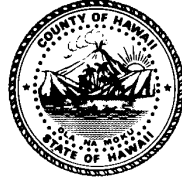


**Mitchell D. Roth**  
*Mayor*

**Lee E. Lord**  
*Managing Director*



**Ramzi I. Mansour**  
*Director*

**Brenda D. Iokepa-Moses**  
*Deputy Director*

# County of Hawai'i

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720

Ph: (808) 961-8083 · Fax: (808) 961-8086

Email: [cohdem@hawaiicounty.gov](mailto:cohdem@hawaiicounty.gov)

February 10, 2021

Transportation Committee  
Sen. Chris Lee, Chair  
Sen. Lorraine R. Inouye, Vice Chair  
Hawai'i State Capitol  
Honolulu, HI 96813

### NOTICE OF HEARING

DATE: February 11, 2021  
TIME: 3:00 P.M.  
PLACE: Conference Room 224, State Capitol, 415 South Beretania Street, Honolulu, HI

### **Re: Testimony in Support of Senate Bill (SB) 434, Registration of Vehicles**

Dear Chair Lee, Vice Chair Inouye and Committee Members,

The County of Hawai'i Department of Environmental Management is pleased to submit testimony **in support of Senate Bill 434** that requires a motor vehicle transferor, or the transferor's representative, and transferee to appear in person to execute the transfer of a motor vehicle, and subjects motor vehicle transferors to certain fees previously assessed on motor vehicle transferees.

Senate Bill 434 would assist the County's with recouping the costs of towing and disposal of vehicles that have been abandoned on roads and highways throughout the State from individuals and entities that intentionally abandon them. Requiring that the costs of towing and disposal be paid as a condition precedent to registration of vehicles would provide the counties an easier time with recouping their costs.

Thank you for your consideration.

Best Regards,

Ramzi Mansour  
DIRECTOR

cc: Mayor Mitchell Roth  
Greg Goodale, Hawai'i County Solid Waste Division Chief  
Juliana Holzman-Escareno, Abandoned Vehicle Coordinator



# POLICE DEPARTMENT COUNTY OF KAUAI



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

**TODD G. RAYBUCK**, CHIEF OF POLICE

DATE: 2/10/2021

TO: Senate Committee on Transportation  
*via written testimony, submitted online*

FROM: Katja Marjetic, Derelict/Abandoned Vehicle Coordinator

RE: Testimony **in SUPPORT** of **Hawaii Senate Bill 434, RELATING TO REGISTRATION OF VEHICLES**  
Hearing Date: Thursday, February 10, 2021 at 3:00 PM

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Dear Chair Lee, Vice Chair Inouye, and Members of the Committee on Transportation:

I am in support of SB434 because it enables the Counties to enforce payment of fees related to abandoned and derelict vehicles.

As the Derelict/Abandoned Vehicle Coordinator for the County of Kauai I regularly receive complaints from residents stating we need to make the owner who abandoned their vehicle pay for the charges that were incurred. At this time we can only enforce payment of towing charges, and only for vehicles which the owners reclaim. In 2020 the County of Kauai towed 348 abandoned vehicles and only 26 were reclaimed. We towed and destroyed an additional 222 derelict vehicles, and paid for 166 tows where the vehicle was no longer on location at the time of tow; and under current law we cannot enforce payment of charges for any of these tows.

SB434 would enable us to get back a much larger percentage of funds we expend on abandoned vehicles.

Respectfully,

Katja Marjetic  
Derelict/Abandoned Vehicle Coordinator



Testimony of the  
**Hawaii State Association of Counties**  
on  
**S.B. 434 Relating to Registration of Vehicles.**  
Committee on Transportation  
Thursday, February 11, 2021, 3:00 p.m.  
Room 224

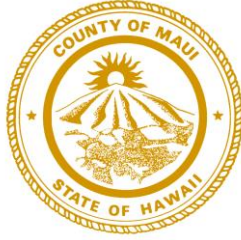
The Hawaii State Association of Counties (HSAC) strongly supports S.B. 434, which authorizes a county director of finance to withhold the issuance or renewal of a certificate of registration of a motor vehicle until the county is paid for any outstanding charges owed for the towing, removal, or disposal of an abandoned or derelict vehicle.

S.B. 434 will help in addressing the problem of abandoned and derelict vehicles. The more immediate problem, however, are the costs for the removal and disposal of abandoned or derelict vehicles, which in many cases, are absorbed by the county. In the County of Kauai, for example, in the last quarter of 2019, 247 abandoned or derelict vehicles were towed. Towing charges for that quarter totaled \$66,462.

Rather than imposing the burden of additional fees on the entire community, S.B. 434 will impose the responsibility for the outstanding charges on those vehicle owners who contribute to the problem

For these reasons, HSAC supports S.B. 434. Thank you for the opportunity to submit testimony on S.B. No. 434.

MICHAEL P. VICTORINO  
Mayor  
ERIC A. NAKAGAWA, P.E.  
Director  
SHAYNE R. AGAWA, P.E.  
Deputy Director  
MICHAEL P. RATTE  
Solid Waste Division  
SCOTT R. ROLLINS, P.E.  
Wastewater Reclamation Division  
TAMARA L. FARNSWORTH  
Environmental Protection &  
Sustainability Division



**COUNTY OF MAUI  
DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT**  
2050 MAIN STREET, SUITE 2B  
WAILUKU, MAUI, HAWAII 96793



February 10, 2021

TESTIMONY OF ERIC A. NAKAGAWA  
MAUI COUNTY, DIRECTOR OF ENVIRONMENTAL MANAGEMENT

BEFORE THE SENATE COMMITTEE ON TRANSPORTATION  
Thursday, February 11, 2021, 3:00 p.m.  
Conference Room 224

**SB434 RELATING TO REGISTRATION OF VEHICLES**

Honorable Chris Lee, Chair  
Honorable Lorraine R. Inouye, Vice Chair  
Honorable members of the Committee on Transportation

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Thank you for the opportunity to testify in **SUPPORT** of **SB 434**.

As the agency tasked with administering and enforcing HRS. Ch. 290, the legislation pertaining to Abandoned and Derelict Vehicles on public and private roadways, we think that this bill will achieve two desired outcomes:

1. It will effectively deter owners from abandoning their vehicles, and;
2. It will assist the counties with recovering the costs associated with towing, storage, and disposal of abandoned and derelict vehicles.

The County of Maui tows and manages a disproportionately high number of abandoned vehicles compared to the other Counties, towing and disposing of over 1500 vehicles per year. Many of these vehicles are stripped of parts and/or burnt, causing environmental and public safety hazards on all three of our inhabited islands, Maui, Lanai, and Molokai. In Fiscal Year 2020, the Abandoned Vehicles and Metals Office towed 1650 vehicles at a cost of \$706,797.40, recouping only 11% of outstanding charges through Demands for Payment and use of a collection agency. The annual budgeted operational funds expended per year for abandoned vehicle administration and handling is over \$1,000,000, due to additional charges for vehicle cleanouts, special cleanups, and related costs. We believe this measure will cause the rate of fiscal recovery to at least quadruple within a year and will significantly reduce the burdensome task of removing abandoned and derelict vehicles from public roadways and properties

The Department of Environmental Management has already established a good working relationship with the Motor Vehicles & Licensing Division of the Department of Finance, and is prepared to successfully collaborate on implementing this law, should it pass.

Thank you for allowing me to testify in **SUPPORT** of **SB 434** so that we can look forward to cleaner, safer roadways across Hawai'i.

MICHAEL P. VICTORINO  
Mayor  
ERIC A. NAKAGAWA, P.E.  
Director  
SHAYNE R. AGAWA, P.E.  
Deputy Director  
MICHAEL P. RATTE  
Solid Waste Division  
SCOTT R. ROLLINS, P.E.  
Wastewater Reclamation Division  
TAMARA L. FARNSWORTH  
Environmental Protection &  
Sustainability Division



**LATE**

**COUNTY OF MAUI  
DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT**  
2050 MAIN STREET, SUITE 2B  
WAILUKU, MAUI, HAWAII 96793

February 10, 2021

TESTIMONY OF ERIC A. NAKAGAWA  
MAUI COUNTY, DIRECTOR OF ENVIRONMENTAL MANAGEMENT

BEFORE THE SENATE COMMITTEE ON TRANSPORTATION  
Thursday, February 11, 2021, 3:00 p.m.  
Conference Room 224

**SB434 RELATING TO REGISTRATION OF VEHICLES**

Honorable Chris Lee, Chair  
Honorable Lorraine R. Inouye, Vice Chair  
Honorable members of the Committee on Transportation

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The Department of Environmental Management has already established a good working relationship with the Motor Vehicles & Licensing Division of the Department of Finance, and is prepared to successfully collaborate on implementing this law, should it pass.

Thank you for allowing me to testify in **SUPPORT** of **SB 434** so that we can look forward to cleaner, safer roadways across Hawai'i.





**SanHi**

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 10, 2021

TO: Senator Chris Lee  
Chair, Committee on Transportation

FROM: Matthew Tsujimura

RE: **S.B. 434, Relating to Registration of Vehicles**  
**Hearing Date: Thursday, February 11, 2021 at 3:00 p.m.**  
**Conference Room: 224**

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Dear Chair Lee, Vice Chair Inouye, and members of the Senate Committee on Transportation:

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

Enterprise **submits comments** on S.B. 434, 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.

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. 434 within the context of the rental car industry.

There are instances when customers fail to return rentals, or when rental cars are stolen and then ticketed as abandoned. Under S.B. 434, these situations would leave registered car owners footing the bill.

Enterprise requests that language be included in the S.B. 434 to exempt registered vehicle owners who've had their vehicle stolen or taken without permission or authorization. The proposed amendments are included below in red for your consideration.

Thank you for the opportunity to submit this testimony.

SECTION 2. Section 286-51, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The certificate of registration for each motor vehicle in the counties of the State shall be renewed on a staggered basis as established by each county. The director of finance of each county may adopt rules to carry out the purposes stated in this section and shall expend the necessary funds from the director's operating funds as may be necessary for these purposes; provided that the director of finance, if the director has ascertained as of the date of the application that the registered owner has not deposited or paid bail with respect to any summons or citation issued to the registered owner for stopping, standing, or parking in violation of traffic ordinances within the county, or has outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county, may require, as a condition precedent to the renewal, that the registered owner deposit or pay bail with respect to all such summonses ~~[or], citations[-], or outstanding charges,~~ 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 certificates of registration issued hereunder shall show, in addition to all information required under section 286-47, the serial number of the

tag or emblem and shall be valid during the registration year only for which they are issued. The certificates of ownership need not be renewed annually but shall remain valid as to any interest shown therein until canceled by the director of finance as provided by law or replaced by new certificates of ownership as hereinafter provided."

SECTION 3. Section 286-52, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Subsection (b), requiring a transferee to forward the certificate of ownership after endorsement to the director of finance, shall not apply to the transferee of a vehicle who was not intending to and does not drive the vehicle or permit the vehicle to be driven upon the public highways, but every such transferee, upon transferring the transferee's interest or title to another, shall give notice of the transfer to the director of finance and endorse the certificate of ownership to the new legal owner and the certificate of registration to the new owner; provided that if the director of finance has ascertained as of the date of the application that the registered owner has not deposited or paid bail with respect to any summons or citation issued to the registered owner for stopping, standing, or parking in violation of traffic ordinances within the county, or has outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county, the director may

require, as a condition precedent to the transfer, that the registered owner deposit or pay bail with respect to all such summons [~~or~~], citations [~~or~~], or outstanding charges, 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."

**SB-434**

Submitted on: 2/10/2021 12:34:41 PM

Testimony for TRS on 2/11/2021 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roderick B Green	Individual	Support	No

Comments:

I strongly support Hawaii Senate Bill 434 to enable Counties to enforce payment of fees related to abandoned and derelict vehicles. Kauai has seen an alarming increase of abandoned and derelict vehicles around the island. Having a large amount of abandoned and derelict vehicles is an eyesore, and makes the island less appealing which could further impact tourism throughout the State of Hawaii. I feel as though if fees were mandatory, it would drastically reduce the amount of abandoned and derelict vehicles. It would be a better way to hold vehicle owners accountable.

Thank you for your time.

Sincerely,

Roderick B. Green

Thank you for your time.