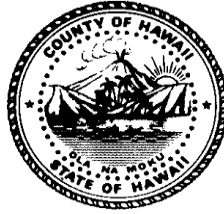


**Eileen O'Hara**  
Council Member  
Council District 4



**Phone:** (808) 965-2712  
**Fax:** (808) 961-8912  
**Email:** eileen.ohara@hawaiiicounty.gov

**Chair:** Environmental  
Management Committee

**Vice Chair:** Planning Committee and  
Agriculture, Water & Energy  
Sustainability Committee

**County of Hawaii**  
**Hawaii County Council**

25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720

Representative Henry J.C. Aquino  
Chair, House Committee on Transportation  
Hawai'i State House of Representatives

February 12, 2018

**Re: In Support of House Bill 2442, from Hawai'i County Council District 4**  
**To be heard by TRN on Wednesday, 02-14-18 10:30AM in House conference room 423**

Aloha Chair Aquino and Committee Members:

I'm writing to express my support for House Bill 2442, which requires the Counties to remove and dispose of abandoned vehicles on public roads within ten business days.

Ten days is a very reasonable amount of time to accommodate coordinated efforts to remove unsightly and sometimes dangerous abandoned vehicles on the sides of our roads. Please consider the impact this will have on our safety and economy, and contact me if you have any questions about my support.

Sincerely,

A handwritten signature in black ink that reads "Eileen O'Hara". The signature is written in a cursive, flowing style.

Eileen O'Hara  
Council Member  
Council District 4

DEPARTMENT OF CUSTOMER SERVICES  
**CITY AND COUNTY OF HONOLULU**

MISSION MEMORIAL BUILDING  
550 SOUTH KING STREET, HONOLULU, HAWAII 96813  
TELEPHONE: (808) 768-3392 FAX: (808) 768-1591  
<http://www.honolulu.gov>

KIRK CALDWELL  
MAYOR



SHERI T. KAJIWARA  
DIRECTOR

RANDY M. LEONG  
DEPUTY DIRECTOR

TESTIMONY OF SHERI KAJIWARA, DIRECTOR  
CITY AND COUNTY OF HONOLULU, DEPARTMENT OF CUSTOMER SERVICES  
Wednesday, February 14, 2018, 10:30 a.m., Conference Room 423

SUPPORT OF HB 2442 , RELATING TO ABANDONED VEHICLES WITH AMENDMENTS

TO: The Honorable Henry J.C. Aquino  
And Members of the Committee on Transportation

The City and County of Honolulu ("City") Department of Customer Service supports the intent of H.B. No. 2442 and provides an amendment that this measure apply only to the removal of abandoned vehicles within 10 business days. The removal of an AV is separate from the disposal process, both with varying rules and timelines.

The Department of Customer Service is responsible for addressing abandoned vehicles on Oahu's roadways.

**Removal Process**

The removal process is the primary concern. Once the vehicle is identified as abandoned, as outlined by section 290-1, Hawaii Revised Statutes (HRS), the City has imposed upon ourselves a 72 hour window for AVs to be removed from public streets. That is my target, and we are working every day to meet our own mandate but with severe frustration. Imposing a 10 day requirement will not help remedy the situation. The biggest frustration is a lack of space. There is less and less open land to lease on this island. Fewer landowners are willing to lease the lots they do have for the purpose of storing vehicles. EPA and environmental concerns make it costly. Our contractors are losing their current lots and are struggling to find additional lots to lease. But given sufficient land and space, perhaps with the assistance of the state, I am confident that AVs can be removed from public roads in under 10 days. What most affects space? It's the rate of disposal.

**Disposal Process**

Once taken into custody, section 290-2, HRS, requires that a written notice be sent to the registered owner on record allowing up to 20 business days for the vehicle to be claimed. Once that time has passed, section 290-3, HRS, mandates the vehicle be disposed of by public auction. The City conducts regular abandoned vehicle auctions monthly. Only if unsuccessfully auctioned can the City dispose of the vehicle.

In addition to this statutory timeline, beginning last year, we have been challenged with vehicles owned by military service members. In accordance with the provisions of 50 U.S.C. §551, Servicemembers Civil Relief Act, the City is prohibited from disposing of these

vehicles without a waiver of release signed by the registered owner. We are required to locate the service member, majority of whom are no longer on island, to obtain the release. In the absence of a signed waiver, the City must seek a court order allowing disposal. All this is costly, time consuming, and consumes valuable space.

Now, imagine that the notification and auction process is complete and the military-related SCRA processing is satisfied. We now face a salvage challenge. The State Department of Health issued approvals of just five salvage sites capable of processing disposed cars. One of them just lost their lease and cannot do business until a new lot is found and the state issues a new permit. That was the City's tow contractor. The other four businesses are at capacity and are turning away cars.

So running out of space to store and lacking options to process, abandoned vehicles sit.

### **How can the State assist in addressing this growing issue?**

- Assist in providing land for the storage of abandoned vehicles in various communities.
- Repeal the mandate that AVs be disposed of via public auction.
- With the declining price of scrap metal, the state should consider offering more incentives for businesses to do this work to meet demand.
- Help stop the illegal abandonment of vehicles through heavier penalties. There are no strong penalties in place to deter such action. Many of the citations issued are ignored. Alternatives need to be developed for our unique island state.

Last year alone, Hawaii saw 84,051 new or transferred vehicles brought onto the islands. Last year alone, my small staff of 12 investigated 28,263 abandoned vehicle complaints and took action on 9,668 unwanted vehicles left on public property.

We also have found that many of these abandoned vehicles were not even registered as required by law. Stronger registration laws may need to be considered. It is difficult to hold someone accountable, should we choose to do so, if there is no record of ownership.

Thank you for the opportunity to convey our recommendations related to H.B. No. 2442.

**HB-2442**

Submitted on: 2/13/2018 10:06:42 AM

Testimony for TRN on 2/14/2018 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	OCC Legislative Priorities Committee	Support	No

Comments:

**HB-2442**

Submitted on: 2/12/2018 9:28:58 PM

Testimony for TRN on 2/14/2018 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sara Perry	Individual	Support	No

Comments:

I support this bill and offer amendments:

1. Mandate tagging with an AV ID# ( abandoned vehicle identification number ) within 5 working days.
2. Add funding to fund 2 more full time employees to meet this time constraint demand.
3. Mandate removal of tagged vehicles from their dump site within 10 working days of when the AV ID# was marked on the vehicle.
4. Mandate that vehicles whose owner is identified as "military" be stored by the military on military property, and left up to the military to locate the current owner or scrap the vehicle in question in a timeline allowable by the federal Act governing disposal or sale of a servicemembers property.

**HB-2442**

Submitted on: 2/13/2018 10:39:21 AM

Testimony for TRN on 2/14/2018 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tamara Farnsworth	Individual	Oppose	No

Comments:

Aloha,

As the County of Maui Abandoned Vehicles Administrator, I am writing to oppose HB 2442. The intention of the bill is understandable; however, in practice, the bill would negatively impact county abandoned vehicles programs, and ultimately, is not feasible. While it may be assumed that the intention is to remove vehicles from public eye within 10 days, the placement of the new language after the words “disposed of” is contradictory to other mandates within HRS 290. Counties are tasked with notification to owners, storage, and auction of vehicles, all of which require a minimum of 10 days to accomplish.

Counties do not have the resources to accomplish the intent of this bill, and if it were to pass, we would require the Highway Beautification Fund to be increased, and the \$10 maximum to be increased. Please consider these changes before you implement legislation that cannot be adhered to.

There are many reasons why counties would not have the ability to accomplish the proposed 10-day removal including but not limited to: non-timely submission of reports by police department, vehicles may need to be cleaned out of trash before tow, special equipment may need to be ordered for certain tows requiring special procurement and logistics, storage facilities may be inadequate, and realistically, the volume of abandoned vehicles that have been reported exceeds counties’ ability to remove them within a 10-day period. To my knowledge, all of the counties’ abandoned vehicles programs are understaffed and budgets are stretched to limits.

There are subsections of HRS Ch.290 that may be modified to increase counties’ ability to remove some vehicles from public roadways more quickly; however, the particular mandate of HB 2442 and SB2479 is not practicable. I urge this body to reject this bill.

Please contact my office, or those of the other counties, so that we can work together to improve our abilities to remove vehicles from public roadways to enhance the safety and beauty of our islands. This bill is NOT the way to accomplish a currently impossible task.

Mahalo,

**Tamara Farnsworth**

**Abandoned Vehicles & Metals Administrator**

County of Maui

Department of Environmental Management

Environmental Protection & Sustainability Division

2145 Wells St., Suite 103

Wailuku, HI 96793

Phone (808) 270-8217

Cell (808) 856-1668

Fax (808) 876-4601



BERNARD P. CARVALHO JR.  
Mayor

WALLACE G. REZENTES JR.  
Managing Director

## POLICE DEPARTMENT COUNTY OF KAUAI

3990 KAANA STREET, SUITE 200  
LIHUE, HAWAII 96766-1268  
TELEPHONE (808) 241-1600  
FAX (808) 241-1604  
[www.kauai.gov/police](http://www.kauai.gov/police)



DARRYL D. PERRY  
Chief of Police  
[dperry@kauai.gov](mailto:dperry@kauai.gov)

MICHAEL M. CONTRADES  
Deputy Chief of Police  
[mcontrades@kauai.gov](mailto:mcontrades@kauai.gov)

### Testimony before the House Committee on Transportation HOUSE BILL 2442 Relating to Abandoned Vehicles

**LATE**

February 14, 2018 at 10:30 AM  
Conference Room 423

By Darryl D. Perry  
Chief of Police, County of Kaua'i

Chair Henry J.C. Aquino, Vice Chair Sean Quinlan, Honorable Members of the Committee:

The Kauai Police Department **opposes** the passage of House Bill No. 2442, Relating to Abandoned Vehicles.

For the County of Kaua'i, the Kaua'i Police Department is responsible for the posting and towing of abandoned vehicles. In 2017, the Kaua'i Police Department received 1,119 reported abandoned/derelict vehicles. 834 were abandoned and 365 were derelict. We have one coordinator who is responsible for the process of abandoned and derelict vehicle complaints for entire island of Kauai.

Due to the volume of abandoned vehicle complaints it takes approximately two to four weeks for the abandoned vehicle coordinator to post and tow an abandoned vehicle from the time a complaint is made. From the point of complaint to actual "disposal", it takes approximately 45 days. 10 business days to post, tow, and dispose of an abandoned vehicle is unmanageable and unrealistic.

Posting, towing, and disposing of an abandoned vehicle is a process. When a complaint is received, the vehicle is posted as soon as practical. After twenty-four hours or soon thereafter, the coordinator returns to the vehicle to seize it and notifies the tow company. The tow company has by noon of the following workday to remove the vehicle and transport the vehicle to the recycling company. Because of the volume of abandoned vehicles and the potential distance between report vehicles, at times, it may take the tow company longer. Once the towing company provides an invoice for the tow, based on Hawai'i Revised Statutes (HRS) §290-2, a letter is sent to the owner of the vehicle notifying the owner of the seizure. If the owner is



located in State of Hawaii, the owner has 10 days to claim the vehicle. If the owner is out-of-state, the owner has 20 days to claim the vehicle.

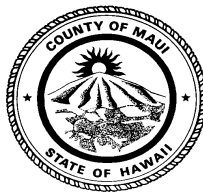
If the vehicle is not claimed within the specified period of time the vehicle shall be disposed of by auction. Based on HRS §290-5 Waiver of public auction requirements, if the value of the vehicle is determined to be under one thousand dollars the vehicle can be disposed of and auctioning is not required. On Kaua'i, the vast majority of the vehicles seized are under one thousand dollars in value.

Pursuant to HRS §1-28.5 Publication of Notice, a public advertisement is made in the newspaper if a vehicle's value is determined to be under a thousand dollars. Once public notice is given and no claim is made for the vehicle, the recycling company is notified to dispose of the vehicle.

As stated, the entire process takes up to 45 days to dispose of an abandoned vehicle due to the volume of vehicles being processed, the requirements of HRS, and our reliance on private tow companies.

For these reasons the Kaua'i Police Department is opposed to House Bill No. 2442 and we urge you to oppose the bill as well. Thank you for the opportunity to testify.

ALAN M. ARAKAWA  
MAYOR



200 South High Street  
Wailuku, Maui, Hawai'i 96793-2155  
Telephone (808) 270-7855  
Fax (808) 270-7870  
E-mail: mayors.office@mauicounty.gov



**OFFICE OF THE MAYOR**  
Ke`ena O Ka Meia  
COUNTY OF MAUI – Kalana O Maui

February 13, 2018

TESTIMONY OF ALAN M ARAKAWA  
MAYOR  
COUNTY OF MAUI

BEFORE THE HOUSE COMMITTEE ON TRANSPORTATION

Wednesday, February 14, 2018, 10:30 a.m.  
Conference Room 423

HB2442 RELATING TO ABANDONED VEHICLES.

Honorable Henry J.C. Aquino, Chair  
Honorable Sean Quinlan, Vice Chair  
Honorable Members of the House Committee on Transportation

Thank you for this opportunity to testify in **OPPOSITION** to HB2442.

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

The intention of the bill is understandable; however, in practice, the bill would negatively impact county abandoned vehicles programs, and ultimately, is not feasible. While it may be assumed that the intention is to remove vehicles from public eye within 10 days, the placement of the new language after the words "disposed of" is contradictory to other mandates within HRS 290. Counties are tasked with notification to owners, storage, and auction of vehicles, all of which require a minimum of 10 days to accomplish.

Counties do not have the resources to accomplish the intent of this bill, and if it were to pass, we would require the Highway Beautification Fund to be increased, and the \$10 maximum to be increased. Please consider these changes before you implement legislation that cannot be adhered to.

There are many reasons why counties would not have the ability to accomplish the proposed 10-day removal including but not limited to: non-timely submission of reports by police department, vehicles may need to be cleaned out of trash before tow, special equipment may need to be ordered for certain tows requiring special procurement and logistics, storage facilities may be inadequate, and realistically, the volume of abandoned vehicles that have been reported exceeds counties' ability to remove them within a 10-day period. To my knowledge, all of the counties' abandoned vehicles programs are understaffed and budgets are stretched to limits.

There are subsections of HRS Ch.290 that may be modified to increase counties' ability to remove some vehicles from public roadways more quickly; however, the particular mandate of HB 2442 is not practicable.

For these reasons I **OPPOSE** HB2442.

Sincerely,

Alan M. Arakawa  
Mayor, County of Maui

**LATE**

**HB2442 HD1**

Submitted on: 2/12/2018

Testimony for TRE on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Ramirez	Individual	Support	No

Comments: February 12, 2018

RE: I SUPPORT HB2442

RELATING TO: Abandon Vehicles

TITLE: Abandon Vehicles; Removal and Disposal; Counties; Public Roads

NAME: Deborah Ramirez

TO Committee Members: Gates, Brower, Evans, C. Lee, Quinlan, Takumi, Todd

Dear Representatives:

I support HB2442.

Waianae is our home. Some folks call Waianae "God's country". Would you want abandon vehicles on your street?

Aside from the aesthetic pollution burned out, broken, stripped vehicles create, they are also dangerous for children who will play in these vehicles. Vermin will take residence. Hazardous material could be inside; broken glass outside; and gasoline could be accessible.

The longer it takes to remove these eyesores the easier it becomes for these vehicles to be forgotten. Waianae is not a dumping ground for these vehicles.

I appreciate your decision to make sure these vehicles are removed as quickly as possible and certainly no later than ten day.

Thank you.

Aloha,

Deborah Ramirez

87-128 Kulala Pl. Waianae HI 96792

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

**LATE**

**HB2442 HD1**

Submitted on: 2/12/2018

Testimony for TRE on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Maureen Dere	Individual	Support	No

Comments: Aloha Chair Aquino,

My Name is Maureen Dere, and I am testifying in support of SB2442 because we need it for our communities and our people. There are major hazards when the cars are left and stripped. I worry that it may become a health hazard & cause injury to children and adults who touch and "play" inside these abandoned cars. It is also psychologically depressing to see our community littered with these ugly-rusted cars and trucks.

Mahalo for you consideration,

Maureen Dere

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

**LATE**

**HB2442 HD1**

Submitted on: 2/12/2018

Testimony for TRE on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Jo C. Stroud	Individual	Support	No

Comments: Aloha Chair Aquino,

My Name is Dr. Jo C. Stroud and I am testifying in support of SB2479 because we need it for our communities and our people. There are major hazards created when the cars are jacked up and stripped. I worry that a child or adult will be crushed or injured. It is also psychologically depressing to see our community decorated with these sad cars and trucks.

Mahalo for you consideration,  
Dr. Jo C. Stroud.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Lilly Cabinatan	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Lia Lafaelle	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

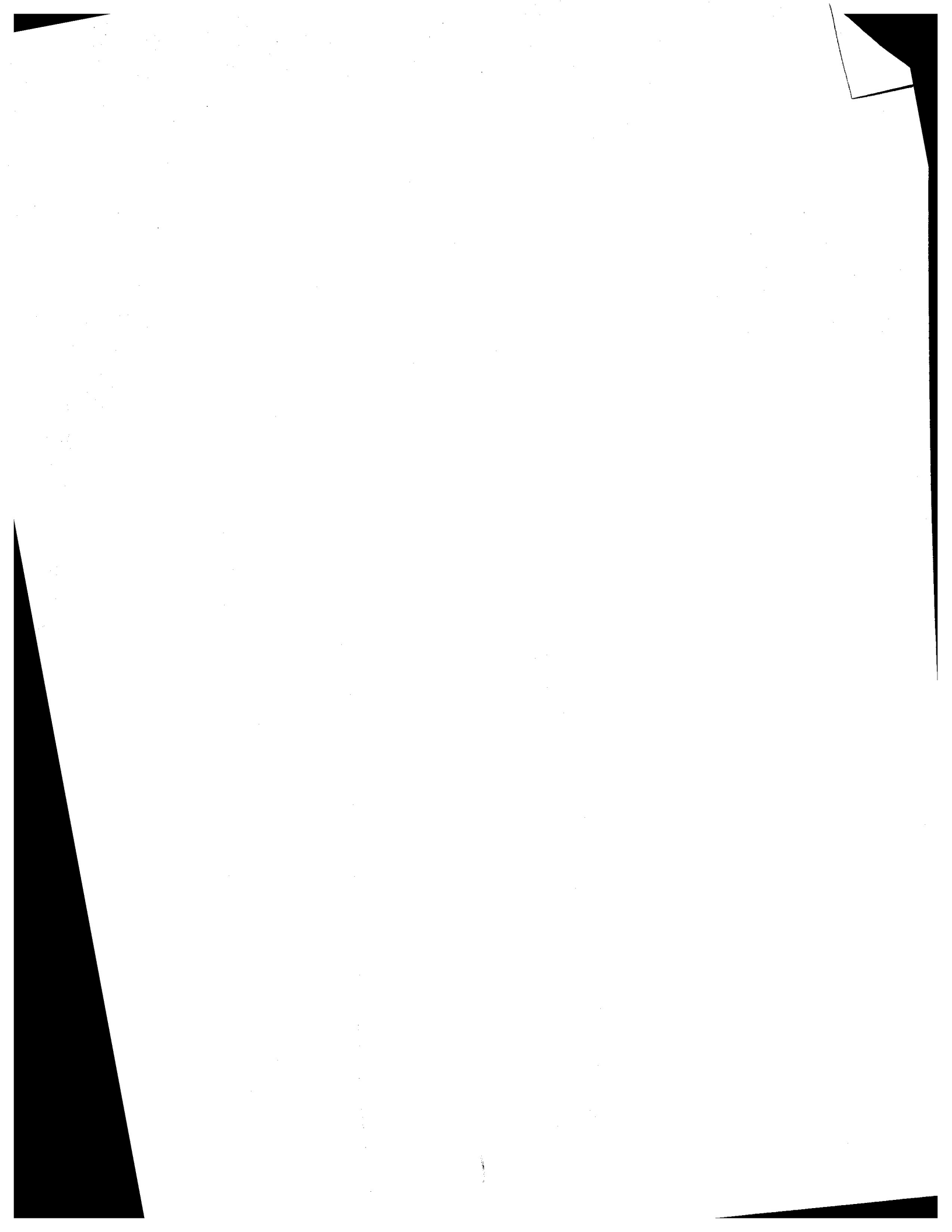
Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

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

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Trey Scott	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Lovelyn Ampeloquio	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Zach Ramirez	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Filisouaiga Meleisea	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Lincoln Naiwi Jr	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Valline Schmidt	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Leong	Individual	Support	No

Comments: N/A

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**LATE**

**HB2442**

Submitted on: 2/14/2018

Testimony for TRN on February 14, 2018 10:30AM in Conference Room 423

Submitted By	Organization	Testifier Position	Present at Hearing
William Gates Jr	Individual	Support	No

Comments: N/A

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