HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF TRANSPORTATION, DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU, AND ANY OTHER AGENCIES OR ENTITIES NECESSARY, TO DEVELOP A PLAN TO RESOLVE ISSUES RELATED TO HOMELESS INDIVIDUALS LIVING IN ABANDONED VEHICLES.

WHEREAS, residents and businesses have complained about homeless individuals living in abandoned vehicles in neighborhoods throughout the City and County of Honolulu; and

WHEREAS, homeless individuals living in abandoned vehicles may present a health and safety hazard to surrounding residents and businesses, particularly when there are pieces of broken glass, vehicle parts, and food scraps littering the area; and

WHEREAS, residents and businesses have also expressed concerns regarding criminal activity occurring in and around these abandoned vehicles, some of which are homes for homeless individuals; and

WHEREAS, at times, the abandoned vehicles being used for habitation are parked on roads where jurisdiction is unclear; and

WHEREAS, Chapter 290, Hawaii Revised Statutes (HRS), identifies an abandoned vehicle, if not defined by county ordinance, as one "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"; and
WHEREAS, Chapter 291C-112, HRS, prohibits individuals from using vehicles for "purposes of human habitation, whether or not the vehicle is designed or equipped for that purpose, while the vehicle is parked on any roadway, street, or highway or other public property between the hours of 6:00 p.m. and 6:00 a.m."; and

WHEREAS, Chapter 291C-112, HRS, also prohibits such use of vehicles on private property at any time of the day without the authorization of the owner or occupant of the land; and

WHEREAS, while in many cases these laws effectively address the issue of homeless individuals living in abandoned vehicles, other cases are not as clear and the situation does not lend itself to an expeditious solution; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, that the Department of Human Services (DHS), in collaboration with the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, and any other necessary agencies or entities, is requested to develop a plan to resolve issues related to homeless individuals living in abandoned vehicles; and

BE IT FURTHER RESOLVED that this plan include a means of determining the jurisdiction of roads where the jurisdiction is unclear; and

BE IT FURTHER RESOLVED that in developing the plan, DHS also consider situations in which a homeless individual has permission to live in an abandoned vehicle that is not parked in areas prohibited by law; and

BE IT FURTHER RESOLVED that DHS is requested to submit a report to the Legislature on its findings and recommendations, including any suggested legislation, no later than 20 days prior to the convening of the Regular Session of 2011; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Director of Human Services, Director of Transportation, and Director of Transportation Services of the City and County of Honolulu.