

STAND. COM. REP. NO.

292

Honolulu, Hawaii

, 2021

FEB 17

RE: H.B. No. 264

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 264 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK
COMPANIES,"

begs leave to report as follows:

The purpose of this measure is to make permanent the
insurance requirements for transportation network companies and
transportation network company drivers enacted by Act 236, Session
Laws of Hawaii 2016 (Act 236).

Your Committee received testimony in support of this measure
from the Hawaii Insurers Council, Uber Technologies, and American
Property Casualty Insurance Association of America.

Your Committee finds that the rising popularity and
proliferation of transportation network companies raised concerns
about potential gaps in motor vehicle insurance coverage
associated with the transportation network companies and their
drivers. While other commercial passenger services, such as
common carriers by motor vehicle or taxicabs, had commercial
insurance that protected passengers and third parties during the
course of a commercial activity, drivers of transportation network
companies may not have had the proper coverage to protect



passengers and third parties during the operation of the motor vehicle as a ride-share.

In response to these concerns, by the end of 2015, twenty-nine states enacted legislation to establish insurance requirements covering transportation network companies and their drivers. In 2016, Hawaii joined those states by enacting Act 236, which established insurance requirements for transportation network companies and their drivers. However, Act 236 is set to repeal on September 1, 2021.

Your Committee further finds that Act 236 is accomplishing its intended goal and should be made permanent.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 264, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 264, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LING JOHANSON, Chair



State of Hawaii
 House of Representatives **HSCR 292**
 The Thirty-first Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 264	Committee Referral: CPC, FIN	Date: 2/5/2021		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <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. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.				✓
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	10	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u> Lisa Kitagawa </u>				
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