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: **Comments on HB2442 HD2 SD1**
(Relating to Abandoned Vehicles)

Date: March 29, 2018 (Thursday)

Time: 9:30 a.m.

Dear Chairperson Taniguchi and Members of the Committee on Judiciary

1. The County of Hawaii (COH) is providing comment on HB2442 HD2 SD1.
2. The revisions made to HB 2442 HD2, SD1 are both positive and appropriate for the County of Hawai'i (COH). The ten (10) day custody provision(Section 290-1 (a)) is not considered necessary by the COH since it is the practice of COH to have abandoned vehicles removed within six (6) days of abandonment. Because of this practice, the ten (10) day period is simply commented upon.
3. Requiring each County to adopt notification regulations for owners of abandoned vehicles (Section 290-2 Notice to owner, subsection (b)) is supported, and COH is in full agreement with this modification. This subsection supports the property rights of responsible owners by requiring that they be appropriately notified before the County sells or otherwise disposes of their personal property. The adoption of such rules also requires that the process will be subjected to public review and comment prior to adoption. This obligation is supported by COH.

Thank you for your consideration of this testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Kucharski".

William A. Kucharski, Director, Department Environmental Management, COH

HB-2442-SD-1

Submitted on: 3/28/2018 7:34:46 AM

Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

To the Honorable Brian T. Taniguchi, Chair; the Honorable Karl Rhoads, Vice-Chair, and Members of the Committee on Judiciary:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") on Legislative Priorities of the Democratic Party of Hawaii. Thank you for this opportunity to provide written testimony on **HB2442 HD2 SD1** relating to Abandoned Vehicles; Removal and Disposal; Counties; and Public Roads.

The OCC Legislative Priorities Committee is in favor of **HB2442 HD2 SD1** and support its passage.

HB2442 HD2 SD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requires the counties to take into custody any abandoned vehicle on a public road within ten business days; specifies that the requirement to provide written notice to the registered owner of an abandoned vehicle under section 290-2, Hawaii Revised Statutes, applies only to abandoned vehicles that have been reported stolen; amends the conditions that constitute a derelict vehicle; and repeals the requirement that abandoned vehicles be disposed of by public auction, effective on 1/1/2100.

The DPH Platform states that "The Democratic Party of Hawai'i believes that the preservation and restoration of our natural environment is essential. We support a sustainable society that utilizes the earth in such a way that future generations will benefit from the practices of our generation. We support the restoration, preservation, and protection of our native ecosystems on each island. We believe in integrated approaches, practices, and support public policies that create and maintain a sustainable way of life in Hawai'i.

We believe in supporting best management practices in sustaining our environment. and in increased citizen involvement. We support programs that encourage sustainable clean, efficient, creative and environmentally friendly modes of transportation, recycling and waste reduction.

The conservation, preservation and restoration of Hawaii's natural resources are connected to the health and welfare of our people; therefore, we support the conservation and protection of our natural environment, which includes reducing our carbon footprint for the benefit of current and future generations.

We support the protection of our 'aina against destruction by corporate, government, or military usage and expect full restoration and reparation of environmental damage. To handle current and future demands for water, we must assess the current condition of our aquifers and take appropriate actions to secure our fresh water resources." (Platform of the DPH, PP. 8, Lines 407-425 (2016)).

We believe in the vigorous enforcement of our environmental laws and increased public-private stewardships and citizen involvement in protecting our resources. (Platform of the DPH, P. 8, Lines 432-433 (2016)).

Given that **HB2442 HD2 SD1** requires the counties to take into custody any abandoned vehicle on a public road within ten business days; specifies that the requirement to provide written notice to the registered owner of an abandoned vehicle under section 290-2, Hawaii Revised Statutes, applies only to abandoned vehicles that have been reported stolen; amends the conditions that constitute a derelict vehicle; and repeals the requirement that abandoned vehicles be disposed of by public auction, effective on 1/1/2100, it is the position of the OCC on Legislative Priorities to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC on Legislative Priorities

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889

HB-2442-SD-1

Submitted on: 3/27/2018 1:50:34 PM

Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sara Perry	Individual	Support	No

Comments:

There need to be stricter timelines for abandoned vehicle removal, regardless of the excuses of the City and their contractors who do the work. Abandoned vehicles (AVs) have been piling up the last few years in our neighborhoods, at beach parks, in parking lots, and on roadsides. They are not only an eyesore, but are a hazard to pedestrians, residents, children, and the environment. They are a target for vandalism and theft, and are often left where they are dumped for months at a time. This is unacceptable. Please set firm timelines for those AVs to be removed, and kindly consider the following additional amendment:

--> If a vehicle is determined to have been most recently owned by a military member, please require that those vehicles be towed to and stored on federal and/or military property, at the expense of the military (which can and should be passed on to the last registered owner). Additionally, request that those AVs become the military's responsibility to trace the last registered owner of, and deal with disposal of, that AV or derelict vehicle. This way, state residents and non-military registered vehicle owners who are actually paying their **fair** shares in the way of registration fees will get prioritized, rather than military members who are only paying \$20.50 annually in registration fees for that vehicle. This will help mitigate AV dumping by military members who find it easier to dump a vehicle and claim ignorance in ownership versus properly disposing of their vehicles. The hope is that it will indirectly prompt the military to address the issue of their members rampant vehicle abandonment in house, rather than pretend it is not their problem and force the state to continue to clean up the mess of their members.

HB-2442-SD-1

Submitted on: 3/28/2018 11:29:38 AM

Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Huffman	Individual	Support	No

Comments:

I strongly support HB2442. Lately I have noticed far too many abandoned vehicles on the roads (especially on the way to North Shore). They are a danger, a nuisance, and a severe eyesore. There is a car on my street (Green near Victoria) that has many old tickets on it and is taking a parking spot. It should be towed. This legislation will help solve the problem of countless abandoned cars littering our beautiful home. They can't be good for tourism either, which is a large income generator for the state.

HB-2442-SD-1

Submitted on: 3/28/2018 11:09:53 AM

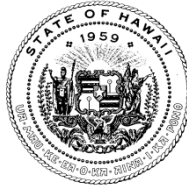
Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Kay	Individual	Support	No

Comments:

I am in strong support of HB2442 HD2 SD1j. I believe this legislation is necessary because the C&C Honolulu isn't doing its job. There are four abandoned vehicles on Puowaina Drive (Honolulu) within one block of my home. These vehicles have not been moved in over eight months. I have reported these vehicles to the city numerous times. They have been chalked and ticketed, and I've been told by the city that they are on the tow list, yet they remain unmoved.

DAVID Y. IGE
GOVERNOR



Testimony by:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROY CATALANI
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 29, 2018
9:30 a.m.
State Capitol, Room 016

H.B. 2442, H.D.2, S.D.1
RELATING TO ABANDONED VEHICLES

Senate Committee on Judiciary

The Department of Transportation (DOT) **opposes** H.B. 2442, H.D.2, S.D.1 relating to abandoned vehicles. DOT opposes this bill because it would, in part, require the DOT to adopt rules for functions undertaken by other government agencies.

Chapter 290, Hawaii Revised Statutes (HRS), clearly identifies abandoned vehicle responsibilities as a county function, except in HRS Section 290-1(b), which specifically provides the Hawaii public housing authority to remove abandoned vehicles from any public housing property. DOT strongly believes that the counties and the public housing authority have their processes established to carry out their respective responsibilities as required by HRS Chapter 290.

Therefore, the DOT recommends that Section 2 of the bill be deleted.

Thank you for the opportunity to provide testimony.



HB-2442-SD-1

Submitted on: 3/28/2018 4:35:10 PM

Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
David Dunbar	Individual	Support	No

Comments:

Abandoned vehicles in the Puna area seem to be epidemic. Not only are they an eyesore and dangerous, but contribute to a sense of criminal activity and neglect in the areas where they're left. This may have an affect on property value or livability of particular subdivisions.

HB-2442-SD-1

Submitted on: 3/28/2018 7:37:40 PM

Testimony for JDC on 3/29/2018 9:30:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Karin Nomura	Individual	Support	No

Comments:

As the law is currently, any vehicle in the same spot for more than 24 hours, can be reported to the police department and towed...which I've seen police officers wait till the tow truck appears and towed away...in others a vehicle could remain in the same spot (regardless of being in an illegal parking space - ie. in front of a fire hydrant, around corners (some making the two lane street a one way), etc. for weeks, months, and not towed or dealt with at all. Because of this, it seems that unless this bill is passed where it's dealt with within 10 days, abandoned vehicles will continue to litter, take up possible parking areas/space, on our roads.