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Honolulu, Hawaii

MAR 25 2009

RE: H.B. No. 869
H.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred H.B. No. 869, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify the responsibility of an owner of a rental motor vehicle for a summons or citation issued to a lessee of the vehicle.

Under current law, if a default judgment on a summons or citation is entered against a lessee of a rental motor vehicle, the owner/lessor of the rental motor vehicle will be responsible for the summons or citation if the owner/lessor does not provide the court with the lessee's name and address within 45 days of the lessor's receipt of notification. This measure extends the time period for the lessor's provision of the lessee's name and address to the court from 45 to 60 days and clarifies the court's responsibility to mail a copy of the summons or citation to the lessor within 60 days of its issuance.

Your Committee received testimony in support of this measure from Catrala-Hawaii; Dollar Thrifty Automotive Group, Incorporated; Avis Rent A Car; Budget Rent A Car; Enterprise Rent A Car; Alamo Rent A Car; National Rent A Car; and The Hertz Corporation. Comments were received from the Judiciary. Written testimony presented to the Committee may be reviewed on the Legislature's website.



Your Committee finds that this measure is necessary because it is difficult for rental car companies, whose renters incur traffic violations, to find and locate records and respond in time to avoid payment of penalties and to meet deadlines. However, your Committee is aware that the Judiciary and local rental car industry personnel are currently working to address the concerns presented by this measure and that such efforts may obviate the need for this legislation. Your Committee encourages these efforts and urges the parties to take the opportunity to develop workable solutions now, before this measure is enacted by the Legislature.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 869, H.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,


J. KALANI ENGLISH, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:
HB 869, HDI	TIA, JGO	3-18-09
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div><input checked="" type="checkbox"/> Pass, unamended 2312</div> <div><input type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>		
Members	Aye	Aye (WR)
ENGLISH, J. Kalani (C)	✓	
GABBARD, Mike (VC)	✓	
ESPERO, Will	✓	
NISHIHARA, Clarence K.	✓	
SLOM, Sam	✓	
TOTAL	5	
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div><input checked="" type="checkbox"/> Adopted</div> <div><input type="checkbox"/> Not Adopted</div> </div>		
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>		
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>		

*Only one measure per Record of Votes