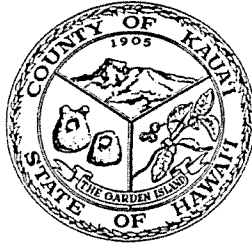


COUNTY COUNCIL

Arryl Kaneshiro, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Felicia Cowden
Luke A. Evslin
KipuKai Kualii



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
E-mail: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 12, 2020

**TESTIMONY OF ROSS KAGAWA
VICE CHAIR, KAUAI COUNTY COUNCIL
ON**

HB 1729, HD1, RELATING TO REGISTRATION OF VEHICLES

House Committee on Judiciary

Thursday, February 13, 2020

2:05 p.m.

Conference Room 325

Dear Chair Lee and Members of the Committee:

Thank you for this opportunity to provide testimony in support of HB 1729, HD1, Relating to Registration of Vehicles, with a proposed amendment. My testimony is submitted in my individual capacity as Vice Chair of the Kaua'i County Council and as Vice President of the Hawai'i State Association of Counties (HSAC).

HB 1729, HD1, authorizes the county director of finance to require an applicant for registration of a vehicle to pay any outstanding charges for the towing, removal, or disposal of an abandoned or derelict vehicle before issuing a certificate of registration for a motor vehicle. Currently, the costs for the removal and disposal of abandoned or derelict vehicles, in many cases, are absorbed by the county.

The costs, however, may vary from county to county depending upon the availability of towing resources, storage areas for the vehicles, recycling options for the vehicles, etc.

HSAC requests that HB 1729 be further amended by amending subsection (b) of section 286-51, HRS, to delete the cap on the fee that a county may impose to defray the costs to remove and dispose of abandoned or derelict vehicles. As amended, the subsection would read:

“(b) This part shall be administered by the director of finance in conjunction with the requirements of sections 249-1 to 249-13 and shall entail no additional expense or charge to the person registering the ownership of a motor vehicle other than as provided by this section or by other laws; provided that for each new certificate of ownership issued by the director of

finance under section 286-52, the director of finance may charge a fee which shall be deposited in the general fund. The fees charged to issue a new certificate of ownership shall be established by the county's legislative body.

Notwithstanding any other law to the contrary, an additional fee of not more than \$1 for each certificate of registration for a U-drive motor vehicle and \$2 for each certificate of registration for all other motor vehicles may be established by ordinance and collected annually by the director of finance of each county, to be used and administered by each county:

- (1) For the purpose of beautification and other related activities of highways under the ownership, control, and jurisdiction of each county; and
- (2) **To defray the additional cost in the disposition and other related activities of abandoned or derelict vehicles** as prescribed in chapter 290. For the purposes of this paragraph, other related activities shall include but need not be limited to any and all storage fees that are negotiated between each county and a towing company contracted by the county to remove and dispose of abandoned or derelict vehicles.

The \$2 fee established pursuant to this subsection for certificates of registration for motor vehicles other than U-drive motor vehicles may be increased by ordinance [~~up to a maximum of \$10~~]; provided that all amounts received from any fee increase over \$2 shall be expended only for the purposes of paragraph (2). The moneys so assessed and collected shall be placed in a revolving fund entitled, "the highway beautification and disposal of abandoned or derelict vehicles revolving fund."

This amendment will authorize each county to determine their costs associated with the removal and disposal of abandoned or derelict vehicles and to set the charge for that county.

Thank you again for this opportunity to provide testimony in support of HB 1729, HD1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,



ROSS KAGAWA

Vice Chair, Kaua'i County Council



DEPARTMENT OF FINANCE
THE COUNTY OF KAUAI

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

REIKO MATSUYAMA
DIRECTOR

MICHELLE L. LIZAMA
DEPUTY DIRECTOR

Testimony of Reiko Matsuyama
Director of Finance, County of Kauai

Before the
House Committee on Judiciary
February 13, 2020; 2:05 pm
Conference Room 325

In consideration of
House Bill 1729 HD1
Relating to Registration of Vehicles

Honorable Chair Lee, Vice Chair Buenaventura, and Members of the Committee:

The Finance Department of the County of Kauai **strongly supports** HB 1729 HD1, which allows the director of finance of a county to require payment of outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county before issuing a motor vehicle certificate of registration.

The County of Kauai, like many other jurisdictions, has a major issue with abandoned and derelict vehicles. While our Kauai Police Department (KPD) is faced with addressing the towing and removal of these vehicles, the motor vehicle division is trying to work closely with KPD to address the root cause of the issue.

In preliminary discussions with KPD, they have a difficult time enforcing the collection of outstanding towing and related costs. In addition, there are recurring offenders who litter our island with cars. When their names were mentioned in our meetings, our motor vehicle staff indicated that they are regularly in the DMV transferring and registering vehicles.

While the HRS grants the Finance Director with leverage over some outstanding citations, it does not give authority over charges related to the towing, removal, and disposal of abandoned and derelict vehicles. If we were able to turn away these recurring offenders from transferring and/or registering vehicles, it would either force them to pay the bills that are now being absorbed by KPD or it would prevent them from improperly disposing these additional vehicles.

It is for these reasons, that we **strongly support** HB 1729 HD1. Thank you for your consideration of this testimony.

Sincerely,

Reiko Matsuyama
Finance Director



HB-1729-HD-1

Submitted on: 2/12/2020 2:00:36 PM

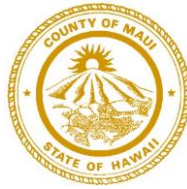
Testimony for JUD on 2/13/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Aievoli	County of Maui Department of Environmental Management, Environmental Protection & Sustainability Div	Support	No

Comments:

Michael P. Victorino
Mayor

Sananda K. Baz
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

February 12, 2020

TESTIMONY OF MICHAEL P. VICTORINO
MAYOR
COUNTY OF MAUI

BEFORE THE HOUSE COMMITTEE ON JUDICIARY
Thursday, February 13, 2020, 2:05PM
Conference Room 325

HB 1729 HD1 RELATING TO REGISTRATION OF VEHICLES

Honorable Chris Lee, Chair
Honorable Joy A. San Buenaventura, Vice Chair
Honorable members of the Committee on Judiciary

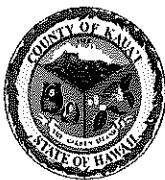
Thank you for this opportunity to testify in **SUPPORT** of HB 1729.

The purpose of this bill is to allow the director of finance of a county to require payment of outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county before issuing a motor vehicle certificate of registration.

Improper disposal of vehicles is an ongoing challenge statewide. Abandoned and derelict vehicles pose environmental risks and are an eyesore for residents and visitors. Counties are burdened with the towing, removal and disposal of these vehicles.

This bill would help the Maui County recoup the costs of these services, while also helping to deter individuals from abandoning vehicles, especially repeat offenders.

I urge you to pass this measure, HB 1729 HD1.



POLICE DEPARTMENT COUNTY OF KAUAI



DEREK S. K. KAWAKAMI
Mayor

MICHAEL A. DAHLIG
Managing Director

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

TODD G. RAYBUCK
Chief of Police

LATE

Testimony of Mark N Begley
Assistant Chief, Patrol Services Bureau
Kaua'i Police Department

Before the
Senate Committee on Judiciary
February 13, 2020; 2:05 pm
Conference Room 325

In consideration of
House Bill 1729
Relating to Registration of Vehicles

Honorable Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Patrol Services Bureau **strongly supports** HB 1729, which would prevent the registration and transferring of vehicles for those who have outstanding towing and related charges owed to the County.

The Patrol Services Bureau of the Kauai Police Department (KPD) **strongly supports** HB1729, which allows the director of finance of a county to require payment of outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county before issuing a motor vehicle certificate of registration.

The County of Kauai, like many other jurisdictions, has a major issue with abandoned and derelict vehicles. The financial impact on the Counties is significant. In the last quarter alone, we towed 247 abandoned or derelict vehicles. Towing charges for that quarter totaled \$66,462.59. At the current pace, we will tow 987 vehicles this year, with \$265,850 expended on towing charges alone. In addition to the cost for removal, there are also the costs for site cleanup, storage, disposal, and personnel hours. The County's total costs for FY 2019, related to abandoned and derelict vehicles, was \$491,278. Our projected costs for FY2020 will be significantly higher than that.

There is also the adverse impact it has on tourism. It gravely disappoints people that spend their money to travel to our island paradises, discourages them from visiting or revisiting areas of our island, and sends horrible advertisement via word-of-mouth to other potential visitors. It also adversely impacts the quality of life for the majority of our island residents.

At KPD, we handle abandoned and derelict vehicle complaints on a daily basis, and we see firsthand how important this issue is to our residents and visitors alike. It has been extremely



difficult to curtail this behavior and to enforce the collection of outstanding towing and related costs. People have learned that there is little chance that they will be held accountable if they "dump" or leave behind their unwanted cars.

The current HRS section does not grant our Finance Director the authority to levy outstanding charges related to the towing, removal, and disposal of abandoned and derelict vehicles. The recommended changes in HB1729 will change that. If passed into law, we believe this Bill will discourage the vast majority of current and future offenders from abandoning their vehicles. For those who continue to do so, they will not be able to register vehicles in the future without paying their outstanding bills.

Sincerely,



Mark N. Begley
Assistant Chief
Patrol Services Bureau
Kauai Police Department



Harry Kim
Mayor



Roy Takemoto
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i
(808) 323-4444 • Fax (808) 323-4440

LATE

February 12, 2020

Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice Chair
Committee on Judiciary

Dear Chair Lee, Vice Chair San Buenaventura, and Committee Members:

RE: **HB 1729, HD1 Relating to Registration of Vehicles**

HB 1729, HD1 would be a grant of permission to the counties, allowing them (in their discretion) to require payment of outstanding charges related to abandoned and derelict vehicles. While such a requirement might be of limited applicability, it certainly seems to be an appropriate tool that the counties should have available, in order to enhance collection of outstanding obligations.

I believe this measure was endorsed by all the county Mayors, and I ask for your favorable vote.

Respectfully Submitted,

Harry Kim
MAYOR

Testimony of the
Hawaii State Association of Counties
on
H.B. No. 1729, H.D.1
Relating to Registration of Vehicles
Committee on Judiciary
Thursday, February 13, 2020, 2:05 p.m.
Room 325

LATE

The Hawaii State Association of Counties (HSAC) supports H.B. No. 1729, H.D. 1, with a proposed amendment.

H.B. No. 1729, H.D.1 authorizes the county director of finance to require an applicant for registration of a vehicle to pay any outstanding charges for the towing, removal, or disposal of an abandoned or derelict vehicle before issuing a certificate of registration for a motor vehicle. Currently the costs for the removal and disposal of abandoned or derelict vehicles, in many cases, are absorbed by the county.

The costs, however, may vary from county to county depending upon the availability of towing resources, storage areas for the vehicles, operating funds, recycling options for the vehicles, etc.

HSAC requests that H.B. No. 1729 be further amended by amending subsection (b) of section 286-51, HRS, to delete the cap on the fee that a county may impose to defray the costs to remove and dispose of abandoned or derelict vehicles. As amended, the subsection would read:

“(b) This part shall be administered by the director of finance in conjunction with the requirements of sections 249-1 to 249-13 and shall entail no additional expense or charge to the person registering the ownership of a motor vehicle other than as provided by this section or by other laws; provided that for each new certificate of ownership issued by the director of finance under section 286-52, the director of finance may charge a fee which shall be deposited in the general fund. The fees charged to issue a new certificate of ownership shall be established by the county's legislative body.

Notwithstanding any other law to the contrary, an additional fee of not more than \$1 for each certificate of registration for a U-drive motor vehicle and \$2 for each certificate of registration for all other motor vehicles may be established by ordinance and collected annually by the director of finance of each county, to be used and administered by each county:

- (1) For the purpose of beautification and other related activities of highways under the ownership, control, and jurisdiction of each county; and
- (2) ***To defray the additional cost in the disposition and other related activities of abandoned or derelict vehicles*** as prescribed in chapter 290. For the purposes of this paragraph, other related activities shall include but need not be limited to any and all storage fees that are negotiated between each county and a towing company contracted by the county to remove and dispose of abandoned or derelict vehicles.

The \$2 fee established pursuant to this subsection for certificates of registration for motor vehicles other than U-drive motor vehicles may be increased by ordinance ~~up to a maximum of \$10~~; provided that all amounts received from any fee increase over \$2 shall be expended only for the purposes of paragraph (2). The moneys so assessed and collected shall be placed in a revolving fund entitled, "the highway beautification and disposal of abandoned or derelict vehicles revolving fund."

This amendment will authorize each county to determine their costs associated with the removal and disposal of abandoned or derelict vehicles and to set the charge for that county.

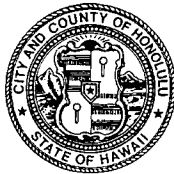
With this amendment, HSAC supports H.B. 1729.

Thank you for the opportunity to submit testimony on this legislation.

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

February 12, 2020

The Honorable Chris Lee, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
and Members of the Committee on Judiciary
The State House of Representatives
State Capitol, Conference Room 325
415 South Beretania Street
Honolulu, Hawaii 96813

LATE

Dear Chair Lee and Members of the Committee on Judiciary:

SUBJECT: H.B. No.1729 - Relating to Registration of Vehicles

The City and County of Honolulu, Department of Customer Services (CSD) **supports the intent of H.B. No. 1729, H.D.1** which would allow each county to require payment of outstanding charges owed to the county for towing, removal, or disposal of an abandoned vehicle before issuing a motor vehicle certificate of registration. CSD is faced with an ever-increasing number of abandoned and derelict vehicles which not only puts a blight on our community, but operationally increases our staff time and resources for investigation and removal. This measure to hold registered owner(s) accountable for outstanding charges associated with towing, removal and disposal will, hopefully, help Honolulu have less abandoned vehicles on the road.

Currently, CSD does not require payment by the registered owner for any towing, removal, or disposal of an abandoned vehicle, as a condition for motor vehicle registration. If an abandoned vehicle is claimed by the owner, statutory tow related fees are paid to the tow contractor. If the owner does not claim the vehicle, we auction the vehicle. CSD does not recoup any fee from an abandoned vehicle unless said vehicle is purchased at the monthly City public auction. The successful bidder pays the City the bid price and separately pays the contractor the statutory tow related fees.

This measure seeks to assess outstanding charges to registered owners who abandon their vehicle. CSD would like to note two potential issues that may need to be addressed. First, determining an exact outstanding charge may be difficult to determine given the ever-increasing costs of land to store vehicles and processing costs of scrap metal. Next, there are some times where the buyer of a vehicle fails to register the vehicle into their name, causing difficulty identifying who should be assed the cost.

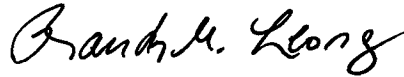
The Honorable Chris Lee, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
and Members of the Committee on Judiciary
February 12, 2020
Page 2

CSD would also like to note HB1726 and its companion SB2124 that, unfortunately, did not receive hearings. These two bill would have also helped with this growing problem by further amending Section 286-51, Hawaii Revised Statutes, removing a provision that reduces the amount that U-drive vehicles can be charged for the purpose of beautification and other related activities of highways under the ownership, control, and jurisdiction of each county. It is our hope that these bills could be incorporated into this one. Currently, U-drive vehicles pay less than every other vehicle.

Lastly we would also like to recommend the removal of the cap on the fee that a county may impose to defray the cost in the disposition and other related activities of abandoned or derelict vehicles in the same section. The City and County of Honolulu charges a \$7.00 fee per vehicle, established by ordinance. With the rising number of abandoned vehicles continuing to be an issue, CSD believes that in addition to funding, designating land approved for vehicle storage and ultimately getting the scrap metal off the island will also be a great help towards keeping our islands beautiful.

CSD appreciates the opportunity to provide testimony in support of H.B. No.1729.

Sincerely,



Randy M. Leong
Deputy Director



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 12, 2020

TO: Representative Chris Lee
Chair, Committee on Judiciary
Submitted Via Capitol Website

FROM: Matt Tsujimura

RE: **H.B. 1729 HD1 Relating to Registration of Vehicles**
Hearing Date: Thursday, February 13, 2020, 2:05 p.m.
Conference Room: 325

Dear Chair Lee, Vice Chair San Buenaventura, and Members of the House Committee on Judiciary:

We submit this testimony on behalf of Enterprise Holdings (“Enterprise”), which includes Enterprise Rent-A-Car, Alamo Rent-A-Car, National Car Rental, Enterprise CarShare and Enterprise Commute (Van Pool).

Enterprise **submits comments** H.B. 1729 HD1, which allows the director of finance of a county to require payment of outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county before issuing a motor vehicle certificate of registration.

Enterprise is concerned that H.B. 1729 HD1 and Hawaii Revised Statutes § 286-51 are duplicative. § 286-51 imposes a fee for motor vehicle registrations to be used only for “beautification and other related activities of highways under the ownership, control, and jurisdiction of each county; and to defray the additional cost in the disposition and other related activities of abandoned or derelict vehicles.” If the counties are allowed to charge for the cost of removal and disposal, this would negate the need for § 286-51.

Enterprise appreciates the intent to keep our roads clean and safe. If the committee is compelled to pass the measure, we would request that the cap on the beautification fee in § 286-51 be amended rather than allowing counties to create more duplicative fees.

Thank you for the opportunity to submit this testimony.

HB-1729-HD-1

Submitted on: 2/12/2020 7:50:31 AM

Testimony for JUD on 2/13/2020 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dory Kong	Individual	Support	No

Comments: