

# Hawai'i State Association of Counties (HSAC)

Counties of Kaua'i, Maui, Hawai'i, and City & County of Honolulu

Website: [hawaiicounties.org](http://hawaiicounties.org) | Email: [hsac@hawaiicounties.org](mailto:hsac@hawaiicounties.org)

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Testimony of the

**Hawai'i State Association of Counties**

on

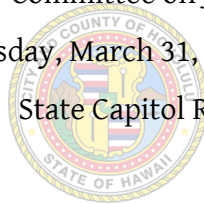
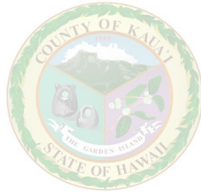
**H.B. No. 1412, H.D.2**

**Relating to Abandoned Vehicles.**

Committee on Judiciary

Thursday, March 31, 2022, 9:30 a.m.

State Capitol Room 016



The Hawai'i State Association of Counties (HSAC) strongly supports H.B. 1412, H.D.2, which clarifies the definition of "abandoned vehicle."

A vehicle is "abandoned" if it is defined to be abandoned by an ordinance of the county in which the vehicle is located. In the absence of such an ordinance, a vehicle is "abandoned" if it is left unattended for a continuous period of more than twenty-four hours and it is unlawfully parked on any public highway or other public property or private lands defined as a setback, shoulder, easement, or right of way that is adjacent to or part of a public highway. H.B. 1412, H.D.2, requires the counties to specify a minimum distance a vehicle must be moved within a specified time to avoid being classified as abandoned. The objective of H.B. 1412, H.D.2, is to expedite the removal of abandoned vehicles from public streets.

For these reasons the Hawai'i State Association of Counties strongly supports H.B. 1412, H.D.2, and requests your favorable consideration of this measure.



COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair  
Rep. Kyle T. Yamashita, Vice Chair

|                            |                        |
|----------------------------|------------------------|
| Rep. Patrick Pihana Branco | Rep. Amy A. Perruso    |
| Rep. Stacelynn K.M. Eli    | Rep. Jackson D. Sayama |
| Rep. Daniel Holt           | Rep. Adrian K. Tam     |
| Rep. Greggor Ilagan        | Rep. Chris Todd        |
| Rep. Bertrand Kobayashi    | Rep. Tina Wildberger   |
| Rep. Lisa Marten           | Rep. Bob McDermott     |
| Rep. Scott Y. Nishimoto    |                        |

NOTICE OF HEARING

Wednesday, February 23, 2022  
2:30 p.m.

VIA VIDEOCONFERENCE  
Conference Room 308  
State Capitol  
415 South Beretania Street

Testimony of Hawaii Council of Mayors  
on  
HB 1412, HD1  
Relating to Abandoned Vehicles; Distance  
Requirements; Counties

The Hawaii Council of Mayors supports H. B. 1412, which requires the counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment.

We urge the legislature to support the counties in which the vehicle is located to establish an ordinance to define abandonment in accordance with distance requirements and specified timeframe.

Abandoned vehicles on public streets create widespread environmental issues as well as unsafe and unhealthy conditions for Hawaii residents. The existing law creates problems with a loophole that it may be deemed abandoned but no longer classified as abandoned if it moves an inch or two from the location where it was noticed abandoned.

The Hawaii Council of Mayors urge your support with our efforts to keep our environments safe and healthy. Thank you.

Hawaii Council County of Mayors

Derek Kawakami, Mayor, Kauai County

Rick Blangiardi, Mayor, City and County of Honolulu  
Mitch Roth, Mayor, Mayor, Hawaii County  
Michael P. Victorino, HCOM President, (808-270-7855)

February 23, 2022

MICHAEL P. VICTORINO  
Mayor

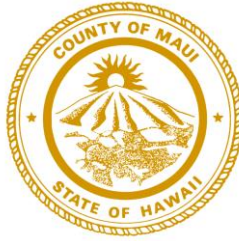
ERIC A. NAKAGAWA, P.E.  
Director

SHAYNE R. AGAWA, P.E.  
Deputy Director

MICHAEL KEHANO, P.E.  
Solid Waste Division

SCOTT R. ROLLINS, P.E.  
Wastewater Reclamation Division

TAMARA L. FARNSWORTH  
Environmental Protection &  
Sustainability Division



**COUNTY OF MAUI  
DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT**

2145 KAOHU STREET, SUITE 102  
WAILUKU, MAUI, HAWAII 96793

March 29, 2022

TESTIMONY OF TAMARA L. FARNSWORTH  
COUNTY OF MAUI, MANAGER OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY  
DIVISION

BEFORE THE SENATE COMMITTEE ON Thursday, March 31, 2022, 9:30 a.m.  
Via Videoconference

In consideration of **HOUSE BILL 1412 HD 2 RELATING TO ABANDONED VEHICLES**  
Honorable Senator Karl Rhoads, Chair  
Honorable Senator Jarrett Keohokalole, Vice Chair

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The County of Maui Department of Environmental Management stands in **SUPPORT of HB 1412 HD 2** which relates to abandoned vehicles and minimum distance.

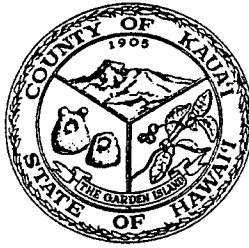
This bill will help counties to address vehicles in instances where non-operational vehicles are being pushed or towed short distances in order to avoid removal by the county. The bill will allow counties to designate the distances that are appropriate for each of their geographic and population densities, as well as to develop our own methods of accounting for those distances. Rural areas may need a greater allowance of distance than islands that are more urban or densely populated. Overall, this bill will allow counties to address certain abandoned and derelict vehicles with more efficiency and timeliness. We do think the problem is significant enough to warrant new legislation.

Therefore, we urge this committee to pass this bill in order to strengthen HRS Ch. 290 to allow the counties to determine best practices for vehicles that are clearly abandoned or derelict, but being tampered with by those who would circumvent the law.

Thank you for the opportunity to provide testimony **in support of HB 1412 HD 2.**

**COUNTY COUNCIL**

Arryl Kaneshiro, Chair  
Mason K. Chock, Vice Chair  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Bill DeCosta  
Luke A. Evslin  
KipuKai Kualii



**OFFICE OF THE COUNTY CLERK**

Jade K. Fountain-Tanigawa, County Clerk  
Scott K. Sato, Deputy County Clerk

Telephone: (808) 241-4188  
Facsimile: (808) 241-6349  
E-mail: cokcouncil@kauai.gov

**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawai'i 96766

March 29, 2022

**TESTIMONY OF MASON K. CHOCK**  
**COUNCIL VICE CHAIR, KAUAI COUNTY COUNCIL**  
**ON**  
**HB 1412, HD2, RELATING TO ABANDONED VEHICLES**  
**Senate Committee on Judiciary**  
**Thursday, March 31, 2022**  
**9:30 a.m.**  
**Via Videoconference**  
**Conference Room 016**

Dear Chair Rhoads and Members of the Committee:

Thank you for this opportunity to provide testimony in Support of HB 1412, HD2, Relating to Abandoned Vehicles. My testimony is submitted in my individual capacity as Vice Chair of the Kaua'i County Council and as a member of the County's Abandoned Vehicle Task Force.

I wholeheartedly support the intent of HB 1412, HD2, to address the problem of abandoned vehicles in our communities. Abandoned vehicles are a public eyesore for the affected communities and pose environmental issues creating unsafe conditions for Hawai'i residents. Additionally, abandoned vehicles pose a financial burden to the State and counties as it relates to the disposal costs and outstanding fines.

HB 1412, HD2, would better define the minimum distance that a vehicle must be moved within a specified amount of time to not be considered abandoned, with the distance specification determined by each county. HB 1412, HD2, will help address the issues of abandoned vehicles and includes input from each county which reflects the effort put forth by stakeholders representing each island.

Thank you again for this opportunity to provide testimony in support of HB 1412, HD2. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via E-mail to cokcouncil@kauai.gov.

Sincerely,

**MASON K. CHOCK**  
Council Vice Chair, Kaua'i County Council

AAO:dmc

AN EQUAL OPPORTUNITY EMPLOYER

Mitchell D. Roth  
*Mayor*

Lee Lord  
*Managing Director*



Ramzi I. Mansour  
*Director*

Brenda Iokepa-Moses  
*Deputy Director*

# County of Hawai'i

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiicounty.gov

Ph: (808) 961-8083 · Fax: (808) 961-8086

March 29, 2022

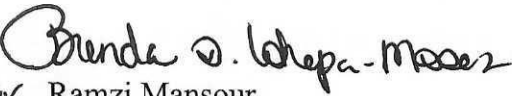
Sen. Karl Rhoads, Chair, and  
Members of the Senate Committee on Judiciary.

Chair Rhoads and Committee Members,

The County of Hawai'i Department of Environmental Management supports **HB 1412, HD2**, which allows the counties to remove existing ambiguity in the statute, which can impede the enforceability of towing laws.

Abandoned vehicles are a challenge in all counties and I appreciate this effort to provide clarity for the ultimate goal of a clean, safe, and healthy island environment.

Sincerely,

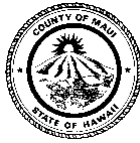
  
for Ramzi Mansour,  
Director

Council Chair  
Alice L. Lee

Vice-Chair  
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Gabe Johnson  
Kelly Takaya King  
Michael J. Molina  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura



**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

March 29, 2022

Director of Council Services  
Traci N. T. Fujita, Esq.

**LATE**

TO: Honorable Karl Rhoads, Chair  
Senate Committee on Judiciary

FROM: Yuki Lei Sugimura  
Councilmember

A handwritten signature in black ink that reads "Yuki Lei Sugimura".

DATE: March 29, 2022

SUBJECT: **SUPPORT FOR HB 1412, RELATING TO ABANDONED VEHICLES**

Thank you for the opportunity to testify in SUPPORT of this important measure. The purpose of this measure is to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment.

I SUPPORT this measure as a means to address the growing number of abandoned vehicles in Hawaii. Large numbers of abandoned vehicles create severe environmental hazards, are an eyesore in our communities, and put a large financial burden on the counties. HB 1412 helps address a loophole in existing law regarding the distance a vehicle must be moved in order to no longer be classified. Creating a minimum distance that a car must move will make it much clearer when a car should be deemed abandoned, and disallow a car being moved mere inches from being considered not abandoned.

For the foregoing reasons, I SUPPORT this measure.

**HB-1412-HD-2**

Submitted on: 3/29/2022 11:20:05 AM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By | Organization | Testifier Position | Testify                   |
|--------------|--------------|--------------------|---------------------------|
| Becky Jones  | Individual   | Support            | Written Testimony<br>Only |

## Comments:

Any and all steps that can be made to alleviate loopholes allowing abandoned and derelict vehicles to clutter the roadways and aina, must be taken. Our subdivision alone deals with dozens of such vehicles on a monthly basis. They create hazards, nuisances, eyesores, and their leaking fluids poison the aina. This bill is just one of the many necessary steps that must be made to address workable solutions to this problem.

**HB-1412-HD-2**

Submitted on: 3/29/2022 9:01:14 AM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By | Organization | Testifier Position | Testify                   |
|--------------|--------------|--------------------|---------------------------|
| TK Wehrsigg  | Individual   | Support            | Written Testimony<br>Only |

Comments:

Aloha,

I am in full support of this bill. By updating the Current Distance Requirement for Abandon vehicles and making it more clear. Our county's police and assigned towing companies can better address the growing problem and eyesores of Vehicles that litter our homes.

~TK

**HB-1412-HD-2**

Submitted on: 3/29/2022 1:29:17 PM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By | Organization | Testifier Position | Testify                   |
|--------------|--------------|--------------------|---------------------------|
| Dustin Swan  | Individual   | Support            | Written Testimony<br>Only |

## Comments:

Abandoned vehicles are a major problem in Hawaii County. Vehicles are left on the roadside, stripped of parts, filled with rubbish, and set on fire. Any bills designed to address the problem of abandoning vehicles should be fully supported by our county and state governments.

**HB-1412-HD-2**

Submitted on: 3/29/2022 2:41:49 PM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By    | Organization | Testifier Position | Testify                   |
|-----------------|--------------|--------------------|---------------------------|
| Julia Lindbergh | Individual   | Support            | Written Testimony<br>Only |

Comments:

I am very much in favor of HB 1412 presented by Representative Ilagan. Thank you very much.

Julia Lindbergh, RN

**HB-1412-HD-2**

Submitted on: 3/30/2022 5:07:33 AM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By        | Organization | Testifier Position | Testify                   |
|---------------------|--------------|--------------------|---------------------------|
| P Hauoli'ipo Wright | Individual   | Support            | Written Testimony<br>Only |

## Comments:

I believe this is a reasonable requirement, especially if the owner is away or immediately unavailable and is unaware of the issue. However, I would add the "notice be provided" part of this specify that this notice be mailed to the owner of the vehicle; in case the vehicle was stolen and he or she is unaware of it's location. This mailed notification with a specified completion date would allow him or her (or a contact) to go get the vehicle or fulfill the obligation before the vehicle is officially deemed abandon.

**HB-1412-HD-2**

Submitted on: 3/30/2022 7:11:57 AM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By      | Organization | Testifier Position | Testify                   |
|-------------------|--------------|--------------------|---------------------------|
| Barbara Cigainero | Individual   | Support            | Written Testimony<br>Only |

## Comments:

Dear Committee Chair and Members: Thank you for the opportunity to provide testimony in support of HB 1412. This bill closes a loophole in the law that allows an abandoned vehicle to be moved a couple of feet causing the process that would allow the county to clear the vehicle to be re-set to the beginning. In the Puna Region of Hawaii Island we have a serious problem with abandoned vehicles. This bill supports the effort of the Police Department to enforce current law on abandoned vehicles by closing the loophole. Mahalo for your consideration of this needed legislation.

Barbara Cigainero, Keaau, HI 96749

**LATE**

**HB-1412-HD-2**

Submitted on: 3/30/2022 4:02:36 PM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By   | Organization | Testifier Position | Testify                   |
|----------------|--------------|--------------------|---------------------------|
| Cyd L. Hoffeld | Individual   | Support            | Written Testimony<br>Only |

Comments:

Aloha Chairs Rhoads, Vice Chair Keohokalole and Judiciary Committee members,

My name is Cyd Hoffeld and I am a resident of Hawai'i Island writing to you in strong support of HB 1412 HD2.

Please assist the Counties in enforcing abandoned vehicle legislation by passing HB1412 HD2.

Mahalo nui!

**LATE**

**HB-1412-HD-2**

Submitted on: 3/31/2022 5:49:53 AM

Testimony for JDC on 3/31/2022 9:30:00 AM

| Submitted By | Organization | Testifier Position | Testify                   |
|--------------|--------------|--------------------|---------------------------|
| Ben L.       | Individual   | Support            | Written Testimony<br>Only |

Comments:

Abandoned vehicles make the state look bad.