

STAND. COM. REP. NO.

281

Honolulu, Hawaii

FEB 18, 2009

RE: H.B. No. 869

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 869 entitled:

"A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLES,"

begs leave to report as follows:

The purpose of this bill is to assist rental motor vehicle companies in dealing with traffic violations committed by renters by:

- (1) Extending the period of time within which the rental motor vehicle company must provide a lessee's name and address upon notice that a rental motor vehicle has been involved in a traffic violation from 45 to 60 days; and
- (2) Clarifying that the period of time within which the rental motor vehicle company must provide the lessee's name and address begins on the date of the mailing of the notice of violation.

Enterprise Rent-A-Car Company of Hawaii and Vanguard Car Rental USA, Inc., dba National Car Rental and Alamo Rent A Car, DTG Operations, Inc., dba Dollar Rent A Car and Thrifty Car Rental, and Catrala-Hawaii supported this bill with amendments. The Judiciary provided comments.

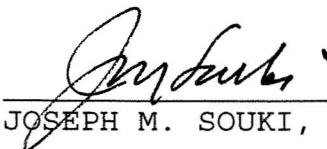


Currently, when a person driving a rental car in Hawaii is cited for a traffic violation, the rental car company has 45 days to respond to the notice of a traffic infraction. As long as the rental car company presents this information to the courts within 45 days, the courts will either lower the fine for the infraction or dismiss the infraction altogether. If the information is not provided within this timeframe, the rental car company is required to pay the full fine. However, as the registered owners of a rental car are often a parent company located on the continental United States, it may take additional time for a notice of infraction to be received and processed by the company thereby causing a delay in their response. Allowing additional time for the provision of this information and clarifying that the time period begins on the date of the mailing of the notice will create deadlines that rental car companies would be better able to meet.

Although your Committee understands the concerns raised by the Judiciary regarding increased demands on the judicial system, this measure deserves further consideration.

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. 869 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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



JOSEPH M. SOUKI, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Transportation

Bill/Resolution No.: HB 869	Committee Referral: TRN, JUD	Date: 2/9/09
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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. AWANA, Karen Leinani (VC)	✓			
3. AQUINO, Henry J.C.	/			
4. HANOHANO, Faye P.	/			
5. KEITH-AGARAN, Gilbert S.C.	/			
6. LEE, Marilyn B.	/			
7. NAKASHIMA, Mark M.	/			
8. RHOADS, Karl	/			
9. SAIKI, Scott K.	/			
10. TAKUMI, Roy M.	✓			
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos				✓
TOTAL (12)	11			1

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

Vice Chair's or designee's signature: *Karen Awana*

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