



DAVID Y. IGE  
GOVERNOR  
  
SHAN S. TSUTSUI  
LT. GOVERNOR

**STATE OF HAWAII**  
**OFFICE OF THE DIRECTOR**  
**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
335 MERCHANT STREET, ROOM 310  
P.O. Box 541  
HONOLULU, HAWAII 96809  
Phone Number: 586-2850  
Fax Number: 586-2856  
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR  
  
JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

TO THE SENATE COMMITTEE ON  
TRANSPORTATION AND ENERGY

TWENTY-NINTH LEGISLATURE  
Regular Session of 2018

Thursday, February 1, 2018  
12:45 p.m.

**TESTIMONY ON SENATE BILL NO. 2326, RELATING TO TOWING.**

TO THE HONORABLE LORRAINE R. INOUE, CHAIR, AND MEMBERS OF THE  
COMMITTEE:

The Department of Commerce and Consumer Affairs (“Department”) appreciates the opportunity to testify on S.B. 2326, Relating to Towing. My name is Stephen Levins, and I am the Executive Director of the Department’s Office of Consumer Protection. The Department supports this bill and offers the following comments.

This bill adds a new section to Hawaii Revised Statutes (“HRS”) chapter 291C, the Statewide Traffic Code, to: (1) prohibit towing companies from towing a vehicle parked in a parking stall that would require a person to pay for parking at a ticket issuing machine if the ticket issuing machine is inoperable; and (2) define “ticket issuing machine.”

For most drivers, having a car towed can be a stressful and costly event because of the expense and inconvenience of retrieving a towed vehicle from a towing company’s base yard. Hawaii’s towing statute, HRS section 290-11, informs vehicle owners of their rights when their car is towed by regulating: (1) the parking restriction signage requirements for private and public properties; (2) the maximum fees a towing

company can charge a vehicle owner for towing, difficult hook-ups, and storage; (3) the payment methods a towing company must accept; and (4) the notice requirements a towing company must follow when it tows and returns a vehicle. Since section 290-11 regulates towing, the Department respectfully submits that section is a more appropriate placement for the provisions of this bill.

The new section proposed in this bill enhances consumer protection by prohibiting a towing company from towing a vehicle if a ticket issuing machine is not working and by minimizing illegal tows. Consumers should not be towed when there is no evidence their vehicle has parked longer than authorized.

Thank you for the opportunity to testify in support of S.B. 2326. I would be happy to answer any questions the Committee may have.

**SB-2326**

Submitted on: 1/29/2018 1:20:58 PM

Testimony for TRE on 2/1/2018 12:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez		Support	No

Comments: