

STAND. COM. REP. NO.

1192

Honolulu, Hawaii

MAR 01 , 2019

RE: H.B. No. 253  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and  
Judiciary, to which was referred H.B. No. 253, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to prohibit a person from  
knowingly or intentionally:

- (1) Manufacturing, importing, installing, reinstalling,  
distributing, selling, or offering for sale any  
counterfeit supplemental restraint system component,  
nonfunctional airbag, or airbag that does not meet  
federal safety requirements; and
- (2) Selling, offering for sale, installing, or reinstalling  
any device that causes the motor vehicle's diagnostic  
systems to fail to warn that the motor vehicle is  
equipped with a counterfeit supplemental restraint  
system component, a nonfunctional airbag or that no  
airbag is installed.

The Alliance of Automobile Manufacturers, National  
Association of Mutual Insurance Companies, Honda North America,  
Inc., Automotive Anti-Counterfeiting Council, Inc., Coalition  
Against Insurance Fraud, O'ahu County Committee on Legislative



Priorities of the Democratic Party of Hawai'i, and an individual testified in support of this measure. The Hawaii Automobile Dealers' Association provided comments.

Your Committees have amended this measure by:

- (1) Clarifying that no person shall intentionally or knowingly manufacture, import, install, reinstall, distribute, sell, or offer for sale any counterfeit supplemental restraint system component, nonfunctional airbag, or airbag that does not meet federal safety requirements with the intent that such device replace an airbag in any motor vehicle; and
- (2) Making technical, nonsubstantive amendments for clarity and consistency.

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 H.B. No. 253, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 253, H.D. 2.

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



CHRIS LEE, Chair



ROY M. TAKUMI, Chair



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

<b>Bill/Resolution No.:</b> HB 253, HD1	<b>Committee Referral:</b> TRN, CPC/JWD	<b>Date:</b> 2/21/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. BELATTI, Della Au				✓
5. CABANILLA ARAKAWA, Rida	✓			
6. CACHOLA, Romy M.	✓			
7. HAR, Sharon E.	✓			
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.				✓
10. ONISHI, Richard H.K.	✓			
11. MATSUMOTO, Lauren	✓			
<b>TOTAL (11)</b>	9	0	0	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				

**Record of Votes of the Committee on Judiciary**

<b>Bill/Resolution No.:</b> HB253 HD1	<b>Committee Referral:</b> TRN, CPC/JUD	<b>Date:</b> 2/21/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.				/
7. MORIKAWA, Dee	/			
8. SAY, Calvin K.Y.	/			
9. TAKAYAMA, Gregg	/			
10. YAMANE, Ryan I.	/			
11. THIELEN, Cynthia	/			
<b>TOTAL (11)</b>	10			1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				