

SB-2479

Submitted on: 2/6/2018 1:52:28 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tamara Farnsworth	County of Maui Dep't of Env. Mgmt.	Oppose	No

Comments:

Aloha,

As the County of Maui Abandoned Vehicles Administrator, I am writing to oppose HB 2442 and SB2479. 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 Ch. 290. Counties are tasked with notification to owners, storage, and auction of vehicles, all of which require a minimum of 10 days to accomplish.

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.

Mahalo,

Tamara Farnsworth

Abandoned Vehicles& Metals Administrator

County of Maui

Department of Environmental Management

Environmental Protection & Sustainability Division

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CITY AND COUNTY OF HONOLULU

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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
Thursday, February 8, 2018, 10:15 a.m., Conference Room 225

OPPOSITION TO SENATE BILL 2479 , RELATING TO ABANDONED VEHICLES

TO: The Honorable Clarence K. Nishihara, Chair
And Members of the Committee on Public Safety, Intergovernmental, and
Military Affairs

The Honorable Lorraine R. Inouye, Chair
And Members of the Committee on Transportation and Energy

As the Director of the city's department of customer service, it is my agency that is responsible to address abandoned vehicles on Oahu's roadways.

The City and County of Honolulu ("City") opposes S.B. No. 2479 requiring counties to remove and dispose of abandoned vehicles ("AV") on public roads within 10 business days. The removal of an AV is separate from the disposal process, both with varying rules and timelines.

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?

With the declining price of scrap metal, perhaps the state can offer more incentives for businesses to do this work to meet demand.

Or better yet, we seek your help to stop the illegal abandonment of vehicles. 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.

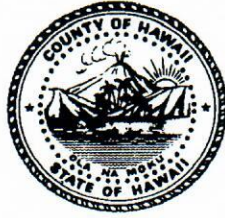
Last year alone, Hawaii saw 84,051 new or transferred vehicles brought onto the islands. Last year alone, my small staff of 12 investigated 28,263 abandoned vehicle complaints and took action on 9,668 unwanted vehicles left on public property.

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 concerns with and opposition to S.B. No. 2479.

Eileen O'Hara
Council Member
Council District 4

Chair: Environmental
Management Committee



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Vice Chair: Planning Committee and
Agriculture, Water & Energy
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County of Hawaii
Hawaii County Council

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Senator Clarence K. Nishihara
Chair, Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Hawai'i State Senate

February 5, 2018

Re: In Support of Senate Bill 2479, from Hawai'i County Council District 4
To be heard by PSM on 02-08-18 10:15AM in conference room 225

Aloha Chair Nishihara 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 black ink, appearing to read "Eileen O'Hara". The signature is written in a cursive, flowing style.

Eileen O'Hara
Council Member
Council District 4

SB-2479

Submitted on: 2/5/2018 11:06:45 AM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Maui Police Department	Support	No

Comments:

The quicker the vehicle is removed lessens the likelihood of the area becoming a dumping ground for other vehicles and/or trash.

SB-2479

Submitted on: 2/5/2018 11:45:25 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

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

Comments:

We are in STRONG SUPPORT for this bill. As advocates for the native Hawaiian community that operates out of the Wai`anae Coast, we can testify that the Westside is plagued with abandoned vehicles. We would like to seek an amendment that penalizes companies who dumps abandoned vehicles on any public city or State roads. The penalty should be the loss of their business license. Mahalo.

LATE

SB-2479

Submitted on: 2/7/2018 4:21:39 PM
Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Support	Yes

Comments:

SB-2479

Submitted on: 2/7/2018 9:51:33 AM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

SB-2479

Submitted on: 2/5/2018 8:20:58 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Santiago		Support	No

Comments:

Aloha Wai'anae Residents! We need your support!

Please submit testimony in support of Rep. Gates House Bill: REQUIRES THE COUNTIES TO REMOVE AND DISPOSE OF ABANDONED VEHICLES ON PUBLIC ROADS WITHIN TEN BUSINESS DAYS.

Below is a easy copy & paste template that you may use to submit testimony. Please email testimony to TREtestimony@Capitol.Hawaii.Gov by 12 o'clock midnight on Wednesday to have your testimony entered as public record.

*You may also leave a comment in support if you are unable to send in an email or make it in person to testify (email preferred).

-----Template-----

Aloha Chair Inouye & Nishihara,

My Name is (Insert Natalie Santiagoyour name here) and I am testifying in support of SB2479 because (Reason for support).

Mahalo for you consideration,
(NameNatalie Santiago)

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The hearing is scheduled for Thursday on 02-08-18 10:15AM in conference room 225. The bill number is SB2479. To learn more about this bill please click this link.

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=2479&year=2018

*By leaving a comment in support below, you agree to have your comments entered as testimony for public record.

SB-2479

Submitted on: 2/6/2018 12:09:49 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Hollenberg		Support	No

Comments: We are in desperate need of timely removal of junk cars from our main road in Waianae District. They sit for months, making the place look very sad. As a taxpayer, I shouldn't have to see this happening. The people of Kailua dont have to see this every day.

SB-2479

Submitted on: 2/6/2018 3:45:34 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl		Support	No

Comments:

Excellent bill and definitely impacts all of us. In addition to the towing, if the owner is found, then they should be fined and asked to pay the costs of the towing. It is my understanding that many military people abandon their cars. This should also be addressed by the State as we should not be paying for them. IF they bring a car on to our island, then it should have to be accounted for when they leave. It is also my understanding that the cost of taking a car to be disposed is an issue as well? This bill is a great start. There are cars dumped all over our islands and it has to stop. Mahalo

From: [Ryan Tolentino](#)
To: [TRE Testimony](#)
Subject: In Support of SB2479
Date: Monday, February 5, 2018 9:03:54 PM

Aloha Chair Inouye & Nishihara,

My name is Ryan Tolentino and I am testifying in support of SB2479 because there is no deadline for abandon vehicles to be removed from public roads. I have reported numerous abandoned and derelict vehicles in Lualualei Valley, Waianae and several of these reported vehicles have not been removed months later.

Theses abandoned cars are an eye sore and a hazard to people in our community. Children have been injured from playing near these cars due to the broken glass and sharp metal objects. The cars also attract unwanted activities and individuals who scavenge for parts and strip the vehicles even further.

Mahalo for your consideration.

Ryan Tolentino

From: [Katie Hillstead](#)
To: [TRE Testimony](#)
Subject: SB2479 PUBLIC TESTIMONY
Date: Monday, February 5, 2018 8:28:46 PM

Aloha Chair Inouye & Nishihara,

My Name is Katie Hillstead and I am a teacher at Waianae Elementary School. I am testifying in support of SB2479 because abandoned vehicles are a safety hazard to our Keiki. The vehicles left on McArthur st. and the surrounding areas are accompanied by broken glass and sharp remnants of car parts. Please help keep our Keiki and community safe by passing SB2479!

Mahalo for you consideration,
Katie Hillstead

From: [julie.paakaula](#)
To: [TRE Testimony](#)
Subject: SB2479 Rid abandoned vehicles
Date: Monday, February 5, 2018 4:21:35 PM

Aloha Chair Inouye & Nishihara,

My Name is Julie Paakaula and I am testifying in support of SB2479 because I am tired of seeing these abandoned vehicles ruining our neighborhood. It's such an eye sore! I've even reported these abandoned vehicles to the city and county site and NOTHING has been done. My street is so pilau!

Mahalo for you consideration,
Julie Paakaula

Sent from my iPhone

From: [Sophi Tex](#)
To: [TRE Testimony](#)
Subject: SB2479
Date: Monday, February 5, 2018 6:33:21 PM

Aloha Chair Inouye & Nishihara,

My Name is Tracie Teixeira and I am testifying in support of SB2479 because abandoned vehicles are unsafe, an eyesore to our community, and does not promote any sense of pride for our youth growing up here. We all want a community we can continue to be proud of.

Mahalo for you consideration,
Tracie Teixeira

From: [Tolentino Farms](#)
To: [TRE Testimony](#)
Subject: In Support of SB2479
Date: Monday, February 5, 2018 9:39:36 PM

Aloha Chair Inouye & Nishihara,

Our names are Warlito and Teodora Tolentino and we are testifying in support of SB2479 because there is no deadline for abandon vehicles to be removed from public roads. Numerous abandoned vehicles have been left on the side of the roads in Lualualei Valley, Waianae months after they have been reported.

Our beautiful valley has been a dumping ground for years and there needs to be a set timeline/deadline for the county to remove them. It's frustrating when we report these vehicles and they just sit there for months and months.

Mahalo for your consideration.

Aloha,
Warlito and Teodora Tolentino
Tolentino Farms

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Aloha,

Marina Tolentino

TOLENTINO FARMS, INC
TOLENTINO HONEY COMPANY LLC
p. 808.367.5988
e. tolentinofarms@gmail.com
i. @tolentinohoneyco

From: [Julia West](#)
To: [TRE Testimony](#)
Subject: SB2479 Testimony
Date: Monday, February 5, 2018 8:54:10 PM

Aloha Chair Inouye & Nishihara,

My Name is Elizabeth West and I am testifying in support of SB2479 because the West side of Oahu deserves dignified lands free of debris.

Mahalo for you consideration,
Elizabeth West

SB-2479

Submitted on: 2/6/2018 4:57:55 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carmelita G. Makepa		Support	No

Comments:

I fully support SB2479. I need your support now Representative [Cedric Asuega Gates](#) regarding cars that are abandoned on the easement next to my property for years now and is an eyesore. The homeless druggies living in that lane for years have been and still are problematic. The police are called constantly because of their fighting and stealing, but have told us that they can't do anything about it. They've robbed every neighbor around the radius of our homes. Like the abandoned vehicles, they need to be removed, too. After the Makaha-Yokohama homeless sweep, alot of them moved here at the back property at the end of the lane. On the second Sunday in January 2018, at about 9 a.m., my daughter, Jillian Makepa-Mikaele, seen thieves coming over the corner of our fence on that side of the easement. When she yelled out to them, they took off running while stealing a rooster from my yard. One of the thieve's girlfriend was standing on one of those abandoned vehicles on the other side of our fence to act as a look-out for them, so she could see in the yard. When I came home from church, she told me of what happened and that she made a police report. We've put corrugated all around of our fence on that side of the easement because it's an eyesore and we're tired of their scoping out our property. Please help us with this situation. My address is: 86-524 Halona Road across the grass business. The easement with the many abandoned vehicles and homeless are right next to my address. Just looking down the coral road lane you'll be able to see all of these abandoned cars and the homeless living in some of them. It's also unsanitary smelling like urine. Again, SB 2479 would be a welcome bill to pass for situations like mine and all over Hawai'i nei. Please check into this and cleanup the other side of my fence. Again, SB 2479 would be a welcome bill to pass for property owners like myself and others in our "Keep It Beautiful" Hawai'i nei. Thank you very much.

SB-2479

Submitted on: 2/6/2018 5:48:24 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Carpenter		Support	No

Comments:

I support this measure. The junk cars have to be removed sooner or later. Quicker is better.

SB-2479

Submitted on: 2/6/2018 8:16:21 PM

Testimony for PSM on 2/8/2018 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Davey		Comments	No

Comments:

The problem with the bill is it only treats the symptoms... not the cause. The federal law requires abandoned military owned vehicles be held for a year. Currently about 20 military cars per month are towed. This is the first thing that needs to be addressed. Our service men deserve the best, but they need to be responsible for a vehicle if they purchase one here in Hawaii. Perhaps the military needs to step up with programs to prevent military owned abandoned vehicles. The next thing that needs to happen is late fees for registering vehicles needs to be increased. Now, I'm thankful that I only had to pay a \$15 fine for registering my vehicle a week ago when it was due last September! However, the fine is not an incentive to register a vehicle on time. Why register an island beater when the registration is more than the worth of the car? Then, when the vehicle ends up stripped on the side of the road, the registered owner of derelict vehicle is not held accountable. Next, Hawaii needs to ban older cars from being shipped here. Transplants come here, ship their car from California for \$1070 and when the car dies... it ends up derelict. Another thing that makes things worse is the Hawaiian DMV does not send out reminders. Other states send out mailings and emails to let one know the registration is coming due. And, in other states you get pulled over if your registration is outdated and the owners get fined. That rarely happens here. It's a better gamble for many islanders to drive their older unregistered vehicles and hope they don't get pulled over for something else than to pay late and overdue registration fees. To add to all this car theft is out of control here. The police are inundated with theft reports and those stolen cars are left on the side of the road stripped and many times burnt out. This is where John Q Public can help. Hopefully the bill coming up that allows citizens to submit pictures of dumpers will help fend off the tide of garbage and derelict vehicles plaguing the island. Finally, to mandate the cities and counties remove derelict vehicles in 10 days is a great wish, but it will fail because the root causes are not being dealt with. If we don't change the laws and customs, we will continue to remain insane... doing the same thing over and over and expecting a different result.