

STAND. COM. REP. NO. **3339**

Honolulu, Hawaii

MAR 22 2024

RE: H.B. No. 1577
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Transportation and Culture and the Arts, to which was referred H.B. No. 1577, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR VEHICLE TOWING FEES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize tow operators to charge an additional amount for overturned vehicles.

Your Committee received testimony in support of this measure from Honolulu Towing Inc.

Your Committee received testimony in opposition to this measure from Agasiva and Sons Towing.

Your Committee received comments on this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs and SS Towing HI.

Your Committee finds that towing companies often provide emergency accident recovery services, responding to and recovering vehicles overturned in accidents. Your Committee further finds that in many cases, the costs of labor, equipment, and resources far exceed the fees that tow companies are able to charge based on existing statute. This measure will ensure that tow companies are able to adequately cover the costs of challenging vehicle recovery



scenarios and continue to provide critical services throughout the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have authorized a towing company to be entitled to an additional unspecified dollar amount for towing of an overturned vehicle left unattended on private and public property pursuant to section 290-11, Hawaii Revised Statutes;
- (2) Inserting language that:
 - (A) Changes the fees to an unspecified amount that a towing company may charge to tow vehicles left unattended on private and public property;
 - (B) Authorizes a towing company or parking management company to charge a maximum fee of an unspecified amount for parking control or the placement or removal of vehicle immobilization devices;
 - (C) Requires that a towing company that charges fees to tow vehicles left unattended on private and public property, or a towing company or parking management company that charges fees for the placement or removal of vehicle immobilization devices, to accept payment by the vehicle owner for charges by cash, credit card, and debit card;
 - (D) Provides that a towing company shall not direct an individual to use an on-site automated teller machine in lieu of accepting payment by credit card and debit card; and
 - (E) Requires a minimum period of twelve hours before the issuance of a ticket for a violation or commencement of a tow when parked in a legal public stall, unless otherwise directed by law enforcement in the case of an emergency; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



Your Committee notes that this measure contains an effective date of July 1, 3000.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1577, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1577, H.D. 1, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
Culture and the Arts,



CHRIS LEE, Chair



