
A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 708, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV to be appropriately
3 designated and to read as follows:

4 "§708- Theft of a catalytic converter. (1) A person
5 commits the offense of theft of a catalytic converter if the
6 person commits theft of a catalytic converter.

7 (2) For the purposes of this section, "catalytic
8 converter" means a device that is incorporated in a motor
9 vehicle's exhaust system and contains a catalyst for converting
10 pollutant gas emissions into less harmful emissions.

11 (3) Theft of a catalytic converter is a class C felony."

12 SECTION 2. Section 289-6, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§289-6 Records to be kept. (a) Every licensee shall
15 keep a record, and maintain it for three years, in the form the
16 director of finance prescribes, of the purchases, consignments,
17 sales, and exchanges, moneys, commissions, or any other thing of



1 value paid or agreed to be paid to any person for each wrecked,
2 salvaged, or rebuilt motor vehicle, used motor vehicle part or
3 accessory purchased, sold, consigned to be sold, or exchanged,
4 and the records shall be at all times open to the inspection of
5 the director of finance, or the director of finance's authorized
6 representative, or any police officer. The records shall
7 contain:

8 (1) The name, address, vehicle registration, and driver's
9 license number of all persons from whom any wrecked,
10 salvaged, or rebuilt motor vehicle, or used motor
11 vehicle part or accessory is purchased or received,
12 the date of their receipt or acquisition, and the
13 consideration given;

14 (2) The name and address of any person to whom any
15 wrecked, salvaged, or rebuilt motor vehicle, or used
16 motor vehicle part or accessory is sold, consigned to
17 be sold, or otherwise exchanged, the consideration
18 received therefor, and its date of disposition;

19 (3) The name and address of any person who has received
20 any money, commissions, or anything of value, or to
21 whom the same is due and owing, in connection with the



1 sale or purchase of any such motor vehicle, or used
2 motor vehicle part or accessory; and

3 (4) A description of every such motor vehicle, used motor
4 vehicle part, or accessory, including the identifying
5 number or numbers for each such motor vehicle or used
6 motor vehicle part or accessory.

7 (b) If the seller does not provide a copy of the
8 information required under subsection (a) (1), the licensee shall
9 not purchase the wrecked, salvaged, or rebuilt motor vehicle, or
10 used motor vehicle part or accessory and shall report the
11 attempted sale to the police."

12 SECTION 3. Section 289-8, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§289-8 Penalties.** Whoever violates any of the provisions
15 of this chapter or any lawful rule or regulation promulgated by
16 the director of finance under authority of this chapter, for the
17 violation of which no penalty is provided by law, shall be fined
18 not less than [~~\$25~~] \$100 nor more than [~~\$500-~~] \$2000."

19 SECTION 4. Section 445-231, Hawaii Revised Statutes, is
20 amended by adding two new definitions to be appropriately
21 inserted and to read as follows:



1 ""Catalytic converter" means an emissions control device
2 incorporated into a motor vehicle's exhaust system that converts
3 toxic vehicle emissions to less harmful substances by way of
4 catalyzed chemical reactions and which includes a catalyst
5 component made of catalytic converter metals.

6 "Catalytic converter metals" means any amount of palladium,
7 platinum, or rhodium in any form, whether by itself or as part
8 of another item."

9 SECTION 5. Section 445-233, Hawaii Revised Statutes, is
10 amended as follows:

11 1. By amending subsection (b) to read:

12 "(b) If the scrap presented for purchase is copper, a
13 catalytic converter, catalytic converter metals, a beer keg, or
14 an urn, in whole or in part, the seller shall provide a copy of
15 a receipt that describes, with particularity:

16 (1) The exact item that is being offered for sale;

17 (2) Who issued the receipt;

18 (3) The date of sale of the item prior to the item's being
19 offered to the scrap dealer; and

20 (4) The price, if any, of the item when obtained by the
21 seller."



1 2. By amending subsections (d) through (f) to read:

2 "(d) If the seller does not provide a copy of the receipt

3 or the notarized declaration as required by subsections (b) and

4 (c), the scrap dealer shall not purchase the copper, catalytic

5 converter, catalytic converter metal, beer keg, or urn, in whole

6 or in part, and shall report the attempted sale to the police.

7 (e) If the scrap dealer purchases any copper, catalytic

8 converter, catalytic converter metal, beer keg, or urn, in whole

9 or in part, the scrap dealer shall take a photograph or

10 photographs of [~~all of the~~] that copper, catalytic converter,

11 catalytic converter metal, beer keg, or urn, offered for sale.

12 (f) The scrap dealer shall also require the seller to

13 verify the seller's identity by presenting a valid photo

14 identification card or license issued by a federal or state

15 government agency authorized to issue valid identification. If

16 the scrap being offered for sale is copper, a catalytic

17 converter, catalytic converter metals, a beer keg, or an urn, in

18 whole or in part, the scrap dealer shall:

19 (1) Take a photograph of the seller; or

20 (2) Make a photocopy of the identification card or license

21 of the seller."



1 SECTION 6. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 7. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 8. This Act shall take effect on January 1, 2050.



Report Title:

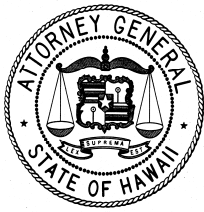
Motor Vehicles; Used Motor Vehicles Parts and Accessories; Theft of a Catalytic Converter; Fines; Scrap Dealers; Catalytic Converter Metals; Seller Identification

Description:

Establishes a new offense of theft of a catalytic converter. Requires vehicle registration records to be kept for businesses engaged in the selling or negotiating the purchase of used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles. Requires these businesses to refuse purchase of used motor vehicle parts or accessories and report the attempted sale to police if a seller does not provide certain information. Changes the fine for any violations of the used motor vehicle parts and accessories law. Regulates the purchase of catalytic converters and catalytic converter metals by scrap dealers. Requires 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. Specifies recordkeeping requirements for the sale of a catalytic converter or catalytic converter metals. Effective 1/1/2050. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.





**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:

H.B. NO. 446, H.D. 1, RELATING TO MOTOR VEHICLES.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Wednesday, February 17, 2021 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Via Videoconference Room 325

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Lance Goto,
Deputy Attorney General, at 586-1160)

Chair Nakashima and Members of the Committee:

The Department of the Attorney General (Department) offers the following comments on this bill.

The purposes of this bill are to: (1) establish the offense of theft of catalytic converter as a class C felony; (2) define "catalytic converter"; (3) require vehicle registration records to be kept for businesses engaged in transactions of used motor vehicle parts or accessories; (4) require these businesses to refuse purchase of used motor vehicle parts or accessories and report the attempted sale to police if a seller does not provide certain information; (5) change the fine for any violations of the used motor vehicle parts and accessories law; and (6) require the scrap dealer and seller to follow the same requirements under chapter 445, Hawaii Revised Statutes (HRS), for the purchase of a scrap catalytic converter, palladium, platinum, and rhodium as is required for the purchase of copper, beer kegs, and urns.

Sections 4 and 5 of the bill include scrap catalytic converters in the scrap dealer purchase provisions of part X of chapter 445, HRS. But as licensed scrap dealers are not authorized to deal in used motor vehicle parts, sections 4 and 5 should be removed from the bill. The sale of used auto parts, like catalytic converters, is controlled by chapter 289, HRS, entitled "Used Motor Vehicle Parts and Accessories." To deal in such used auto parts, a dealer, including a scrap dealer, would have to be licensed

under chapter 289. That is why "scrap" is defined under section 445-231, HRS, as "any secondhand or used metal except those used motor vehicle parts provided in chapter 289 (emphasis added)." It specifically excludes used motor vehicle parts. And section 289-1, HRS, defines "used motor vehicle part or accessory" as "a motor vehicle part or motor vehicle accessory which has been the subject of prior sale at retail, either individually or attached to a motor vehicle as a component part or accessory thereof." That definition would appear to include a catalytic converter. The Department recommends confining the regulation of scrap catalytic converters to chapter 289, HRS.

The Department appreciates the opportunity to share its concerns.



To: The Honorable Mark M. Nakashima, Chair
The Honorable Scot Z. Matayoshi, Vice Chair
House Committee on Judiciary and Hawaiian Affairs

From: Mark Sektnan, Vice President

Re: HB 446 HD1 – Relating to Motor Vehicles
APCIA Position: SUPPORT

Date: Wednesday, February 17, 2021
2:00 p.m.; Conference Room 325

Aloha Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The American Property Casualty Insurance Association of America (APCIA) is pleased to **support HB 446 HD1**, which establishes the offense of theft of a catalytic converter as a class C felony, and requires licensed used motor vehicle part dealers to obtain certain information by a seller of a catalytic converter that the seller has the lawful right to sell and dispose of the catalytic converter. Representing nearly 60 percent of the U.S. property casualty insurance market, the American Property Casualty Insurance Association (APCIA) promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe.

Catalytic converter theft is on the rise, in part due to the rise in prices associated with precious metals, including rhodium, platinum, and palladium, which are used in the construction of catalytic converters as these metals act as catalysts, removing toxic elements from the exhaust stream.

The relative ease and speed in which a thief can remove a catalytic converter, coupled with the financial reward a thief can reap selling the scrap metal is what drives thefts. Installing a replacement catalytic converter can cost several hundred to several thousand dollars, and because thieves try to remove the converters as quickly as possible, their hastiness often causes repair costs to be higher due to other areas of the car being damaged. Among the most targeted business establishments for catalytic converter thefts are vehicle dealerships and fleet operation such as shipping companies. This is due to the large number of converters all in the same place. Thefts from these types of places can lead to replacement costs in excess of tens of thousands of dollars, and additional lost revenue due to halted operations.

HB 446 HD1 would establish the offense of theft of catalytic converter as a class C felony and require scrap dealers to follow the same requirements regarding a written statement for the purchase of a catalytic converter as is required for the purchase of copper, beer kegs, and urns.

For these reasons, APCIA asks the committee to **pass** this bill.



February 16, 2021

Chair Mark M. Nakashima and Members of the Committee
Committee on Judiciary and Hawaiian Affairs
Hawaii House of Representatives

RE: House Bill 446 – Catalytic Converter Theft

Dear Chair Nakashima and Members of the Committee:

The National Insurance Crime Bureau (NICB) is a national, century-old, not-for-profit organization supported by approximately 1,200 property and casualty insurance companies, including many who write business in Hawaii. Working hand-in-hand with our member companies and law enforcement, we investigate organized criminal conspiracies dealing with insurance and vehicle crime.

Catalytic converter theft is on the rise, in part due to the rise in prices associated with precious metals, including rhodium, platinum, and palladium which are used in the construction of catalytic converters as these metals act as catalysts, removing toxic elements from the exhaust stream.

The relative ease and speed in which a thief can remove a catalytic converter, coupled with the financial reward a thief can reap selling the scrap metal is what drives thefts.

Installing a replacement catalytic converter costs hundreds to thousands of dollars, and because thieves try to remove the converters as quickly as possible, their hastiness often causes repair costs to be higher due to other areas of the car being damaged.

Among the most targeted business establishments for catalytic converter thefts are vehicle dealerships and fleet operation such as shipping companies. This is due to the large number of converters all in the same place. Thefts from these type of places can lead to replacement costs in excess of tens of thousands of dollars, and additional lost revenue due to halted operations.

Subsequently, we ask for your support of HB 446 which, among other things, establishes the offense of theft of catalytic converter as a class C felony and requires licensed used motor vehicle part dealers to collect the vehicle registration records from the person selling the used vehicle parts to the dealer.

Thank you for your review and consideration; if you have any questions or need additional information, please contact me at hhandler@nicb.org or 847-544-7083.

Sincerely,

A handwritten signature in blue ink that reads "Howard Handler".

Howard Handler
Senior Director, Government Affairs

TESTIMONY OF MICHAEL ONOFRIETTI

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

Wednesday, February 17, 2021
2:00 p.m.

HB 446, HD1

Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs, my name is Michael Onofrietti, ACAS, MAAA, CPCU, Senior Vice President, Actuarial Services, Product Development & Management for Island Insurance and Chairman of the Auto Policy Committee for Hawaii Insurers Council. The Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately forty percent of all property and casualty insurance premiums in the state.

Catalytic converter thefts are a rising problem nationwide and a growing problem in Hawaii. Stealing the device from an SUV or other vehicle with high ground clearance can take under one minute, and the devices are desirable because they contain platinum which currently trades for over \$1,300 per **ounce**. Compare this to copper, another frequent target of thieves, which trades for under \$4 per **pound**.

Under Hawaii's motor vehicle insurance law, theft is covered under Comprehensive (also called Other Than Collision) coverage. According to NAIC data over 75% of Hawaii insured vehicles include Comprehensive coverage. Replacing the catalytic converter itself can cost thousands of dollars but there are other costs:

- Thieves often damage other components located near the converter which also must be replaced.

- Availability of converters for some vehicles is a challenge because of the nationwide increase in thefts. This means consumers are often unable to use their vehicles for extended periods of time while waiting for parts.
- Many consumers purchase coverage to provide for a rental car when their insured vehicle is damaged. If a catalytic converter is backordered, rental vehicle expenses will be extended.

The above claims costs will be passed to consumers in the form of higher insurance premiums for Comprehensive coverage. Any measures that may prevent these increased claims costs will be a benefit to Hawaii insurance consumers.

Thank you for the opportunity to testify.

phone 808.523.7750
fax 808.522.7866

Roberts Hawaii, Inc.
444 Niu Street, Suite 300
Honolulu, HI 96815

February 16, 2021

Honorable Chair Mark Nakashima,
Vice Chair Scot Matayoshi & Members of the House Committee on Judiciary
and Hawaiian Affairs

Re: Testimony in Support of HB446 HD1

Chair Nakashima, Vice-Chair Matayoshi and Members of the Committee on
Judiciary and Hawaiian Affairs:

Roberts Hawaii *strongly* supports House Bill 446 HD1, which makes theft of catalytic converters a class C felony and requires scrap dealers to perform certain responsibilities and to obtain information and documentation from the seller at the time of sale.

As the largest ground transportation and tour operator in the State of Hawaii, Roberts Hawaii has a large fleet of vehicles that support a diverse range of transportation services to our community. In 2020 alone, we were the victims of theft and damage of no less than 26 catalytic converters that were installed on Special Education vehicles that we use to service students on our Department of Education routes. The theft and damage occurred on multiple occasions, typically occurring at night or on the weekends. The approximate value of the parts was \$38,500, requiring more than 100 hours of labor to repair our vehicles.

Making theft of catalytic converters a class C felony and requiring licensees to secure proper ownership documentation will disincentivize the destruction and theft of our property and undermine any illegal after-market use or sale of our stolen catalytic converters. This law would also have the benefit of protecting our vehicles, thereby ensuring continuity of service to the Department of Education and our other partners.

Thank you for the opportunity to testify on this measure.

Sincerely,



Roy Pfund
President & Chief Executive Officer

HB-446-HD-1

Submitted on: 2/16/2021 10:10:15 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Kitchens	Stolen Stuff Hawaii	Support	No

Comments:

Dear Chair Nakashima & Members of the Committee,

I am the administrator and creator Stolen Stuff Hawaii, Hawaii's largest anti-crime group with over 138,000 Hawaii members. The impact of catalytic converter theft is massive upon our community. The theft of a catalytic converter can happen to anyone...almost anytime and anywhere. It is very difficult to guard against as we cannot watch our vehicles 24/7. Not only does it damage the vehicle itself, but it is an extreme hardship for most in regards to time and money to repair. In some cases, it renders the vehicle inoperable until a proper cat can be sourced and installed due to being on a waiting list such as in the case of the Prius.

There needs to be more focus on not only the thieves themselves but the shops that purchases stolen cats. They must be held accountable...if there is no place to purchase illegal cats, then the thieves will stop stealing them.

As the primary admin of SSH, I see witness and experience these thefts weekly and sometimes even daily. Since January 2021, we've had 20+ reported cases of catalytic converter theft or attempted theft to SSH...and we are not an official reporting agency. The amount that must have been reported to HPD is most likely higher.

If I could suggest an idea...it would be to have all catalytic converters require a VIN stamp from the manufacturer, dealer, or owner be placed on the catalytic converter, and then have that # be flagged upon any theft of a vehicle or catalytic converter as stolen. This may help to prevent future thefts. It would work much the same way automotive dealers used to engrave the VINs on windows.

We simply must do a better job at holding these criminals responsible for the hardship and negative impact they have on our community.

Therefore, I strongly urge to support and pass HB446.

Mahalo,

Michael J. Kitchens
Admin/Creator
Stolen Stuff Hawaii

HB-446-HD-1

Submitted on: 2/16/2021 10:46:18 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Grafia	Individual	Support	No

Comments:

I fully support this Bill

Nathan Grafia

HB-446-HD-1

Submitted on: 2/16/2021 10:53:05 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Moses Benson	Industrial Battery Solutions LLC	Comments	No

Comments:

Please eliminate payment to individuals for recycling catalytic converters. Instead, please charge a fee to dispose of them (just like a fee is charged to dispose of large lithium batteries). Remove the monetary incentive to steal. Any bill to increase criminal penalties will not resolve the problem because the theives are rarely caught, and if they are they never serve any time anyway. My small business owns a large flatbed truck that has been targeted for catalytic converter theft. The price to replace it on this large truck is \$7,000, which our business cannot afford, especially because we can't work while waiting for parts from the mainland.

HB-446-HD-1

Submitted on: 2/16/2021 11:33:11 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Harris Ichida	Individual	Support	No

Comments:

I support HB446. On 10/06, Tuesday at 1031 Ala Napunai St, at approximately 3:30am. thieves stole my Catalytic Converter. In a matter of minutes, it was gone. I reported it to the Police, report #20-565296. I support HB446.

A few days later, the thieves returned and stole another Catalytic Converter! Since then, the Property Manager has installed video cameras in the parking lot.

Thank you,

Harris Ichida

HB-446-HD-1

Submitted on: 2/16/2021 11:38:44 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Lui	Individual	Support	No

Comments:

I strongly urge to support and pass HB446. I have not been a victim, but through Stolen Stuff Hawaii, I've seen numerous people that have been a victim of this crime. Now, I live in a daily fear that one day I could be a victim too and could be out of thousands of dollars. We should not be living with this fear as there's other more concerning issues around us. A bill that can reduce this type of theft is needed with a more severe punishment to thieves and to those buyers that purchase stolen goods. If we don't hold them accountable, then it's basically giving them permission to commit these crimes against innocent victims.

HB-446-HD-1

Submitted on: 2/16/2021 1:50:09 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
LIANA M CORTEZ-KEKAWA	Individual	Support	No

Comments:

I am submitting this testimony in complete SUPPORT of House Bill 446: RELATING TO MOTOR VEHICLES. - Motor Vehicles; Used Motor Vehicles Parts and Accessories; Theft of a Catalytic Converter; Fines; Scrap Dealers; Catalytic Converter Metals; Seller Identification.

Dear Chair Nakashima & Members of the Committee,

My name is Liana M. Cortez-Kekawa and I live in NÄ• nÄ• kuli Hawaiian Homestead. I am a community member, a concerned citizen, a wife, a mother, a tax preparer, a friend, a neighbor and I am here to help bring an end to at least one injustice that is happening EVERYWHERE!!! These thieves has no care for others and they are not discriminating because they will take from EVERYONE!!! You may just be next and I pray that you help put a stop to it today!!!

The impact of catalytic converter theft is massive upon our community and in society today. It is a major issue and we have had enough!!! The theft of a catalytic (cat) converter can happen to anyone...almost anytime and anywhere. It is very difficult to guard against as we cannot watch our vehicles 24/7. Not only does it damage the vehicle itself, but it is an extreme hardship for most in regards to time and money (from \$400 to even up to \$2000+) to repair. In some cases, it renders the vehicle inoperable until a proper cat can be sourced and installed due to being on a waiting list such as in the case of the Prius which again makes it hard to go to work, take care of our families and just makes life so much more harder as it is with this pandemic situation we already dealing with.

There needs to be more focus on not only the thieves themselves but the shops that purchases stolen cats. They must be held accountable!!!... if there is no place to purchase illegal cats, then the thieves will stop stealing them. Somewhat as was done with illegal copper wires being scrapped or safety checks scams... The state helped to make it hold these businesses more accountable for these type if transactions. There needs to be harsher punishment in many of our states illegal activities but right now I am focusing on this issue at hand!!!

I have seen, witnessed and experienced these thefts weekly and sometimes even daily on social media and to many loved ones. Watching these people just blatantly use a loud saw to hack people's vehicles and pretty much striping them of their livelihood in the form of a reliable vehicle that they need to go to work or to pick up their children from school is so heartbreaking. Since January 2021, I've seen at least 20+ reported cases of catalytic converter theft or attempted theft to Stolen Stuff Hawai'i (SSH) alone... and it is not even an official reporting agency so I can imagine that amount that must have been reported to the Honolulu Police Department (HPD) is more than likely higher.

If I could suggest an idea...it would be to have all catalytic converters require a VIN stamp from the manufacturer, dealer, or owner be placed on the catalytic converter, and then have that # be flagged upon any theft of a vehicle or catalytic converter as stolen. This may help to prevent future thefts. It would work much the same way automotive dealers used to engrave the VINs on windows.

We simply must do a better job at holding these criminals responsible for the hardship and negative impact they have on our community. Basically we need to stop allowing them to hold us hostage per se in our own homes and communities with little to nothing being done to stop them or they being allowed to run amuck with just a slap on the wrist. We need tougher punishments, we need to be more consistent in patrolling and being visible to catch these criminal activities and we need to stop letting them back out to keep doing these things with really no consequences.

Therefore, I strongly and passionately stand in major SUPPORT this bill and I hope and pray that you pass HB446 for the peace of mind for us all because this could one day happen to you and/or to one of your loved ones so please end this nightmare before it does happen.

Mahalo for allowing me to speak my mind and to come here before you with my concerns,

Liana M. Cortez-Kekawa

February 17, 2021

2:00 p.m.

Hawaii State House of Representatives

Committee on Judiciary and Hawaiian Affairs

Re: HB 446, Relating to Motor Vehicles

Aloha Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

On behalf of Schnitzer Steel Hawaii, we are testifying HB 446, Relating to Motor Vehicles. This bill establishes a new offense of theft of a catalytic converter. It requires vehicle registration records to be kept for businesses engaged in the selling or negotiating the purchase of used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles and requires these businesses to refuse purchase of used motor vehicle parts or accessories and report the attempted sale to police if a seller does not provide certain information.

We applaud the legislature's efforts at addressing the significant economic and community impact of metals thefts. Schnitzer Steel Hawaii Corp, which was formerly known as Hawaii Metal Recycling is now part of Schnitzer Steel Industries, Inc., a global leader in the metals recycling industry. As one of the nation's largest recyclers of scrap metal, Schnitzer's Metals Recycling Business collects, trades, brokers, processes and recycles metal, both ferrous (containing iron) and nonferrous (not containing iron). In addition to our deep and longstanding commitment to the highest standards of environmental stewardship, we are deeply committed to reducing metals theft and actively work with Hawaii's law enforcement community to prevent and address metals theft.

We respectfully request that the provisions requiring additional documentation for scrap dealers in this bill (which would be duplicative when a manufacturing, industrial, or commercial vendor that generates or sells catalytic converters to a scrap dealer) be exempted by inserting the following:

Page 4, starting at line 12:

“(b) If the scrap presented for purchase by anyone other than a manufacturing, industrial, or other commercial vendor that generates or sells catalytic converters in the ordinary course of its business such as a license scrap dealer, towing company or muffler repair shop is copper, is a catalytic converter, catalytic converter metals, a beer keg, or an urn, in whole or in part, the seller shall provide a copy of
15 a receipt that describes, with particularity...”

This exemption is consistent with that found in many states that address catalytic converter theft and would eliminate unnecessary additional costs that do not contribute to compliance or enforcement. We support the initial requirement of such documents and again thank you for addressing metals theft in Hawaii. Mahalo for the opportunity to testify.

HB-446-HD-1

Submitted on: 2/16/2021 2:03:34 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bradford Davis	Individual	Support	No

Comments:

Good morning to the Committee,

I would like to express my support for HB446 because this bill would create more accountability for the community, businesses, and judicial system.

Respectfully,

Bradford Davis

HB-446-HD-1

Submitted on: 2/16/2021 4:31:18 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Raymund Bragado	Individual	Support	No

Comments:

Aloha,

I had both of my vehicles catalytic converter stolen. First one was Jan 28 2020, the Jan 20 2021. It cost me both \$1,800.00 for an aftermarket part. I don't have a full coverage as my vehicles are old and I could not afford for a new one. I paid out of pocket and it was very hard for me as I have to take off to get it repaired. I watched on YouTube on how the thieves do it. There are a lot of videos and it needs to stop, I ask and beg you guys to make it harder for the recycler to buy these from the criminals. Make it also harder to transport it out of state or out of the country. Make the criminals regret for stealing these catalytic converters.

Mahalo,

Raymund A. Bragado

HB-446-HD-1

Submitted on: 2/16/2021 4:37:38 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Becka	Individual	Support	No

Comments:

I support this bill. These thefts as well as purchase by scrap dealers MUST STOP NOW

HB-446-HD-1

Submitted on: 2/16/2021 6:23:51 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelly Cooper	Individual	Support	No

Comments:

My catalytic converter was stolen twice in three months. \$1,400 replacement cost for each theft. No officer comes to take prints. All reports over the phone. Criminals are winning. I also got a ticket for not moving the car for three days waiting for an appointment to fix the car. I'm fed up with the crime rates here. Please hold people accountable. Shelly Cooper

HB-446-HD-1

Submitted on: 2/17/2021 11:50:09 AM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rodd	Individual	Support	No

Comments:

Dear Chair Nakashima and Members of the Comittee,

I wisht to support bill HB446. I strongly feel that something needs to be donw about the theft of car parts, cars itself and ofcoarse theft of catylytic converters, as this can also be very costly to a vehicle owner. I do feel that the ones who help purchase the stolen parts are greatly to blame, and because of this, whould be held a higher standard, and make the right choices to help curb these issues.

Thank you for your time.

HB-446-HD-1

Submitted on: 2/17/2021 12:49:39 PM

Testimony for JHA on 2/17/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Emil Gomez	Mo'Opuna Motorcycle Club	Support	No

Comments:

The impact of catalytic converter theft is massive upon our community. The theft of a catalytic converter can happen to anyone...almost anytime and anywhere. It is very difficult to guard against as we cannot watch our vehicles 24/7. Not only does it damage the vehicle itself, but it is an extreme hardship for most in regards to time and money to repair. In some cases, it renders the vehicle inoperable until a proper cat can be sourced and installed due to being on a waiting list such as in the case of the Prius.

There needs to be more focus on not only the thieves themselves but the shops that purchases stolen cats. They must be held accountable...if there is no place to purchase illegal cats, then the thieves will stop stealing them.

HB-446-HD-1

Submitted on: 2/17/2021 1:13:59 PM

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Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Mendoza	Individual	Support	No

Comments:

I observe theft of catalytic converters are on the upswing on Oahu. I believe that the passing of this bill will help slow down the thefts that are occurring on a regular basis. Please pass this bill and make sure it is properly implemented. Thank you.