

Honolulu, Hawaii  
Feb 4, 2008

RE: H.B. No. 2954

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. 2954 entitled:

"A BILL FOR AN ACT RELATED TO TOWING,"

begs leave to report as follows:

The purpose of this bill is to assist towing companies while providing consumers with increased towing services by:

- (1) Reinstating the authority of towing companies to charge overtime fees during certain hours of operation; and
- (2) Adding a new provision disallowing the overtime fee for towing companies in counties with a population greater than 500,000 if the company does not:
  - (A) Offer towing services to consumers 24 hours per day every day of the week; and
  - (B) File their hours of operation with the police department in that county.

The Hawaii State Towing Association testified in support of this bill. The Department of Commerce and Consumer Affairs and State Farm Insurance Companies testified in opposition to this measure.



Until recently, towing companies were allowed to charge overtime fees. These fees allow towing companies an additional means of dealing with the financial hardship of increased operational and storage costs. However, your Committee notes that consumers have complained that they have had difficulty in retrieving their vehicle once it has been towed because some tow companies do not have convenient hours of operation. This has often resulted in increased charges for the consumer as daily storage charges are not waived. This measure attempts to strike a balance to afford benefits to both the towing companies and consumer.

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. 2954 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

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

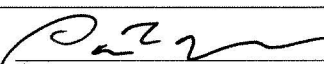


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JOSEPH M. SOUKI, Chair



Record of Votes of the Committee on Transportation

<b>Bill/Resolution No.:</b> HB 2954	<b>Committee Referral:</b> TRN, CPC, FIN	<b>Date:</b> 30 January 2008		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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)				
<b>TRN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
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, Kymerly Marcos	/			
<b>TOTAL (13)</b>	10			3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> 				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office				