

Honolulu, Hawaii

FEB 15 , 2022

RE: H.B. No. 1991
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1991 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit, in counties with a population of five hundred thousand or more, the sale of a bicycle that is reported as stolen and listed on a publicly available online stolen item database;
- (2) Require the police department in counties with a population of five hundred thousand or more to establish the publicly available online stolen item database; and
- (3) Update the recordkeeping and retention requirements for businesses that buy previously owned articles.

Your Committee received testimony in support of this measure from the Honolulu Police Department and four individuals. Your Committee received testimony in opposition to this measure from the National Pawnbrokers Association, Hawaii Pawnbrokers Association, Kama'aina Loan and Cash for Gold, and Hawaii Gold & Silver Company.



Your Committee finds that bicycle thefts can significantly impact a person financially and hinder the State's sustainability goals of reducing carbon emissions and utilizing low carbon transportation. Existing laws requiring the registration of bicycles and imposing fines for the failure to do so are not sufficient in stopping bicycle theft and resale. This measure seeks to directly address the issue of stolen bicycle resales by prohibiting the sale of bicycles reported as stolen and listed on a publicly available online stolen item database.

Your Committee has amended this measure by:

- (1) Deleting portions of the purpose section;
- (2) Deleting language that would have updated the recordkeeping and retention requirements for businesses that buy previously owned articles;
- (3) Changing the effective date to January 1, 2222, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it deliberate on this measure, to examine making online sales platforms more accountable for stolen bicycle sales.

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. 1991, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1991, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



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



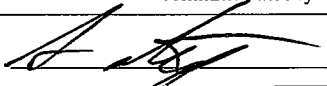
MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HR 366-22

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 1991	Committee Referral: JHA, RPC	Date: 2-8-22		
<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				