



EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

July 16, 2009

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

Re: House Bill No. 1422 HD1 SD1 CD1

On July 15, 2009, House Bill No. 1422, entitled "A Bill for an Act Relating to Abandoned Vehicles" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to allow the counties to remove abandoned motor vehicles from private roads if the private road owner pays for the removal of the vehicle and agrees to indemnify and hold the county harmless for claims arising from the removal and disposal of the vehicle. This Act shall be repealed on January 1, 2010.

It can be both dangerous and frustrating to have abandoned vehicles parked on or near one's property. Many property owners and neighborhoods struggle with this issue and I can understand their concern. However, it appears that property owners already have authority under current law, Section 290-11, Hawaii Revised Statutes, to remove abandoned vehicles in certain circumstances. Based on the testimony provided on this bill, it appears there is some uncertainty as to how this provision applies and, as a result, the Legislature felt it necessary to clarify the statute through passage of this bill.

In addition, I note that this bill will only be in effect for six months. Legislation should be used for critical policy matters, not for settling short term disputes. I am concerned that changing a State statute for such a short time period calls into question whether this represents sound public policy for the State.

For the foregoing reasons, I allowed House Bill No. 1422 to become law as Act 193, effective July 15, 2009, without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE