

Honolulu, Hawaii

Feb 4, 2008

RE: H.B. No. 2618
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2618 entitled:

"A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS,"

begs leave to report as follows:

The purpose of this bill is to promote fairness to consumers and remove impediments to commerce dealing with used vehicles by:

- (1) Ensuring that traffic infractions, in addition to any fees incurred for failure to pay the citations, remain the responsibility of the person who owned the vehicle at the time the citation was issued; and
- (2) Establishing that unpaid parking citations shall not prevent the issuance or renewal of the motor vehicle's certificate of registration and transfer of title to the motor vehicle to another person.

Catrala-Hawaii supported the intent of this bill with an amendment.

Current law attaches traffic infractions to the vehicle rather than the vehicle's owner. Your Committee finds that this has caused problems for many who have purchased used vehicles. Citations issued against vehicles have hindered the registration transfer process because motor vehicle registration transfers are not permitted until the new owner pays for the fines contained in




the citations issued for that vehicle, even if the fines were incurred by the previous owner. This measure corrects that problem by permitting the new owner to register the vehicle, while requiring the previous owner who incurred the citations to pay the fines.

However, your Committee notes the concerns raised by Catrala-Hawaii that this measure will severely impact the car rental industry in Hawaii. Under current law, U-drive (rental car) companies in Hawaii may pay a lesser fine for traffic infractions committed by the renter of their vehicle if certain information about the renter is provided to Hawaii's judiciary. This exemption is not allowed under this measure. Accordingly, your Committee has amended this bill by:

- (1) Providing an exemption for U-drive companies; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2618, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2618, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,



JOSEPH M. SOUKI, Chair



HSCR 65-06

State of Hawaii
House of Representatives
The Twenty-fourth Legislature

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 2618	Committee Referral: TRN, JUD	Date: 2008 Jan 28
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. SOUKI, Joseph M. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. EVANS, Cindy	/			
4. HAR, Sharon E.				/
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia				/
7. McKELVEY, Angus L.K.				/
8. NAKASONE, Bob	/			
9. SONSON, Alex M.				/
10. TAKAMINE, Dwight Y.	/			
11. TAKUMI, Roy M.	/			
12. MEYER, Colleen Rose				/
13. PINE, Kymberly Marcos	/			
TOTAL (13)	8			5

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
 committee acronym(s)

Vice Chair's or designee's signature: _____

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