

STAND. COM. REP. NO.

238

Honolulu, Hawaii

FEB 12 , 2021

RE: H.B. No. 446
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 446 entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the felony offense of theft of a catalytic converter;
- (2) Prohibit persons licensed to purchase or sell used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles from accepting parts or accessories or a motor vehicle if the seller does not furnish certain information and require licensees to report such attempt to sell to the police; and
- (3) Increase the minimum and maximum allowable fine for violations of the law relating to used motor vehicle parts and accessories.

Your Committee received testimony in support of this measure from Poi Dogs and Popoki, AAA Hawaii, National Insurance Crime Bureau, GEICO, Roberts Hawaii, and five individuals. Your

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Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that locally and nationally the theft of catalytic converters is a new and rapidly growing problem. The costs to a consumer to replace a catalytic converter may be in excess of \$1,000. This measure deters the theft of catalytic converters by imposing a higher criminal penalty on the theft and by establishing additional requirements on persons licensed to sell or purchase used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles.

Your Committee further finds that catalytic converters may be sold as scrap metal for purposes of extracting the metals within, as opposed to being sold as used motor vehicle parts for purposes of resale as a used motor vehicle part. At the same public hearing in which this measure was heard and considered, your Committee heard H.B. No. 117 (Regular Session of 2021), which requires scrap dealers to follow the same requirements on transactions involving catalytic converters and catalytic converter metals as those imposed on transactions involving copper. The approaches taken in this measure and H.B. No. 117 complement each other and, jointly, provide a robust deterrence to the growing problem of catalytic converter theft.

Your Committee has amended this measure by:

- (1) Inserting the contents of H.B. No. 117, a measure that regulates the purchase of catalytic converters and catalytic converter metals by scrap dealers by:
 - (A) Requiring a written statement, photograph of the catalytic converter or catalytic converter metals, and verification of a seller's identification prior to a scrap dealer's purchase of a catalytic converter or catalytic converter metals; and
 - (B) Specifying recordkeeping requirements for the sale of a catalytic converter or catalytic converter metals;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and



- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 446, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 446, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



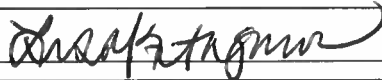
AARON LING JOHANSON, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

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Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 446	Committee Referral: CPC, JHA, FIN	Date: 2/4/2021		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	11			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				