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## Testimony of the Department of Commerce and Consumer Affairs

### Office of Consumer Protection

Before the  
Senate Committee on Transportation  
Tuesday, March 17, 2026  
3:00 PM  
Via Videoconference  
Conference Room 229

On the following measure:  
**H.B. 2375, H.D. 2 RELATING TO TOWING PRACTICES**

Chair Inouye and Members of the Committee:

My name is Melissa Enright, and I am an Enforcement Attorney at the Department of Commerce and Consumer Affairs' (Department) Office of Consumer Protection (OCP). The Department opposes this bill.

This bill establishes a Uniform Towing Practices for Public Parking Facilities Working Group, and includes as a member of group the Director of the DCCA, or the director's designee. The Working Group members currently include a representative of a licensed towing company, to be appointed by the governor, but do not include a representative of a company that specializes in automobile insurance.

Towing companies are regulated by existing state laws that set how much they can charge for a tow, require the acceptance of credit and debit cards, require clearly visible, posted notice requirements before a tow is authorized (§290-11, HRS), towing

companies to penalties for violations of consumer protection law (§480-2, HRS), describe how towing companies must handle tows requested by the police for disabled motor vehicles (§291C-165.5, HRS) and require towing companies to have adequate signage and insurance coverage for their tow trucks (§291C-135, HRS).

We recognize concerns have been raised about parking enforcement at a small number of publicly managed boat harbor parking lots. Some of these concerns have previously been reported to our office. For instance, our office has received complaints about the Ala Wai Small Boat Harbor. However, statewide issues in the management of public parking facilities are not apparent from the complaints we have received. The creation of a working group to work on issues statewide is not appropriate when complaints are confined to a few locations.

Concerns about parking enforcement at a small number of publicly managed boat harbor parking lots may be addressed by the agencies responsible for managing the public parking lots with the tools available to them to manage compliance and contractor performance. Existing processes provide public agencies with the opportunity to evaluate their contractors' performance and to recommend debarment proceedings if a contractor's performance raises concerns about repeated violations of state laws. State and county agencies are encouraged to make use of the existing performance review and debarment processes for contractors who repeatedly violate state law while performing publicly awarded contracts. State and county agencies can contact the State Procurement Office for details about contractor performance reviews and debarment proceedings.

In addition, public agencies soliciting contracts for towing or parking management services can require prospective offerors to make disclosures about their past performance on public contracts. When public agencies use the competitive proposals method of solicitation, we encourage them to add an evaluation category for consumer protection and responsiveness to public complaints. In particular, we suggest that public agencies require prospective offerors to disclose all legal actions brought against them for violations of state towing or consumer protection laws, or actions involving other torts

such as conversion. Prospective offerors should also be required to disclose past consumer complaints and how they have responded to them.

Contracting agencies must know the state law and periodically review state laws for updates. For example, Act 60 (2024), clarified that towing companies engaged by the owner—i.e., the contracting agency in the case of public parking lots—must “accept payment by the vehicle owner for charges ... by cash, credit card, and debit card.” In addition, no towing company engaged by a contracting agency “shall direct an individual to use an on-site automated teller machine in lieu of accepting payment by credit card and debit card.” State and county agencies that have questions or concerns about compliance, or receive public complaints about their vendors’ conduct, can contact our office and refer complaints about their vendors to us.

Members of the public are encouraged to report violations of state towing laws, such as requiring payment in cash, to OCP. Members of the public may go to [consumercomplaint.hawaii.gov](https://consumercomplaint.hawaii.gov) to file a complaint or a share a concern, or may call the DCCA toll free number, 1-844-808-DCCA (3222).

For the reasons above, we respectfully request that the bill be deferred.

Thank you for the opportunity to testify on this bill.



# DISABILITY AND COMMUNICATION ACCESS BOARD

Ka 'Oihana Ho'oka'a'ike no ka Po'e Kīnānā

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March 17, 2026

## TESTIMONY TO THE SENATE COMMITTEE ON TRANSPORTATION

### House Bill 2375 House Draft 2 – Relating to Towing Practices

The Disability and Communication Access Board (DCAB) supports House Bill 2375 House Draft 2 – Relating to Towing Practices. This bill establishes a Uniform Towing Practices for Public Parking Facilities Working Group within the Department of Transportation to examine existing state and county laws, ordinances, rules, and administrative practices relating to towing from public parking facilities and develop recommendations for uniform standards applicable to towing from state and county parking facilities. It requires a report to the Legislature and is effective 7/1/3000.

DCAB administers the statewide parking program and performs design review of accessible parking spaces for state and local government construction projects. Improper towing of vehicles used by permittee holders and number of accessible parking spaces in public parking facilities is of great concern and DCAB requests to be added as a member of the working group by amending the bill as such:

SECTION 2. (a) There is established the uniform towing practices for public parking facilities working group within the department of transportation for administrative purposes. The working group shall:

- (1) Review existing state and county laws, ordinances, rules, and administrative practices relating to towing from public parking facilities;
  - (2) Examine standards for notice, signage, fee transparency, storage practices, release procedures, and dispute resolutions;
  - (3) Identify inconsistencies among jurisdictions and assess impacts on vehicle owners and operators;
  - (4) Develop recommendations for uniform minimum standards applicable to towing from state and county parking facilities, including due process protections and consumer transparency requirements; and
  - (5) Recommend whether legislation, administrative rulemaking, or intergovernmental agreements are necessary to implement uniform practices.
- (b) The working group shall consist of the following members:
- (1) The director of transportation, or the director's designee;
  - (2) The director of commerce and consumer affairs, or the director's designee;
  - (3) The attorney general, or the attorney general's designee;
  - (4) The chairperson of the board of land and natural resources, or the chairperson's designee;

- (5) The chief of police of the city and county of Honolulu, or the chief's designee;
- (6) A representative of a county police department from a neighbor island, to be appointed by the applicable mayor, or the mayor's designee;
- (7) A representative of a licensed towing company, to be appointed by the governor;
- (8) A representative of a county department responsible for public parking management, to be appointed by the governor;
- (9) A representative of a consumer protection or civil legal services organization, to be appointed by the president of the senate; ~~and~~;
- (10) The executive director of the disability and communication access board or executive director's designee, and
- (40) (11) A member of the public with experience in transportation, municipal operations, or property management, to be appointed by the speaker of the house of representatives.

(c) The director of transportation, or director's designee, shall designate the chairperson of the working group.

(d) The members of the working group shall serve without compensation but shall be reimbursed for necessary expenses, including travel expenses, incurred in the performance of their duties.

(e) The working group shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2027.

(f) The working group shall cease to exist on June 30, 2027.

Thank you for the opportunity to testify.

Respectfully submitted,



KRISTINE PAGANO  
Acting Executive Director

TESTIMONY OF SURFPARKING.ORG

Save Surf Parking Coalition

March 16, 2026

Before the Senate Committee on Transportation (TRN)

State of Hawai'i Legislature

RE: H.B. 2375, H.D. 2 – STRONG SUPPORT

Chair Inouye, Vice Chair Elefante, and Members of the Committee:

Thank you for the opportunity to provide testimony on H.B. 2375, H.D. 2, establishing a Uniform Towing Practices Working Group for Public Parking Areas.

SurfParking.org and the Save Surf Parking Coalition strongly support this measure and appreciate the Legislature’s effort to establish clear, predictable, and fair statewide standards for parking management and towing practices on public lands.

We respectfully request that the Committee consider the following amendments for inclusion in the Senate Draft (S.D.1) of this measure to ensure the working group can fully achieve the bill’s consumer protection and due process objectives.

**Requested Amendments for S.D.1**

**1) Clarify Scope to Include Parking Enforcement Practices That Precede Towing**

As currently drafted, the bill focuses on towing from public parking areas. Towing decisions occur at the end of an enforcement chain. The working group should also examine enforcement practices that precede towing, including statutory authority, notice requirements, citation procedures, escalation thresholds, and penalty frameworks.

For example, Kapi’olani Park generally uses citation and notice before towing, while at Ala Wai and Ma’alaea Small Boat Harbors vehicles may be towed immediately upon meter expiration.

**Ala Wai and Ma’alaea Small Boat Harbors – Enforcement Comparison**

Year	Ala Wai DOCARE Citations	Ma’alaea DOCARE Citations	Ala Wai Tows (HPD 'Trespass')
2022	1	16	1,920

2023	4	7	2,305
2024	4	49	2,512
2025	25	—	2,586

This comparison highlights the disparity between citations and towing activity at Ala Wai Small Boat Harbor. Extremely low citation numbers paired with thousands of annual tows suggest towing is functioning as the primary enforcement mechanism rather than a last-resort remedy.

## 2) Include a Public Access Advocate on the Working Group

Subsection (b)(9) should include a representative from a public access advocacy organization, such as a coastal access, harbor user, or public lands access group.

H.B. 2375, H.D. 2 already includes a towing industry representative appointed by the Governor. To ensure balanced representation, the working group should also include a public access advocate organization representing harbor users, park users, and the general public who rely on access to Hawai'i's public lands.

## 3) Replace 'Public Parking Facilities' with 'Public Parking Areas'

Public parking occurs in garages, surface lots, open areas, and roadside stalls. Replacing the term 'facilities' with 'areas' ensures the bill covers the full range of parking environments on public lands.

## 4) Require a Six-Month Comparative Report of Major Public Parking Areas

The report should include:

- contract authority (Act 163 / Chapter 102 or Chapter 103D)
- stall counts
- enforcement model
- presence of on-site parking attendants
- whether entrances or exits are gated
- citation volume
- towing volume
- citation-to-tow ratios
- revenue structure
- grace periods
- appeal deadlines and procedures
- date of most recent ADA accessibility inspection and compliance status

## Summary

From the public's perspective, predictability and transparency are essential to a fair parking system. Residents and visitors should be able to clearly understand what conduct leads to a citation, what conduct leads to towing, and what appeal rights exist.

For these reasons, SurfParking.org respectfully supports H.B. 2375, H.D. 2 and requests adoption of the S.D.1 amendments outlined above.

Respectfully submitted,

Kate Thompson

Director, SurfParking.org

(808) 383-3334

**HB-2375-HD-2**

Submitted on: 3/16/2026 10:47:43 AM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John & Rita Shockley	Testifying for Free Access Coalition	Support	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition continues to support HB2375. We have copied earlier testimony for your consideration.

Mahalo for your time and hopefully your Kokua on this important matter.



**HB-2375-HD-2**

Submitted on: 3/16/2026 9:20:47 AM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Margaret Hallahan	Individual	Support	Remotely Via Zoom

Comments:

Aloha My name is Captain Maggie Hallahan and I strongly support HB2375.

Dear Senate Transportation Committee Chair Senator Inouye, Vice Chair Elefante, and Committee Members Lee, Kanuha, and DeCorte,

I am writing as a local mom who cares deeply about making sure our families can continue to enjoy Hawai‘i’s beaches, parks, and harbors without fear of unfair penalties. I strongly support HB2375 and the creation of a state-level working group to review parking enforcement and towing practices on state lands.

Right now, some parking concession contracts on state land allow immediate tow-first enforcement, while many other parking areas have little or no towing enforcement at all. This creates a confusing and unfair system where the penalty depends on the specific contract for that lot rather than a consistent state policy. Our families should not be subject to drastically different penalties simply because of who manages a parking area.

For many local families, our beaches and parks are where we go to spend time together, bring our keiki outside, and enjoy the natural beauty that makes Hawai‘i home. But more and more, families are avoiding some of these places because they are afraid their car will get towed if they make a simple mistake. One tow can cost hundreds of dollars. For many working families already struggling with the high cost of living, that kind of unexpected expense can be devastating.

I know parents who hesitate to bring their kids to certain beaches because they worry about unclear parking rules or aggressive towing enforcement. Kūpuna should be able to visit the shoreline without stress. Families should be able to enjoy a day at the beach without constantly worrying if their car will still be there when they return.

Public lands belong to the people of Hawai‘i. The enforcement of parking rules on those lands should be fair, consistent, and reasonable. In most places, people expect a warning or citation first. Immediate towing without an opportunity to correct a mistake feels excessive and creates fear instead of encouraging responsible parking.

HB2375 is a good step toward fixing this problem. Creating a working group to review the laws, contracts, and enforcement practices will help ensure the system is fair for everyone. It gives the

state a chance to look carefully at what is happening and create policies that balance enforcement with fairness and access for local families.

Our state's beaches, harbors, and parks should feel welcoming to the people who live here. Families should not feel pushed away from the very places that are part of our culture, our lifestyle, and our connection to the 'āina.

For these reasons, I respectfully urge the committee to support HB2375 and move this bill forward.

Mahalo for your time and consideration. Maggie

Douglas Meller  
2615 Aaliamanu Place  
Honolulu, Hawaii 96813  
douglasmeller@gmail.com

**Testimony Supporting HB 2375, HD2 Relating to Towing Practices**

Submitted to Senate Committee on Transportation  
Tuesday, March 13, 2026, 3 PM Hearing in State Capitol Room 229

I support HB 2375, HD2. “Privatization without due process” might be tolerated in Chicago, but is not an acceptable way to manage public parking in Hawaii. And after-the-fact complaints to the Department of Commerce and Consumer Affairs are not an appropriate remedy for predatory public towing concessions.

**HB-2375-HD-2**

Submitted on: 3/15/2026 5:12:54 AM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

2375 HB RELATING TO TOWING PRACTICES.

**HB-2375-HD-2**

Submitted on: 3/16/2026 5:38:02 AM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia Blair	Individual	Support	Written Testimony Only

Comments:

No towing of surfers vehicles

**HB-2375-HD-2**

Submitted on: 3/16/2026 11:17:34 AM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kristine Wallerius Chung	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in **STRONG SUPPORT** of the passage of HB2375 HD2. As a lifelong surfer at the Ala Wai Boat Harbor I have witnessed many instances of predatory towing.

Towing is a traumatic experience- a person who just participated in one of the most calming, enjoyable, spiritual connections possible with our beautiful ocean waters returns to land with their surfboard only to find their vehicle has been towed. No phone, no vehicle, wet with no clothes must now figure out how to get their vehicle and pay more than \$200 to have their vehicle returned. All of this because they made a mistake in where or how long they parked.

This punishment is not in keeping with the infraction, nor is it enforced equitably at each State facility. This needs to change. It is unfair and disrespectful to the residents of Hawaii simply trying to find respite from the stresses of living in a very expensive place.

Thank you for your consideration of this matter- I urge you to vote in support of a working group to determine fair and equitable treatment across State parking facilities.

Mahalo,

Kristine Wallerius Chung

**HB-2375-HD-2**

Submitted on: 3/16/2026 2:11:26 PM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Louis Erteschik	Individual	Comments	Written Testimony Only

Comments:

I write as a private citizen though I am the Vice Chair of the Waikiki Neighborhood Board. This Bill originated out of concerns brought to us by people whose cars were being towed from the Ala Wai boat harbor under a policy which did not provide for any citations to be issued for expired meters but instead were automatically towed. This seemed grossly inappropriate and our Board has formally written to DLNR to object to that practice.

The original version of this Bill sought to prevent this practice. We still believe that is the preferred approach, though we observe that the Bill has “transitioned“ into a working group. If the Legislature prefers that approach then my suggestion would be that the working group be broadened beyond the current make up to include a harbor user with experience regarding the impact of parking enforcement policies. This will ensure balanced representation and provide the perspective of residents and their stakeholders, especially those who have been directly affected by current towing practices.

**LATE**

**HB-2375-HD-2**

Submitted on: 3/16/2026 4:01:47 PM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kathleen Lima	Individual	Support	Written Testimony Only

Comments:

Dear Senate Transportation Committee,

I fully support HB2375, establishing a working group to create uniform standards applicable to towing from state and county parking facilities. We need fair and equitable access to public lands and to avoid predatory towing. Unfortunately the state is currently allowing contracts with parking and towing companies that over punish with towing for minor violations like meter overstays.

Thank you for stopping this practice and supporting HB2375.

Sincerely,

Kathleen Lima

**HB-2375-HD-2**

Submitted on: 3/16/2026 7:08:46 PM

Testimony for TRS on 3/17/2026 3:00:00 PM



Submitted By	Organization	Testifier Position	Testify
arleen velasco	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2375.

The current parking enforcement practices at Ala Wai Small Boat Harbor are extremely punitive. Vehicles are often towed immediately upon meter expiration, with no warnings or citations issued beforehand. Once a vehicle is towed, individuals are frequently required to pay in cash to retrieve their vehicles. Although towing companies may deny enforcing cash-only payments, there are numerous firsthand accounts from residents and visitors across the island who report being required to do so.

These practices disproportionately impact visitors, who are unfamiliar with local enforcement policies and are therefore easy targets. I have personally heard multiple tourists state that, after such experiences, they would not return to Hawai‘i. This not only harms individuals but also damages the broader reputation of our islands.

In contrast, most public parking systems issue citations for expired meters and reserve towing for more serious or repeated violations. This approach reflects a more reasonable, fair, and welcoming standard consistent with Hawai‘i’s values and lifestyle.

A uniform, statewide policy for parking enforcement is long overdue. Establishing clear and consistent guidelines would improve fairness, reduce confusion, and create better alignment across jurisdictions. It could also increase transparency and public trust in the system.

Additionally, the current structure at Ala Wai Small Boat Harbor does not generate revenue for the state from either parking fees or towing. With an estimated 2,000 vehicles towed annually at an average cost of \$180 per tow, approximately \$360,000 is collected each year by private operators rather than contributing to public funds. A more balanced system—such as one based on citations rather than immediate towing—could generate revenue for the state while treating residents and visitors more fairly.

The proposed working group would provide an important opportunity to evaluate how parking is managed across small harbors statewide and to develop a more consistent, transparent, and equitable system.

To support this effort, a standardized survey could be distributed to relevant agencies and operators, including questions such as:

- City / Island
- Department (e.g., DLNR)
- Division / Program (e.g., Division of State Parks)
- Parking Operator (Concessionaire)
- Whether the operator is under a formal contract
- Contract duration
- Summary of contract terms
- Hourly parking rate
- Accepted payment methods (cash, credit, debit, mobile app, QR code, pay station)
- Whether expiration reminders are provided
- Number of parking citations issued annually
- Entity responsible for issuing citations and collecting fees
- Number of tows performed annually
- Entity receiving towing fees
- Total number of parking stalls
- Number and cost of paid public stalls
- Number of free public stalls
- Permit stall availability and monthly cost
- Employee-designated stalls
- EV charging stalls
- Total ADA stalls
- Number of van-accessible ADA stalls
- ADA access aisles

A coordinated and data-driven approach will help ensure parking policies are fair, transparent, and consistent across the state.

Please support HB2375.

**LATE**

**HB-2375-HD-2**

Submitted on: 3/16/2026 10:39:27 PM

Testimony for TRS on 3/17/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Donna L. Ching	Individual	Support	Written Testimony Only

Comments:

Thank you for supporting the intention of HB 2375 HD2, which is to expediate the enforcement of parking violations through more consistent towing enforcements. Making towing of cars easier will make compliance with parking laws more likely as well are reduce the numbers of abandoned vehicles. Mahalo for moving this legislation forward.