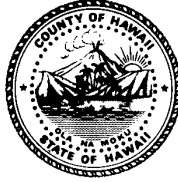


**Harry Kim**  
*Mayor*

**Wilfred M. Okabe**  
*Managing Director*



**William A. Kucharski**  
*Director*

**Diane A. Noda**  
*Deputy Director*

## County of Hawai'i

### DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūānāō'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/>

February 21, 2018

Senator Donovan M. Dela Cruz, Chair  
Committee On Ways and Means  
State of Hawai'i Senate  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: **Comments on SB 2479 SD1**  
**(Relating to Abandoned Vehicles)**  
Date: February 23, 2018 (Friday)  
Time: 10:00 a.m.

Dear Chairperson Dela Cruz and Members of the Committee on Ways and Means

The County of Hawaii (COH) submits these comments on SB 2479 SD1.

1. The modification to HRS 290-1 (SD1) deleted the original requirement to dispose of an abandoned vehicle within ten (10) days of being removed. This is positive.
2. However, the proposed modification to HRS 290-2 that removes the requirement to notify the registered owner of a towed abandoned vehicle (owner) of its whereabouts, or the process to be followed to recover the vehicle, unless the vehicle has been reported stolen, is not supported. The owner has twenty (20) days to reclaim the vehicle, but the requirement to notify the owner (unless the vehicle was reported stolen) has been removed. COH does not support this removal of notification obligations for the majority of abandoned vehicles.
3. The change from may to shall will have little or no impact on our current abandoned vehicle operations. Before an abandoned vehicle can legally be removed by COH, the vehicle must be ticketed by authorized authorities and at least 24 hours must pass to verify abandonment as described in HRS 290-1. Current practice in COH is to require towing from a hired contractor within 72 hours of official notification from the ticketing authority that a vehicle abandonment has occurred.
4. The COH does not believe that it is appropriate for HRS 290 to allow for the remove of personal property and then allow it to be sold or destroyed without any obligation to notify the owner of what may occur. A process must be put into effect whereby these vehicles can be retrieved by the lawful owner, where the owner has been appropriately notified and in a timely manner. Given

that many Hawaii residents may spend a good portion of their time on the mainland, or military personnel are regularly deployed out of State, the lack of protection to the owners cannot be supported, especially the lack of notification obligations. In cases where there is no registered owner on record, there is no issue with the sale or destruction of such property in a short time period.

Thank you for considering these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Kucharski". The signature is fluid and cursive, with a prominent initial "W" and a long, sweeping underline.

William A. Kucharski  
Director, Department of Environmental Management

**SB-2479-SD-1**

Submitted on: 2/20/2018 7:30:06 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
De MONT R. D. CONNER	Testifying for Ho'omanapono Political Action Committee (HPAC)	Support	Yes

Comments:

We STRONGLY SUPPORT this bill, which will provide much needed relief to the "Abandoned Vehicle Graveyard", a.k.a. THE WESTSIDE!!!

**SB-2479-SD-1**

Submitted on: 2/21/2018 4:22:02 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments:

**OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES**

**DEMOCRATIC PARTY OF HAWAI'I**

THE COMMITTEE ON WAYS AND MEANS

THE HOUSE OF REPRESENTATIVES

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Friday, February 23, 2018

10:00 AM

Hawaii State Capitol, Conference Room 211

RE: Testimony in Support of SB2479 SD1 RELATING TO TO ABANDONED VEHICLES

To the Honorable Donovan M. Dela Cruz, Chair; the Honorable Gilbert S.C. Keith-Agaran, Vice-Chair, and Members of the Committee on Ways and Means:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on Senate Bill No.2479 SD1, relating to abandoned vehicles; removal and disposal; counties; and public roads,

The OCC Legislative Priorities Committee is in favor of Senate Bill No. 2479 SD1 and support its passage.

Senate Bill No. 2479 SD1 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it (1) requires the counties to take into custody abandoned vehicles on public roads within ten business days, (2) 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 those abandoned vehicles that have been reported stolen, (3) amends the conditions that constitute a derelict vehicle under section 290-8, Hawaii Revised Statutes, and (4) repeals section 290-3, Hawaii Revised Statutes, requiring the disposal of abandoned vehicles by public auction.

The DPH Platform states that "[w]e 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." (Platform of the DPH, P. 8, Lines 413-415 (2016)).

Given that Senate Bill No.2479 SD1 (1) requires the counties to take into custody abandoned vehicles on public roads within ten business days, (2) 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 those abandoned vehicles that have been reported stolen, (3) amends the conditions that constitute a derelict vehicle under section 290-8, Hawaii Revised Statutes, and (4) repeals section 290-3, Hawaii Revised Statutes, requiring the disposal of abandoned vehicles by public auction, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours, /s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

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

**SB-2479-SD-1**

Submitted on: 2/16/2018 9:11:15 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aaron Donaldson	Individual	Oppose	No

Comments:

Aloha,

I am opposing the legislation proposal relating to abandoned vehicles. The reason I oppose this bill is because of the wording "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 those abandoned vehicles that have been reported stolen." What this bill suggests is that a person's vehicle which has not been reported stolen but has been deemed abandoned for ten business days will be disposed of by public auction WITHOUT any requirement to provide written notice to the registered owner. The registered owner may, for example, be dealing with a family emergency; this bill suggests that the State may take possession and ownership of their personal property without having to inform them.

**SB-2479-SD-1**

Submitted on: 2/17/2018 12:51:04 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

i support SB2479 SD1 to require the counties to take into custody abandoned vehicles on public roads within ten business days. The bill addresses safety and environmental concerns on public streets as well as improves the economic vitality of our communities. Please pass SB2479 SD1.

**SB-2479-SD-1**

Submitted on: 2/19/2018 1:01:21 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stan Mull	Individual	Support	No

Comments:

Aloha

Can you put a clause in this bill for abandoned vehicles on private property? This only addresses vehicles on public property. What about vehicles abandoned on private property or on a private lot or place of business?



**SB-2479-SD-1**

Submitted on: 2/19/2018 2:53:56 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
MILES MILER	Individual	Support	No

Comments:

This should also be enforced on private property

**SB-2479-SD-1**

Submitted on: 2/19/2018 3:06:58 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
CHRIS SHIMAMOTO	Individual	Support	No

Comments:

woud also like bill to include vehicles on private property

**SB-2479-SD-1**

Submitted on: 2/19/2018 3:38:35 PM

Testimony for WAM on 2/23/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keith Kippen	Individual	Support	No

Comments:

Could the issue of abandoned vehicles left on PRIVATE property also be addressed in this measure?

Thank you for the consideration of this issue.

**February 21, 2018**

**TO: Senator Donovan Dela Cruz, Chair  
Senator Gilbert Keith-Agaran, Vice Chair**

**Committee on Ways and Means**

**RE: Testimony in SUPPORT of SB2479 SD1 — Relating To Abandoned Vehicles**

**SUBMITTED BY:** Gail Gomes

**Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and Committee members:**

My name is Gail Gomes and I am a forty plus year resident of the Wai'anae Coast. I am the editor of our local community newspaper, *Westside Stories*, however today I am submitting testimony as an individual.

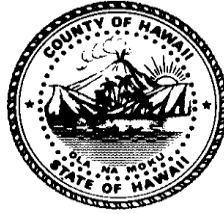
I am requesting your support of SB2479 SD1. Our entire Westside community has becoming a dumping ground for abandoned/derelict vehicles. Each day more and more vehicles are dumped alongside our roads, in our beach parks and in front of various businesses. Honolulu Police Department has been good in tagging these vehicles along with the City's abandoned vehicle division, BUT that's where it stops as the City claims there is no space to remove these vehicles to.

We also see commercial haulers dumping junk cars at various locations in our valleys and back roads as they claim the price of scrap metal is down and they have no place to store or remove the vehicles to.

I am urging everyone on this committee to **please support SB2479 SD1** for our Westside community and allow us to enjoy a safe, clean community again.

Mahalo,  
Gail Gomes  
86-232 Alamihi St  
Waianae HI 96792  
696-6782 (home) 696-7978 (work)

**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

Senator Donovan M. Dela Cruz  
Chair, Senate Committee on Ways and Means  
Hawai'i State Senate

February 20, 2018

**Re: In Support of Senate Bill 2479, from Hawai'i County Council District 4  
To be heard by WAM on 02-23-18 10:00AM in conference room 211**

Aloha Chair Dela Cruz and Committee Members:

I'm writing to express my support of Senate Bill 2479, 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 cursive script that reads "Eileen O'Hara".

Eileen O'Hara  
Council Member  
Council District 4