

STAND. COM. REP. NO.

1018

Honolulu, Hawaii

MAR 19 2021

RE: H.B. No. 149  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 149, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that cards issued by a county for the purposes of paying transit fares and county fees and other uses are not subject to the State's unfair and deceptive practices regulations related to gift certificates.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Transportation Services.

Your Committee finds that, like many other large cities, Honolulu has adopted a smart card, or HOLO Card, for public transit passengers to pay fares on TheBus and TheHandi-Van. The HOLO Card can be registered and reloaded to hold a dollar value, eliminating the need to purchase daily and monthly bus passes, and may be programmed for discounted users like youth and seniors. Further, the HOLO Card will be the sole form of fare payment on rail. Certain requirements in existing law for private businesses and retailers concerning gift certificates are not necessarily applicable to the HOLO Cards, and this measure provides



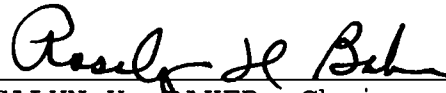
clarification to support county-issued and county-managed cards, especially with regard to unspent value and redemption of cash balances, to support the administration of the smart card program.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 149, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 149, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



ROSALYN H. BAKER, Chair



