

STAND. COM. REP. NO. 59B-20

Honolulu, Hawaii

FEB 14 , 2020

RE: H.B. No. 2162
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2162, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TOWING,"

begs leave to report as follows:

The purpose of this measure is to protect consumers from predatory towing practices by:

- (1) Clarifying the fees tow companies may charge;
- (2) Clarifying the duties of a tow company when a vehicle owner arrives on the scene while the vehicle is in the process of being hooked up;
- (3) Requiring tow and storage companies to accept credit cards;
- (4) Subjecting any violation of the towing statute to the penalties and remedies under the State's unfair or deceptive acts or practices law; and
- (5) Adding definitions for clarity.



Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Young Progressives Demanding Action, and one individual.

Your Committee finds that predatory towing is a combination of generally unethical practices used by some towing companies to maximize their income. These practices include using spotters to get cars towed almost as soon as they are parked; charging excessive fees for towing or storage; or making private side deals with owners of stores or parking lots to maximize towing income. Your Committee further finds that any of these practices can result in unfair and excessive charges for the vehicle owner.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2162, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2162, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


CHRIS LEE, Chair



