

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE DI-MK

February 20, 2019

The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
415 South Beretania Street, Room 211
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Members:

SUBJECT: Senate Bill No. 1297, S.D. 1, Relating to Motor Vehicles

I am Major Darren Izumo of District 5 (Kalihi) of the Honolulu Police Department (HPD), City and County of Honolulu.

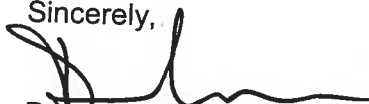
The HPD supports Senate Bill No. 1297, S.D. 1, Relating to Motor Vehicles, which requires an application for motor vehicle registration to include more detailed information and authorizes counties to assess a fine to the legal owner of a vehicle deemed abandoned.

The additional registration information would help in holding owners more accountable should they abandon their vehicle. The HPD will work closely with the State Department of Transportation and the City Department of Customer Services to address repossession issues so as not to be a deterrent to legally dispose of an abandoned vehicle.

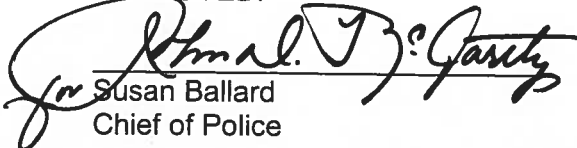
The HPD urges you to pass Senate Bill No. 1297, S.D. 1, Relating to Motor Vehicles.

Thank you for the opportunity to testify.

Sincerely,


Darren Izumo, Major
District 5

APPROVED:


Susan Ballard
Chief of Police



SanHi

GOVERNMENT STRATEGIES
A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 19, 2019

TO: Senator Donovan M. Dela Cruz
Chair, Committee on Ways and Means
Submitted Via Capitol Website

FROM: Matt Tsujimura

RE: **S.B. 1297 S.D. 1 – Relating to Motor Vehicles**
Hearing Date: Wednesday, February 20, 2019 at 10:05 a.m.
Conference Room: 211

Dear Chair Dela Cruz and Members of the Senate Committee on Ways and Means:

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** on S.B.1297, S.D. 1, which, among other things, authorizes counties to assess a fine against the legal or registered owner of a vehicle deemed abandoned. While Enterprise believes it is good public policy to deter individuals from abandoning vehicles on public streets and highways, Enterprise is concerned about the application of S.B.1297, S.D. 1. within the context of the rental car industry.

Enterprise is very grateful for the amendments made by the joint committees on Transportation and Judiciary.

Hawaii Revised Statutes (“HRS”), § 290-12 currently imposes a fine of not more than \$1,000 on the registered owner of an abandoned or derelict vehicle. Enterprise is concerned that section 2 of S.B.1297, S.D.1 appears to be duplicative of HRS §290-12, as both the existing law and the proposed language address imposing a fine of \$1,000 on the registered owner of the vehicle.

Enterprise requests that the language in section 2 of the bill be inserted into HRS § 290-12. The proposed amendments are attached.

Thank you for the opportunity to submit this testimony.

SECTION 2. Section 290-12, Hawaii Revised Statutes, is amended to read as follows:

"§290-12 Leaving abandoned or derelict vehicles. The registered owner of an abandoned vehicle, as defined in section 290-1, or a derelict vehicle, as defined in section 290-8, found on any roadway, alley, street, way, lane, trail, bridge, or highway or other public property or on private property without authorization of the owner or occupant shall be fined by the counties not more than \$1,000; provided that the registered owner shall not be fined if the abandoned or derelict vehicle has been stolen or taken from the registered owner without permission or authorization. The fines collected pursuant to this section shall be deposited into the general fund of the county that collected the fine."

SECTION 3. Section 290-4, Hawaii Revised Statutes, is amended to read as follows:

"§290-4 Repossession by person entitled. [Any] Subject to the requirements set forth in section 290-2, any person entitled to the vehicle may repossess the same prior to the date of public auction upon payment of all towing, handling, storage, appraisal, advertising, and any other expenses incurred in connection with the vehicle[-], including the fine pursuant to section [290-12] 290-1(d); provided that if the person claiming the vehicle is the legal or

registered owner, the person shall show proof of an up-to-date motor vehicle registration pursuant to section 286-41 and up-to-date motor vehicle insurance coverage prior to repossession. If the person claiming the vehicle is not the legal or registered owner, the person may repossess the vehicle upon paying the foregoing expenses and posting adequate security not to exceed the value of the vehicle. The security, if not forfeited, shall be returned two years from receipt."



John Uekawa, President
Dave Rolf, Executive Director

HADA TESTIMONY WITH COMMENTS
ON SB1297 S.D.1

RELATING TO MOTOR VEHICLES

Presented to the Senate Committee on Ways and Means
At the Public Hearing, 9:30 a.m. Tuesday, February 19, 2019
Conference Room 211, Hawaii State Capitol

Chair Dela Cruz, Vice Chair Keith-Agaran and members of the committee:

This bill seeks to amend Section 286-41, Hawaii Revised Statutes to read “(b) Application for the registration of a vehicle shall be made upon the appropriate form furnished by the director of finance and shall include but not be limited to the name, occupation, address of the residence, driver’s license number, phone number and emergency contacts of the owner and legal owner (of the vehicle).

The bill is designed to help relieve the growing problem of abandoned vehicles.

The measure, however, would create a new requirement for personal information to be provided by motor vehicle dealers who transfer trade-in vehicles into a their dealership’s name for the purpose reselling the vehicles.

HADA respectfully asks that Hawaii licensed auto dealers be exempted from the requirement to provide personal information on the application for registration. The information currently provided by licensed motor vehicle dealers, showing the name and address of their dealership, we believe, sufficiently addresses the purposes of the bill, and allows for ready contact.

Respectfully submitted,
David H. Rolf
For the Members of the Hawaii Automobile Dealers Association

DEPARTMENT OF CUSTOMER SERVICES
CITY AND COUNTY OF HONOLULU

MISSION MEMORIAL BUILDING
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LATE

KIRK CALDWELL
MAYOR



SHERI T. KAJIWARA
DIRECTOR

RANDY M. LEONG
DEPUTY DIRECTOR

TESTIMONY OF ABUL HASSAN, LICENSING ADMINISTRATOR
CITY AND COUNTY OF HONOLULU, DEPARTMENT OF CUSTOMER SERVICES
Wednesday, February 20, 2019, 10:05 a.m., Conference Room 211

SENATE BILL 1297, SD1, "Relating to Motor 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

The City and County of Honolulu would like to **comment** on S.B. No. 1297 that authorizes the counties to assess a fine for vehicles deemed abandoned and requires the owner to have current vehicle registration and insurance prior to repossession of the abandoned vehicle.

The Division of Motor Vehicle, Licensing and Permits of the City of County of Honolulu humbly requests the incorporation of a repeal of HRS 290-4. Such a repeal will streamline the process by which individual(s) can reclaim their vehicles as outlined in HRS 290-2.

Furthermore, we request the following:

- 1) Adoption of language from H.B. 1234, Section 4 which stipulates, " No later than July 1, 2021, the department of transportation shall implement a database of record that shall link the requested personal information with the information for driver's licenses, motor vehicle registration, county and state traffic citation division, and motor vehicle control."; and
- 2) Incorporation of amendments by SanHi requesting language to address concerns regarding previously reported stolen vehicles and moving the \$1,000 fine to the existing statute.

The Division of Motor Vehicle, Licensing and Permits is the entity ultimately tasked with operational implementation of the above legislation; as such, our comments are geared toward ensuring alignment between the intent of the legislation and practical application of such.

Thank you for the opportunity to comment on S.B. No. 1297, SD1.