

STAND. COM. REP. NO.

619

Honolulu, Hawaii

FEB 19 , 2021

RE: H.B. No. 446
H.D. 2

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 446, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the felony offense of theft of a catalytic converter;
- (2) Prohibit persons licensed to purchase or sell used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles from accepting parts or accessories or a motor vehicle if the seller does not furnish certain information and require licensees to report the attempted sale to the police;
- (3) Increase the minimum and maximum allowable fine for violations of the law relating to used motor vehicle parts and accessories; and
- (4) Regulate the purchase of catalytic converters and catalytic converter metals by scrap dealers by:



- (A) Requiring a written statement, photograph of the catalytic converter or catalytic converter metals, and verification of a seller's identification before a scrap dealer's purchase of a catalytic converter or catalytic converter metals; and
- (B) Specifying recordkeeping requirements for the sale of a catalytic converter or catalytic converter metals.

Your Committee received testimony in support of this measure from the American Property Casualty Insurance Association of America, National Insurance Crime Bureau, Roberts Hawaii, Stolen Stuff Hawaii, Mo'opuna Motorcycle Club, and ten individuals. Your Committee received comments on this measure from the Department of the Attorney General, Hawaii Insurers Council, Industrial Battery Solutions LLC, and Schnitzer Steel Hawaii.

Your Committee finds that catalytic converters have extrinsic value outside of being just a motor vehicle part. The rise in prices associated with precious catalyst metals that are used in the construction of catalytic converters is causing catalytic converter theft to increase. The relative ease and speed in which a person can remove a catalytic converter, coupled with the financial reward for selling the scrap metal, is what drives thefts. Your Committee further finds that installing a replacement catalytic converter is expensive, and, because thieves hastily remove catalytic converters, other areas of the car may be damaged, which increases repair costs. Your Committee believes that this measure will help deter catalytic converter theft in Hawaii.

Your Committee has amended this measure by:

- (1) Exempting manufacturing, industrial, or other commercial vendors that generate or sell catalytic converters in the ordinary course of their business, such as a licensed scrap dealers, towing companies, and muffler repair shops, from providing a copy of a receipt when presenting catalytic converters or catalytic converter metals for purchase; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 446, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 446, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSCR 619

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 446 HD1	Committee Referral: CPC, JHA, FIN	Date: 2-17-21		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.				✓
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.				✓
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
TOTAL (12)	10	0	0	2
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: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				