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David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES

Hawai'i Tourism Authority
before the
COMMITTEE ON ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM

AND

COMMITTEE ON GOVERNMENT OPERATIONS

February 9, 2022
3:00 p.m.
State Capitol
via videoconference

In consideration of
SENATE BILL NO. 2419
RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS

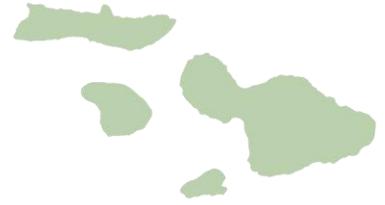
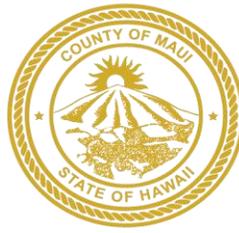
Aloha Chair Wakai, Vice Chair Misalucha, Chair Moriwaki, Vice Chair Dela Cruz, and members of the Committee on Energy, Economic Development, and Tourism and the Committee on Government Operations.

The Hawai'i Tourism Authority appreciates the opportunity to testify in **support** of SB2419, requiring each county with a population of 200,000 or less to establish a five-year pilot project to regulate the operation of hosting platforms that provide booking services for transient accommodation operators conducting business within those counties.

Our community-driven Destination Management Action Plans across Hawai'i clearly articulate a desire to manage visitor accommodations – specifically, taking steps to limit and regulate illegal short-term vacation rentals in neighborhoods and other sensitive areas in our communities. We are supportive of state and county efforts to advance that priority. We believe that this measure, through the requirement to establish a five-year pilot project to regulate the operation of hosting platforms, aligns well with our position of addressing illegal vacation rentals and the associated negative impacts this has had on our residential communities.

We appreciate this opportunity to **support** SB2419. Mahalo.

MICHAEL P. VICTORINO
MAYOR
MICHELE CHOUTEAU MCLEAN, AICP
DIRECTOR
JORDAN E. HART
DEPUTY DIRECTOR



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

February 8, 2022

TESTIMONY OF MICHELE CHOUTEAU MCLEAN, AICP
PLANNING DIRECTOR
COUNTY OF MAUI

BEFORE THE
SENATE COMMITTEE ON ENERGY, ECONOMIC DEVELOPMENT AND TOURISM and
THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS
Wednesday, February 9, 2022, 3:00 P.M.
Videoconference / Conference Room 224

SB2419 RELATING TO TRANSIENT ACCOMMODATIONS HOSTING PLATFORMS

Senator Glenn Wakai, Chair and Senator Sharon Y. Moriwaki, Chair
Senator Bennette E. Misalucha, Vice Chair and Senator Donovan M. Dela Cruz, Vice Chair
Honorable Members of the Senate Committees on Energy, Economic Development and Tourism, and
Government Operations

Thank you for this opportunity to testify in **SUPPORT** of SB2419.

Please accept this testimony in support of SB2419, which prudently creates a five-year pilot project for neighbor island counties to regulate “hosting platforms” to assist in the enforcement of illegal transient vacation rentals.

With the return of tourism, Maui County has seen the return of an even wider variety of illegal transient accommodations – tents, yurts, camper vans, RVs and the like, in addition to homes and condos. The only way they can proliferate is through online hosting platforms. While Maui County entered into agreements with two major platforms – Airbnb and Expedia – last year, it has taken time for their requirements and reporting to take effect, so that the benefits of those agreements have yet to be realized. Moreover, there are many other platforms that successfully market and secure reservations for transient accommodations and where illegal operations are able to advertise.

By allowing each neighbor island county to create a pilot project, SB2419 will give the counties, the platforms, and the Legislature an opportunity to explore whether this level of regulation and authority is warranted on a permanent basis. It deserves your support.

Mahalo for your consideration of this testimony.



February 8, 2022

Committee Chair Wakai
Senate Committee on Energy, Economic Development and Tourism
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Chair Wakai and Members of the Committee:

We are writing in opposition to SB2419, which would allow counties with a population of less than 200,000 to regulate the operation of hosting platforms that provide booking services for transient accommodation operators. This bill is overly broad in allowing counties to regulate platforms, and also completely unnecessary for the two counties that meet its criteria. Both Maui County and Kauai County have signed and implemented compliance agreements with Airbnb and Expedia, the two major online hosting platforms operating in Hawaii. As such, SB2419 is redundant and disregards how local level implementation works in practice.

Under these agreements, Airbnb created fields for Hosts to enter their County-issued Tax Map Key (TMK) and State-issued Transient Accommodations Tax License (TAT) on their listing. New and existing hosts listing a bed and breakfast, short-term rental home or other transient vacation rental on Airbnb are now required to provide their TMK and TAT numbers in order to continue advertising on the platform. Every month, Airbnb shares a report with the County that includes the URL for each listing and the corresponding host-provided TMK number for each active property on its platform. The County can use this monthly report to verify the TMK numbers. Hosts that fail to provide a TMK or input an invalid TMK will be removed from the platform, and only allowed to relist once they provide the information. Of note, we launched our enforcement program with Maui County just last week, taking down 1300 listings without TMK numbers pursuant to our agreement.

These compliance agreements provide meaningful tools to support the counties' enforcement of their short-term rental regulations, and are part of our ongoing commitment to partner with the communities our Hosts and guests call home.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Patel'.

Toral Patel
Airbnb Public Policy, Hawaii