

Honolulu, Hawaii

APR 05 2018

RE: S.R. No. 134

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Health and Transportation and Energy, to which was referred S.R. No. 134 entitled:

"SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ADEQUACY OF INSURANCE COVERAGE REQUIREMENTS FOR TRANSPORTATION NETWORK COMPANIES AND TRANSPORTATION NETWORK COMPANY DRIVERS,"

beg leave to report as follows:

The purpose and intent of this measure is to request the Legislative Reference Bureau to study the adequacy of insurance coverage requirements for transportation network companies and transportation network company drivers.

Your Committees received testimony in support of this measure from the Hawaii Transportation Association, Charley's Taxi, and two individuals.

Your Committees find that Act 236, Session Laws of Hawaii 2016 (Act 236), was intended to close the insurance gaps associated with transportation network companies by establishing motor vehicle insurance requirements for transportation network companies and transportation network company drivers. Although Act 236 requires the Insurance Commissioner to conduct an annual study and report to the Legislature regarding the Act's impact on personal motor vehicle insurance rates in the State, Act 236 does



not require the Insurance Commissioner to study whether the insurance coverage requirements for the personal vehicles of transportation network company drivers are adequate to cover claims by those parties who may suffer injury, death, or property damage as a result of motor vehicle accidents involving transportation network companies and transportation network company drivers. This measure therefore requests the Legislative Reference Bureau to conduct a study on the adequacy of insurance coverage requirements for transportation network companies and transportation network company drivers.

However, your Committees have heard concerns that the Legislative Reference Bureau does not retain subject matter experts in the field of motor vehicle or personal injury liability insurance and accordingly, may not be able to complete the study in the limited timeframe provided by this measure without receiving an appropriation and contracting out for the services of such experts. Your Committees understand these concerns and conclude that the Insurance Commissioner is the more appropriate party to conduct this study.

Accordingly, your Committees have amended this measure by:

- (1) Requesting the Insurance Commissioner, rather than the Legislative Reference Bureau, to conduct a study on the adequacy of insurance coverage requirements for transportation network companies and transportation network company drivers;
- (2) Amending its title; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Health and Transportation and Energy that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 134, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 134, S.D. 1.



Respectfully submitted on
behalf of the members of the
Committees on Commerce,
Consumer Protection, and Health
and Transportation and Energy,



LORRAINE R. INOUE, Chair

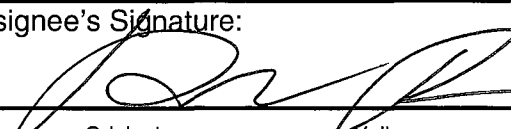


ROSALYN H. BAKER, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SR 134	CPH/TRE	4/2/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	X			
TOKUDA, Jill N. (VC)				X
CHANG, Stanley				X
ESPERO, Will	X			
IHARA, Jr., Les	X			X B
NISHIHARA, Clarence K.				X
RUDERMAN, Russell E.	X			
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* SR 134	Committee Referral: CPH/TRE	Date: 01/02/2018		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	X			
ESPERO, Will (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
SHIMABUKURO, Maile S.L.	X			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Will Espero</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes