



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

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

March 18, 2019
1:00 p.m.
State Capitol, Room 225

H.B. 323, H.D.1
RELATING TO MOTOR VEHICLE REGISTRATION.

Senate Committee(s) on Transportation
& on Public Safety, Intergovernmental, and Military Affairs

In light of our concerns regarding H.B. 323, H.D.1., the Department of Transportation submits our **comments** for your consideration.

This bill classifies certain former military vehicles as special interest vehicles and will enable the owners of former military vehicles to apply for registration with the director of finance of the county in which the former military vehicle resides.

The special interest vehicle law was implemented to accommodate hobbyists who spend significant amounts of money and time modifying their vehicles. The objective was to make it possible for these hobbyists to show off the products of their labors.

This bill dramatically changes this purpose as it will circumvent the manufacturer's certification requirement of Section 286-42(a), Hawaii Revised Statutes, which minimizes the number of uncertified vehicles on Hawaii roads.

The State of Hawaii requires vehicles to be in compliance with all applicable Federal Motor Vehicle Safety Standards as of the date of manufacture. This ensures that Hawaii's inventory of registered vehicles meet certain safety standards that help keep our roads safer for Hawaii's residents and visitors.

Military vehicles are not the product of hobbyists and they were not manufactured for use on our public roads.

Thank you for the opportunity to provide testimony.

Aloha 2019 House and Senate Members,

Thank you so much again considering our HB 522.

We very much appreciated how our bill was hear/discussed/passed along last session but it did not make it out of the last step to go to the Governor

As mentioned in our testimony last year having the DMV basically decide to not register our vehicle after 3 years of registering it and others and causing us and our small family owned and operated business to be high and dry to come up with a way to comply with one of our permit to operate rules, to shuttle the few blocks down to Hanalei Bay from Kuhio Highway which all street are officially 25 mph and basically you can only actually drive 15 – 20 mph, was and has been a great hardship for us. With buying and shipping and upgrading we are out approx. 30,000.00 and had to make a loan to purchase another vehicle to shuttle the students costing us \$725.00 a month when our Pinzgauer was paid for and was perfect for the job.

The vehicle does not weight more then other vehicles and we would pay the tax to do with the weight as usual.

Reading the official letter from the makers of the Pinzgauer and experienced people you will see that the Pinzgauer was designed to be on the road not just off the road as it is equipped with brake lights and turn signals. There is no greater omissions ect.

Also please notice that our bill would be complying with the Federal rules.

This is now our 19 th year for our business teaching the Hawaiian sport of surfing to people from around the world.

We have many local instructors and we and they take very good care of the visitors. Giving the "local boys" (and girls) a good name the concierges tell us.

We do belong to the HVCB and also the Hawaii Chamber of Commerce.

We try to do a good job each and every time.

We pay for County of Kauai permits each year and we pay for our Hawaii State dlNr permits each month/year. We pay our taxes each month and pay payroll and we are current.

It is not easy and we ask you show your support to us and our Hawaiian owned business that you also can be proud of.

In this day of the State of Hawaii wanting help folks make a living, succeed, build a life for themselves and their families there couldn't be a better way to show your assistance to supporting a the great effort we have made for ourselves and many others in or circle.

Yours, Mitchell and Lynn Alapa
DBA Hanalei Beach Boys, Inc.

Aloha, 2018

On behalf of our bill SB 2849 to do with allowing our Pinzgauer to be registered. Please find the paper the "Kauai" DMV manager gave with the underlined area as reason to not re register our vehicle.

The reason was because the Pinzgauer does not have a Federal Mandated sticker on the door.

Federally for any vehicle from America or from another country it is exempt if over 25 years old. Please see next paper #9.

The other reason the "Kauai" DMV manager gave for not re registering our Pinzgauer is he said they were never ment to be an "on road" vehicle.

Please see letter from Patrick Winter from the Austrian company that made the Pinzgauers and still does make the new Volvo versions stating that the Pinzgauers were always ment to be "on road" all around the world.

Please see letters from Swiss Army Vehicle company from the mainland that sells parts for these vehicles being very surprised about our situation and also stating that the Pinzgauers are made for "on road".

We did ship our Pinzgauer from Florida and had it shipped over. We registered in on Kauai 2014/2015/2016/2017 and were in with our safety check to re register for 2018 when the manager unlike other managers on Kauai and unlike the other Islands chose not to register it.

Please notice the shipping papers coming in from Europe in 2014 and the Florida registration under the man we purchased from, Miroslav Vucetic.

Then our ownership papers.

We purchased our Pinzgauer for 25,000.00 and have put a lot of money into it over the years, even a new engine from Austria. So we have about 40,000.00 into it.

The purpose for us is as a shuttle vehicle from the main street Hanalei down to Hanalei Bay with our surf lesson and stand up paddle lesson students.

Per the County of Kauai we are to shuttle.

We are a permitted company with rules and shuttling is one of them.

Having this happen has been an extreme set back for us where we have had to go further in debt and purchase another vehicle to use. So extreme business loss and extreme unnecessary business expense and unnecessary stress.

There are others on Kauai and the other Islands that are also affected. Businesses and personal use people.

Thank you very much for hearing us and we appreciate your attention to this matter and letting us get back to our lives.

Our businesses are Hanalei Beach Boys, Inc and Hanalei Beach Girls, Inc.

We are into our 18th year teaching the Hawaiian sport of surfing to people from around the world.

Yours truly,

Mitchell and Lynn Alapa

Cornell Law School

Legal Information Institute

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[LII]



U.S. Code › Title 49 › Subtitle VI › Part A › Chapter 30 i › Subchapter II › § 30112

49 U.S. Code § 30112 - Prohibitions on manufacturing, selling, and importing noncomplying motor vehicles and equipment

(a) GENERAL.—

(1) Except as provided in this section, sections 30113 and 30114 of this title, and subchapter III of this chapter, a person may not manufacture for sale, sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States, any motor vehicle or motor vehicle equipment manufactured on or after the date an applicable motor vehicle safety standard prescribed under this chapter takes effect unless the vehicle or equipment complies with the standard and is covered by a certification issued under section 30115 of this title.

(2) Except as provided in this section, sections 30113 and 30114 of this title, and subchapter III of this chapter, a school or school system may not purchase or lease a new 15-passenger van if it will be used significantly by, or on behalf of, the school or school system to transport preprimary, primary, or secondary school students to or from school or an event related to school, unless the 15-passenger van complies with the motor vehicle standards prescribed for school buses and multifunction school activity buses under this title. This paragraph does not apply to the purchase or lease of a 15-passenger van under a contract executed before the date of enactment of this paragraph.

(3) Except as provided in this section, section 30114, subsections (i) and (j) of section 30120, and subchapter III, a person may not sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States any motor vehicle or motor vehicle equipment if the vehicle or equipment contains a defect related to motor vehicle safety about which notice was given under section 30118(c) or an order was issued under section 30118(b). Nothing in this paragraph may be construed to prohibit the importation of a new motor vehicle that receives a required recall remedy before being sold to a consumer in the United States.

(b) NONAPPLICATION.—This section does not apply to—

(1) the sale, offer for sale, or introduction or delivery for introduction in interstate commerce of a motor vehicle or motor vehicle equipment after the first purchase of the vehicle or equipment in good faith other than for resale;

(2) a person—

(A) establishing that the person had no reason to know, despite exercising reasonable care, that a motor vehicle or motor vehicle equipment does not comply with applicable motor vehicle safety standards prescribed under this chapter;

(B) holding, without knowing about the noncompliance and before the vehicle or equipment is first purchased in good faith other than for resale, a certificate issued by a manufacturer or importer stating the vehicle or equipment complies with applicable standards prescribed under this

§286-42 County finance director's duties. (a) The county director of finance shall examine and to the best of the director's ability determine the genuineness and regularity of every registration and transfer of registration of a vehicle pursuant to this part to ensure that every certificate issued for a vehicle contains true statements of the ownership of the vehicle and to prevent the registration of a vehicle by any person not entitled to the vehicle. The director of finance may require any applicant to furnish information, in addition to that contained in the application, that is necessary to satisfy the director of finance of the truth and regularity of the application. The director of finance may accept any county certificate of title issued for a vehicle as prima facie evidence of ownership for registration and transfer of registration. The director may issue vehicle identification numbers for reconstructed vehicles, special interest vehicles, or motorcycles that do not have vehicle identification numbers if the director determines that the requirements of this section have been met.

The county director of finance may register a motorcycle with an aftermarket motorcycle frame, using the number of the frame as issued by the manufacturer of the frame, the vehicle identification number on the certification label, or a vehicle identification number assigned by the director of finance. A bill of sale and Manufacturer's Statement of Origin for the frame, engine, and transmission must be presented and retained as a part of the permanent county registration records. If a Manufacturer's Statement of Origin is not available for the engine and transmission due to the use of a used or reconstructed engine, transmission, or both, then a bill of sale or other proof of ownership, satisfactory to the director of finance must be presented. Except for motorcycles that are built on an aftermarket motorcycle frame, special interest vehicles, and reconstructed vehicles, any motor vehicle or device that is not certified by the manufacturer to be in compliance with all applicable Federal Motor Vehicle Safety Standards as of the date of [manufacture] shall not be registered.

(b) For the purpose of registering standard makes and body types of new passenger motor vehicles the director of finance may accept the certificate of any licensed motor vehicle dealer certifying to the weight and identification of such vehicle. The director of finance of any county may accept the certificate of the director of finance of any other county as to weight and identification of any such vehicle.

(c) The director of finance may enter into a contract with new car dealerships and motor vehicle rental companies for the registration of new motor vehicles consistent with any statute, ordinance, or provision of any applicable collective bargaining agreement. The director of finance may adopt rules pursuant to chapter 91 as may be necessary for the application, bonding, and procedural requirements of such contractor.

(d) In the event the director of finance is not satisfied as to the ownership of any vehicle sought to be registered, unless the applicant presents satisfactory evidence to the director of finance of the applicant's ownership of the vehicle and as to any liens thereon,

chapter; or

(C) having no reason to know, despite exercising reasonable care, that a motor vehicle or motor vehicle equipment contains a defect related to motor vehicle safety about which notice was given under section 30118(c) or an order was issued under section 30118(b);

(3) a motor vehicle or motor vehicle equipment intended only for export, labeled for export on the vehicle or equipment and on the outside of any container of the vehicle or equipment, and exported;

(4) a motor vehicle the Secretary of Transportation decides under section 30141 of this title is capable of complying with applicable standards prescribed under this chapter;

(5) a motor vehicle imported for personal use by an individual who receives an exemption under section 30142 of this title;

(6) a motor vehicle under section 30143 of this title imported by an individual employed outside the United States;

(7) a motor vehicle under section 30144 of this title imported on a temporary basis;

(8) a motor vehicle or item of motor vehicle equipment under section 30145 of this title requiring further manufacturing;

(9) a motor vehicle that is at least 25 years old; or

(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation and that prior to the date of enactment of this paragraph—

(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations; and

(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 945; Pub. L. 109–59, title X, § 10309(b), Aug. 10, 2005, 119 Stat. 1942; Pub. L. 112–141, div. C, title I, § 31207, July 6, 2012, 126 Stat. 761; Pub. L. 114–94, div. B, title XXIV, § 24404, Dec. 4, 2015, 129 Stat. 1721.)

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About LII

10/30/2017

Gmail - AW: Puch Anfrage



Lynn Alapa <kauaisurfing@gmail.com>

AW: Puch Anfrage

Winter Patrick (EA_HO_AUT, MSE) <patrick.winter@magna.com>
To: Mitchell Alapa <kauaisurfing@gmail.com>

Mon, Oct 30, 2017 at 1:47 AM

Hello Lynn, as far as I know, in Hawaii they will not allow registration of a vehicle 1968 or newer if it doesn't have an Federal Motor Vehicle Safety Standards certification label. We can't provide this label as I already mentioned.

In Austria, Pinzgauer vehicles were meant to drive on public roads and they comply with the Austrian laws of the years they were built in. This means they have basic safety equipment required at that time.

We could send you a copy of an Austrian approval for the use on public roads for your type of vehicle, this would be charged with 150€ and is only available in German.

Best regards

Patrick

Dipl.-Ing. (FH) Patrick Winter

Homologation

Engineering Center Austria

MAGNA STEYR Engineering AG & Co KG

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Disclosure pursuant to § 14 UGB:

MAGNA STEYR Engineering AG & Co KG, Seat: Graz, Legal form: Limited partnership (Kommanditgesellschaft), Company register ID:

<https://mail.google.com/mail/u/0/?ui=2&ik=9372668e20&jsver=BNKYf1ymS-0.en.&view=pt&msg=15f6d1b4241149a1&q=patrick&search=query&siml=15f6d1b424...> 1/2



Lynn Alapa <kauaisurfing@gmail.com>

From Lynn Alapa Kauai**Swiss Army Vehicles** <parts@swissarmyvehicles.com>
To: kauaisurfing@gmail.com

Fri, Oct 27, 2017 at 5:58 AM

Hello,

Glad you were able to find the engine number. Hopefully they will verify because it is an original engine.

I'm not sure what we can offer about the Pinzgauer.

Lawn mower??? Have you modified it in any way? Can't they see where you already registered it as a vehicle in HI previously? What about your BOS?

Sarah

-----Original Message-----

From: kauaisurfing@gmail.com [mailto:kauaisurfing@gmail.com]

Sent: Thursday, October 26, 2017 1:58 AM

To: Swiss Army Vehicles

[Quoted text hidden]



Lynn Alapa <kauaisurfing@gmail.com>

From Lynn Alapa Kauai

Swiss Army Vehicles <parts@swissarmyvehicles.com>
To: Mitchell Alapa <kauaisurfing@gmail.com>

Mon, Oct 30, 2017 at 5:11 AM

Hello,

Actually, they were specifically built to drive on the road all over the world. They were designed with all the road safety requirements - seatbelts, mirrors, headlights, taillights, brake lights.....

Maybe your state police can verify they are street legal?

Sarah

From: Mitchell Alapa [mailto:kauaisurfing@gmail.com]

Sent: Sunday, October 29, 2017 11:58 AM

[Quoted text hidden]

[Quoted text hidden]

NOTICE OF TRANSFER

LICENSE NUMBER

KBS337-14

KBS337

MAKE **INZG** TYPE **PKUP**
 VEHICLE IDENTIFICATION NUMBER **5756288**

DATE OF TRANSFER
 YOU ARE HEREBY NOTIFIED THAT I(WE), THE UNDERSIGNED OWNER(S) OF THE MOTOR VEHICLE DESCRIBED ABOVE, SOLD OR TRANSFERRED MY(OUR) INTEREST IN SAID MOTOR VEHICLE TO A NEW OWNER.

PRINT NAME OF NEW OWNER _____

PRINT ADDRESS OF NEW OWNER _____


CITY _____ STATE _____ ZIP CODE _____

SIGNATURE OF TRANSFEROR(S) OR SELLER(S) _____

ADDRESS OF TRANSFEROR(S) OR SELLER(S) _____

DETACH BEFORE GIVING TITLE TO NEW OWNER

DF-L-53

		<h1>Certificate of Title</h1> <p>County Of Kauai</p>		LICENSE NUMBER KBS337	
		MAKE INZG TYPE PKUP VEHICLE IDENTIFICATION NUMBER 5756288		DATE ISSUED 10-23-2014 EMBLEM NO. K90522	
WEIGHT 2250 YEAR MODEL 76		DATE SOLD NEW 00-00-00		TAX ON <input checked="" type="checkbox"/> MOS.	
REGISTERED OWNER(S) & ADDRESS HANAIE BEACH GIRL PO BOX 1154 KILAUEA HI 96754		TCI KBS337-14		TOTAL PAID 140.01	
SAFETY CHECK EXPIRES OCT 2015		CT 28.13 ST 39.38 SF 45.00 BF 17.00 CF 5.50 ST 5.00 TF CP SFRR TL \$ 140.01		MO1 MO CK	
THIS CERTIFICATE IS EVIDENCE OF RECORDED OWNERSHIP OF MOTOR VEHICLE DESCRIBED. KEEP THIS IN A SAFE PLACE. DO NOT KEEP IN VEHICLE. REGISTERED OWNER ABOVE IS ALSO LIENHOLDER WHEN LIENHOLDER'S NAME IS NOT TYPED IN. WHEN VEHICLE IS SOLD, MORTGAGED, ETC., THIS INSTRUMENT, PROPERLY ENDORSED, MUST BE PRESENTED TO THE DEPARTMENT BEFORE OWNERSHIP TRANSFER CAN BE RECORDED. ANY UNOFFICIAL ERASURES OR ALTERATIONS WILL VOID THIS CERTIFICATE.					
LIENHOLDER SAME					
SECTION A - ASSIGNMENT OF TITLE BY SELLER K90522 IF REGISTERED OWNER(S) AND LIENHOLDER ARE SAME, SIGNATURE(S) RELEASING REGISTERED OWNERSHIP ALSO RELEASES LIEN TO VEHICLE. TO RETAIN A LIEN ON THE VEHICLE, REGISTERED OWNER(S) MUST COMPLETE NEW LIENHOLDER PORTION (SECTION E) ON REVERSE SIDE OF THIS CERTIFICATE.					
THE ODOMETER READING AT LAST TRANSFER WAS: 45773 FEDERAL AND STATE LAW REQUIRE THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP. FAILURE TO COMPLETE ODOMETER STATEMENT OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES AND/OR IMPRISONMENT. I CERTIFY TO THE BEST OF MY KNOWLEDGE THAT THE ODOMETER READING IS THE ACTUAL MILEAGE OF THE VEHICLE DESCRIBED HEREIN UNLESS ONE OF THE FOLLOWING STATEMENTS IS CHECKED: ODOMETER READING _____ (NO TENTHS)					
CHECK IF APPLICABLE <input type="checkbox"/> 1. THE MILEAGE READING REFLECTS THE AMOUNT OF MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS. <input type="checkbox"/> 2. THE ODOMETER READING IS NOT THE ACTUAL MILEAGE WARNING: ODOMETER DISCREPANCY FOR VALUE RECEIVED. THE UNDERSIGNED HEREBY TRANSFERS THE MOTOR VEHICLE DESCRIBED ON THIS CERTIFICATE TO THE BUYER WHOSE NAME AND ADDRESS IS PRINTED IN SECTION C OR D AND WARRANTS IT TO BE FREE OF ALL LIENS AND ENCUMBRANCES EXCEPT AS STATED IN SECTION E. NOTE: SELLER MUST COMPLETE NOTICE OF TRANSFER FORM ABOVE. FINE \$100.00					
DATE OF TRANSFER		PRINTED NAME AND SIGNATURE OF SELLER. IF FIRM, PRINTED NAME, TITLE AND SIGNATURE OF AUTHORIZED PERSON.			
DATE OF TRANSFER		PRINTED NAME AND SIGNATURE OF JOINT SELLER, IF HELD IN JOINT OWNERSHIP.			
BEING DULY SWORN UPON OATH SAYS THAT THE STATEMENTS SET FORTH ARE TRUE AND CORRECT. SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 20_____. MY COMMISSION EXPIRES _____ (AFFIX SEAL) _____ (NOTARY PUBLIC OR OTHER OFFICER HAVING SEAL)					
NOTE: NOTARIZATION OF SELLER'S SIGNATURE(S) IS OPTIONAL. HOWEVER, NOTARIZATION WILL PREVENT REJECTION FOR IRREGULAR SIGNATURE(S) UPON COMPARISON WITH THE SIGNATURE(S) ON FILE OR FOR SIGNATURE VERIFICATION WHEN TRANSFER IS RECORDED IN ANOTHER COUNTY.					

ANY ALTERATIONS OR ERASURES VOID TITLE





HB-323-HD-1

Submitted on: 3/14/2019 5:38:11 PM

Testimony for TRS on 3/18/2019 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vernon Badua	Individual	Support	No

Comments:

Aloha,

The introduction of HB323 is for classifying certain types of military vehicles such as the "AMG M998 or Humvee" as "special interest vehicles" which would enable the owners of former military vehicles to legally apply for registration with the director of finance of the county in which the former military vehicle resides in.

The "special interest vehicle law" was implemented to accommodate Hobbyists & Historians who spend significant amounts of money and time restoring and modifying their vehicles. The objective was to make it possible for these Hobbyists & Historians to not only show off their labors, but to aid in community relations such as parades and education. This bill will not change the of the purpose of the law, nor will it aid in circumventing the manufacturer's certification requirement of Section 286-42(a), Hawaii Revised Statutes, as most of the vehicles are exempt due to age and weight class. The National Highway Traffic Safety Administration (NHTSA) allows vehicles that are 25 years old or older to be registered without having to be certified by the manufacturer to comply with the Federal Motor Vehicle Safety Standards (FMVSS) because they are not considered to be a significant road safety hazard.

More importantly, still the despite the exemption from the FMVSS, and the general misconception, the M998 or Humvee does still comply to the Federal Safety Standards, the NHTSA further states:

"..The Dept. of Defense in apparent recognition thats its vehicles are "motor vehicles" has attempted to ensure that they conform with the Federal Safety Standards to the extent practicable, as evidence in MIL-STD-1180B..."

Hawaii, has needlessly required older vehicles including surplus military vehicles, regardless of the year they were manufactured to be in compliance with all applicable FMVSS regardless if they are exempt or not, without any justification or reason. Even if certain types of military vehicles do not have the certification due to age, they are within the FMVSS standards and are able to pass a State required "Safety Check" in order to obtain Hawaii State registration. The same surplus military vehicles such as the M998 (Humvee) which was introduced in 1983, is still operated by the US Military 36yrs after

the fact and has all the required safety features to operate both on and off road, features that include turn signals, brakes lights and seatbelts etc.

Hawaii's inventory of registered vehicles including the "Special Interest Vehicles" will continue to meet the required safety standards that help keep our roads safe for Hawaii's residents.

Surplus Military vehicles are an excellent product for restoration for both historians and hobbyists alike and they were not only manufactured for use "off road" but on our public roads as well, or the US Military wouldn't be using them on our public roads or selling them to the general public for reuse.

US Defense was the primary reason for the Public Road System in the first place, to say Military Vehicles are not intended for use on roads that were built with them in mind contradicts its originally intention. The Public Road System was launched by the Interstate Defense Highway Act of 1956. One in five miles of the Interstate System is straight so that military vehicles can convoy and airplanes can land in emergencies, so I highly doubt that the "weight" of a Humvee (M998) which falls within the same Class III weight category as the Ford F350 or the GMC 2500HD would greatly degrade our roadways rather than the numerous tractor trailers that fill our road during our daily commute each day. So a military vehicles weight shouldn't even be considered a factor, as they will "rarely" carry the amount of weight they were intended too.

The AMG Humvee (M998) was never intended for direct combat, but rather designed as a "personnel and light cargo truck". By this description, I see no major differences between how the military uses their vehicles including the Humvee (M998), and how I intend to use mine (or how others will use theirs). The AMG Humvee (M998) and the AMG HUMMER H1 (civilian version) were intended for the same purpose.

Lastly, most of these surplus military vehicles including the Humvee (M998) do comply with Federal Motor Vehicle Safety Standards (FMVSS) and are able to meet most if not all requirements as described. As a disable military vet, it is important to me to keep our military history alive for the generations to come. As they (the DOD) are decommissioning hundreds of military surplus vehicles including the Humvee (M998) and scraping them for metal. I believe that the AMG Humvee (M998) is the "Willys Jeep" of my generation and I would sorely hate to watch it fade away much like alot of our rich military heritage has already has already.

Thank you for the opportunity to provide my testimony.

HB-323-HD-1

Submitted on: 3/14/2019 5:44:19 PM

Testimony for TRS on 3/18/2019 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerrah Badua	Individual	Support	Yes

Comments:

I "Strongly Support" HB323, Military grade vehicles are designed and tested to the same, if not tougher standards than civilian vehicles. Analyzing the weight of the vehicle and its load bearing capacity, maneuverability and many other traits, which is comparable to most SUV's and Super Duty Pickup Trucks such as the HD2500 & Ford F 350 which are used on our roads everyday.

These types of vehicles are already used on public roads and highways, by our Armed Forces traveling between training areas located throughout our Islands in support of our National Defense everyday to accomplish their mission. These same type of vehicles have rescued and saved countless numbers of lives during national emergencies and crisis such as floods, hurricanes and aided in relief efforts is an insult. Just like any other motor vehicles, Military Vehicles need to be maintained and serviced.

I again therefore reiterate my "support" for this bill.

Thank you for allowing my Testamony

HB-323-HD-1

Submitted on: 3/14/2019 8:58:33 PM

Testimony for TRS on 3/18/2019 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Philip T. Rapoza	Individual	Oppose	No

Comments:

HB-323-HD-1

Submitted on: 3/15/2019 7:43:36 AM

Testimony for TRS on 3/18/2019 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Underwood	Individual	Support	No

Comments:

I strongly support passage of HB-323. This bill will provide Hawaii citizens with registration rights similar to those enjoyed by other U.S. citizens, and will help to increase the uniformity of registration among states.

I was involved in the drafting and passage of similar legislation in Wisconsin to allow titling and registration of former government and ex-military vehicles, including 2009 Wisconsin Act 225, 2011 Wisconsin Act 235, and 2013 Wisconsin Act 103. In fact, parts of HB-323 reflect our current Wisconsin statutes.

This bill provides a safe method of registration, for owners of unique, historic vehicles. Any titleable former military vehicles which meet both the U.S.DOT / NHTSA definition of "motor vehicles" and the Hawaii state equipment requirements, deserve to be eligible for registration for normal usage.

This bill will not allow registration of non-roadworthy vehicles. Current federal procedures prevent non-roadworthy vehicles from titling, and thus from registration. When the U.S. Govt. sells a motor vehicle to a private owner, the owner only receives titling paperwork if the U.S. Govt. determines that the vehicle is intended for on-road operation. Similarly, when a motor vehicle is imported from another country, the U.S. Customs and U.S. EPA must both approve the vehicle for on-road operation prior to issuing titling paperwork to the importer or owner.

Passage of this bill will allow Hawaiian citizens to register safe vehicles which are currently on the road in other U.S. states. Actually, due to state reciprocity laws, ex-military vehicles which are licensed in another jurisdiction can already operate temporarily on Hawaiian roads, for example in the case of a vacation. Uniformity of registration laws between states is a benefit to both the state and the owners.

Thank you for the opportunity to submit comments.

Sincerely,

Paul Underwood

HB-323-HD-1

Submitted on: 3/15/2019 9:20:56 AM

Testimony for TRS on 3/18/2019 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael A. Wee	Individual	Support	No

Comments:

I strongly SUPPORT this bill. Former military vehicles that have "served" and are now in civilian hands need to be properly registered and insured. These vehicles are used in parades, historical events, car/collector shows, etc. They are not daily drivers, and are not used commercially. Restored military vehicles are meticulously maintained to high operational and safety standards. Please pass this measure so all vehicle enthusiasts can legally enjoy their hobby.

HB-323-HD-1

Submitted on: 3/15/2019 12:11:42 PM

Testimony for TRS on 3/18/2019 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Hee	Individual	Support	No

Comments:

I am in support of legislation that will permit the registration and use of exmilitary and other vehicles (having passed safety inspection certification) throughout the state of hawaii. This includes the county of Kauai, which is the sole county to prohibit the use of such vehicles. In fact, the state and county roads are so bad on Kauai these vehicles are actually safer than some modern cars which are so low they cannot negotiate some pukas and have to detour into the opposing lane of traffic thus creating an extreme hazard. The state should allow such vehicles to be freely transported as cargo between the islands and the mainland as is currently practised with other commercial and private vehicles. Stephen M Hee 15Mar2019

HB-323-HD-1

Submitted on: 3/15/2019 2:34:06 PM

Testimony for TRS on 3/18/2019 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Silver	Individual	Support	No

Comments:

March 15, 2019

Aloha Senators,

We, David and Karen Silver, strongly approve passage of HB323 HD1 as we have been collectors and recreational users of our Pinzgauer for years.

My first vehicle at age 15, in which I learned to drive was a surplus 1942 Willys Jeep. I have purchased many 4-wheel drive surplus military vehicles in the past 60 years. Locally, if you required off-road capabilities (as campers, hunters and fishermen - often did, and still do) at an affordable price, it was necessary to buy surplus military vehicles. My Pinzgauer truck is used by me and my family for recreational purposes. The Pinzgauer is not a daily driver and is driven 100 miles a month, at most. My Pinzgauer allows me to take my family and camping equipment on outings inaccessible to regular (non 4-wheel drive) vehicles. There are approximately 85,000 vehicles on Kauai. Of these, several are Pinzgauers, most are operated by entities involved in the tourist trade. Of the others, I own two, one of which is a parts vehicle. **My first Pinzgauer710 has been legally insured, safety-checked, and registered on Kauai, since I purchased it in California** where it was legal and appropriate to operate. My second Pinzgauer was purchased as a parts vehicle.

Pinzgauers are equipped with roll-over protection (front and rear), seatbelts for all passengers and dual circuit brakes. I would prefer to have my grandchildren restrained in my Pinzgauer rather than ride unrestrained in a school bus or bouncing around in the back of a pickup truck. Over 20,000 of these vehicles have been manufactured and they are still in production today. Sixteen countries, including the United States, have used Pinzgauers for military transport. The Pinzgauer was also marketed in the civilian marketplace worldwide for use as campers, farm trucks, ambulances, firetrucks and rescue vehicles. Likewise, many ended up being used as tourist vans, due to their large passenger capacity and stable, reliable platform. They have been used as tourist transport in Africa, Australia, South America, **Hawaii** and other exotic locales.

They are designed in such a manner as to make them small, light and maneuverable in tight spaces, yet to maximize interior space and load capacity. The Pinzgauer710s I own have a load capacity of 1 metric ton. The Pinzgauer is powered by a 4-cylinder air-

cooled gasoline engine of 153 cubic inches and is rated at 88 horsepower, it seats 10 and has a top speed of 65 mph and a wheel base of 87 inches, and an empty weight of 4500 pounds.

Respectfully,

David and Karen Silver

Kapaa, Hawaii

HB-323-HD-1

Submitted on: 3/16/2019 10:03:22 AM

Testimony for TRS on 3/18/2019 1:00:00 PM

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

Comments:

Aloha, My name is David Ayabe from Kauai. I have owned a M998 or Humvee for 12 years. I had it registered and safety checked for 11 years and driven on the road for that period of time. I also had a car insurance on it. About a year ago the new DMV supervisor told me that I cannot re-register my vehicle because it was deemed unsafe. Why is it unsafe I asked, because it doesn't have the decal sticker on the door. Mine has a metal plate instead of a decal. He replied it had to be a decal. I have driven it on Kauai for 11 years without any accidents and now because of this decal I can't register it and drive it like before. I'm totally dismayed by this action and sadden by this type of reasoning. Recently Kauai has expericed devastating storms and floods on the north shore. My relative lost 2 cars and half of thier home. I could have assisted them but could not help them with my humvee becuse I was not allowed to drive it on the road. Our island needs vehicle of this type to assist friends and neighbors in times of disasters and emergencys. This vehicle is not only a collector piece but a useful vehicle.