STAND. COM. REP. NO. 1535 -12

Honolulu, Hawaii

April 5, 2012

RE: S.B. No. 824

S.D. 2 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred S.B. No. 824, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOTOR CARRIERS,"

beg leave to report as follows:

The purpose of this measure is to assist motor carriers by prohibiting persons who contract for transportation services with a regulated motor carrier from requiring the motor carrier to indemnify the person and the person's agents, employees, servants, or independent contractors from claims and liabilities for their negligence or intentional acts or omissions.

The Hawaii Transportation Association; U. Okada & Co., Ltd; Kona Transportation Company Incorporated; Hawaii Transfer Co., Ltd.; Island Movers, Inc.; and Hawaii Logistics Services testified in support of this measure.

Your Committees have amended this measure by:

- (1) Changing the effective date to upon its approval; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 824, S.D. 2, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 824, S.D. 2, H.D. 2.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

GILBERT KEITH-AGARAN, Chair

ROBERT N. HERKES, Chair

## State of Hawaii House of Representatives The Twenty-sixth Legislature

## Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:  SB 824 SD 2 HD1 Committee Referral: TRN, CPC/JUD Date: 3/29//2								
☐ 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)								
CPC Members	Ayes	Ayes (WR)	Nays	Excused				
1. HERKES, Robert N. (C)								
2. YAMANE, Ryan I. (VC)								
3. BROWER, Tom								
4. CABANILLA, Rida T.R.								
5. CARROLL, Mele								
6. COFFMAN, Denny	<u></u>							
7. ITO, Ken	-							
8. KEITH-AGARAN, Gilbert S.C.								
9. LUKE, Sylvia								
10. McKELVEY, Angus L.K.								
11. SOUKI, Joseph M.				-				
12. TSUJI, Clift								
13. CHING, Corinne W.L.	me.							
14. MARUMOTO, Barbara C.			,					
15. THIELEN, Cynthia				-				
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TOTAL (15)	8			1				
The recommendation is:  Adopted  If joint referral,  committee peronym(s)  In did not support recommendation.								
Vice Chair's or designee's signature:								
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO								

## State of Hawaii House of Representatives The Twenty-sixth Legislature



## Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:  TRN, APC/TUD  Date: 3/29/12								
SB824 SD2 HDI TRN, CPC JUD 3/29 11 L  The committee is reconsidering its previous decision on the measure.									
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Pass short form bill with HD to recommit for future public hearing (recommit)									
JUD Members		Ayes	Ayes (WR)	Nays	Excused				
1. KEITH-AGARAN, Gilbert S.C. (	(C)		<b>3</b> 0000 0						
2. RHOADS, Karl (VC)									
3. BROWER, Tom									
4. CABANILLA, Rida T.R.									
5. CARROLL, Mele					<i></i>				
6. COFFMAN, Denny									
7. HERKES, Robert N.									
8. ITO, Ken									
9. LUKE, Sylvia	-								
10. McKELVEY, Angus L.K.					<u> </u>				
11. SOUKI, Joseph M.									
12. TSUJI, Clift									
13. FONTAINE, George R.									
14. MARUMOTO, Barbara C.									
15. THIELEN, Cynthia									
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TOTAL (15)		9	0	0	6				
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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