

DEPARTMENT OF CUSTOMER SERVICES
CITY AND COUNTY OF HONOLULU

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TESTIMONY OF ABUL HASSAN, LICENSING ADMINISTRATOR
CITY AND COUNTY OF HONOLULU, DEPARTMENT OF CUSTOMER SERVICES

Wednesday, March 13, 2019, 10:00 a.m., Conference Room 423

SENATE BILL 1297, SD2, "Relating to Motor Vehicles"

The Honorable Henry J. C. Aquino, Chair
The Honorable Troy N. Hashimoto, Vice Chair
And Members of the Committee on Transportation

The City and County of Honolulu's Department of Customer Services (CSD) is in **support** of S.B. No. 1297, SD2. However, we would like to suggest a few amendments to the bill to address: 1) automobile dealerships and 2) stolen vehicles.

CSD provides new car registration and titling to automobile dealerships on Oahu. In an effort to address concerns expressed by automobile dealers on Oahu, we suggest the following amendment to Section 1:

"(b) Application for the registration of a vehicle shall be made upon the appropriate form furnished by the director of finance and shall ~~contain~~ include the name, occupation, ~~and~~ address of residence, driver's license number, phone number, and emergency contact of the owner and legal owner; except for all licensed automobile dealerships and car rental companies in the State of Hawaii who shall provide the name of dealership, business address, phone number, and state tax identification number."

CSD has previously testified that the \$1,000 fine against the legal or registered owner of an abandoned vehicle should take into account the time at which the vehicle is reported stolen, we suggest the following amendment in Section 2:

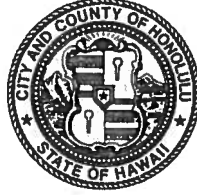
"d) The counties may assess a fine of \$1,000 against the legal or registered owner of a vehicle that is deemed abandoned pursuant to this section; provided that the legal or registered owner shall not be fined if the abandoned vehicle has been previously reported stolen or taken from the legal or registered owner without permission or authorization. The fines collected pursuant to this subsection shall be deposited into the general fund of the county that collected the fine."

CSD urges the Committee to consider these amendments to Senate Bill 1297, SD2, Relating to Motor Vehicles.

Thank you for the opportunity to testify on S.B. No. 1297, SD2.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE DI-MK

March 13, 2019

The Honorable Henry J. C. Aquino, Chair
and Members
Committee on Transportation
House of Representatives
415 South Beretania Street, Room 423
Honolulu, Hawaii 96813

Dear Chair Aquino and Members:

SUBJECT: Senate Bill No. 1297, S.D. 2, 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. 2, 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 vehicles. 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. 2, Relating to Motor Vehicles.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Izumo".

Darren Izumo, Major
District 5

APPROVED:

A handwritten signature in black ink, appearing to read "Susan Ballard".
Susan Ballard
Chief of Police



SanHi

GOVERNMENT STRATEGIES
A LIMITED LIABILITY LAW PARTNERSHIP

DATE: March 12, 2019

TO: Representative Henry J.C. Aquino
Chair, Committee on Transportation
Submitted Via Capitol Website

FROM: Matt Tsujimura

RE: **S.B. 1297 S.D. 2 – Relating to Motor Vehicles**
Hearing Date: Wednesday, March 13, 2019 at 10:00am
Conference Room: 423

Dear Chair Aquino and Members of the House Committee on Transportation:

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. 2, 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. 2 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 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 previously reported 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."

SB-1297-SD-2

Submitted on: 3/11/2019 8:41:48 AM

Testimony for TRN on 3/13/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rochele Guthrie	Ace Towing Service	Support	No

Comments: