STAND. COM. REP. NO. 1472

Honolulu, Hawaii

, 2021 MAR 25

S.B. No. 251 RE: S.D. 2 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 S.B. No. 251, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Regulate the operations of transportation network companies in the State and establish a permitting process for these companies within the Department of Transportation; and
- Make permanent the motor vehicle insurance requirements (2) for transportation network companies and transportation network company drivers enacted by Act 236, Session Laws of Hawaii 2016.

Your Committee received testimony in support of this measure from the Department of Transportation; Uber Technologies, Inc.; American Property Casualty Insurance Association; Lyft; and Na Hoaloha Maui Interfaith Volunteer Caregivers. Your Committee received testimony in opposition to this measure from Charley's Taxi; Robert's Hawaii, Inc.; Hawaii Passenger and Property Carrier

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Association; and Hawaii Transportation Association. Your Committee received comments on this measure from the Hawaii Insurers Council.

Your Committee finds that uniform statewide regulation of transportation network companies is needed to ensure the safety, reliability, and cost-effectiveness of rides provided by transportation network company drivers, as well as to preserve and enhance access to important transportation options for residents and visitors of the State.

Your Committee further finds that Act 236, Session Laws of Hawaii 2016 (Act 236), closed the insurance gaps associated with transportation network companies by establishing mandatory motor vehicle insurance requirements for transportation network companies and transportation network company drivers. This measure makes the motor vehicle insurance requirements established by Act 236 permanent.

Your Committee has amended this measure by:

- Clarifying that transportation network companies and transportation network company drivers are not motor carriers under the Motor Carrier Law; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 251, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 251, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

HANSON, Chair

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State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 251 SD 2	Committee Referral: CPC, FIN	Date	Date: 3 23 21	
□ 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. JOHANSON, Aaron Ling (C)	V			
2. KITAGAWA, Lisa (VC)	\checkmark			
n se				
3. AQUINO, Henry J.C.				
A UAD Change E				
4. HAR, Sharon E.				
5. HASHEM, Mark J.			an a	- <mark>kalender skille selfe</mark> t -
J. MADILINI, MAILING.				
6. KONG, Sam Satoru	· · · · · · · · · · · · · · · · · · ·			
7. MIZUNO, John M.				
8. MORIKAWA, Dee				
9. ONISHI, Richard H.K.				
10. TARNAS, David A.				
11. MATSUMOTO, Lauren			hannaharan di banda metara san ing ing ing ing ing ing ing ing ing in	<u></u>
	V			
TOTAL (11)	10	1	0	0
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				