

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS AND  
TRAFFIC COMMITTEE**

August 24, 2004

**Committee  
Report No.**

04-142

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Works and Traffic Committee, having met on July 31, 2003, October 16, 2003, and August 5, 2004, makes reference to County Communication No. 03-165, from Councilmember Michael J. Molina, relating to the matter of abandoned vehicles.

By correspondence dated July 1, 2003, the Chair of your Committee transmitted the following news articles:

1. from *The Maui News* dated June 2, 2003 entitled "Junk and dough";
2. from *The Maui News* dated June 4, 2003 entitled "More junk dumped at roadside site in Huelo just days after county cleanup";
3. from *The Maui News* dated June 5, 2003 entitled "Dumping a criminal act"; and
4. from *The Honolulu Advertiser* dated June 10, 2003 entitled "Illegal dumping found at three more locations".

By correspondence dated July 11, 2003 and July 14, 2003, the Chair of your Committee requested that representatives of the Department of Public Works and Environmental Management, the Department of Police, and the Department of Finance attend the July 31, 2003 meeting, and provide comments and recommendations relating to abandoned vehicles and illegal dumping of trash.

By correspondence dated July 16, 2003, July 22, 2003, and July 28, 2003, the Chair of your Committee requested that the following individuals or representatives attend the July 31, 2003 meeting, and provide comments and recommendations relating to abandoned vehicles and illegal dumping of trash: the Executive Director and other representatives of the Community Work

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Day Program; members of the towing industry; Lawrence Koki, Manager, Maui Scrap Metal; Richard Hoopii; Wes Nohara, Plantation Manager, Maui Land and Pineapple Company, Inc.; and Joy Webster, Executive Director, Aloha Shares.

Your Committee received written testimony dated July 28, 2003, from Mr. Nohara, containing recommendations for addressing abandoned vehicles and illegal dumping of trash.

At its meeting of July 31, 2003, your Committee met with the Director of Public Works and Environmental Management; the Director of Finance; an Executive Assistant to the Mayor (Environmental Concerns); a Sergeant, Department of Police; a Deputy Corporation Counsel; the Executive Director, Community Work Day Program; Lawrence Koki, Owner, Maui Scrap Metal; and Jack Freitas, Owner, Maui Tow and Transport.

Your Committee received written testimony dated July 29, 2003, from John Ornellas, Facilities Management, Castle and Cooke Resorts, providing recommendations for addressing illegal dumping and abandoned vehicles.

Your Committee received written testimony dated July 31, 2003, from Robert Motooka, Hawaiian Commercial and Sugar Company (HC&S), outlining experiences with illegal dumping and abandoned vehicles on its property.

Your Committee accepted public testimony from six individuals. The testifiers uniformly favored improved enforcement, and provided suggestions ranging from pursuing the last registered owner of the vehicle, expediting notification procedures for informing owners of abandoned or derelict vehicles, providing additional patrolling, establishing a "bounty" system, and authorizing retirees to assist with identifying and locating abandoned vehicles and illegal dumpsites. The testifiers also offered suggestions for recouping some of the costs associated with the program, including pursuing the last registered owner for reimbursement; and charging a fee during the purchase of a new vehicle for purposes of funding removal, disposal, sale or recycling of an abandoned or derelict vehicle.

One testifier commented that HC&S experiences extensive problems with abandoned vehicles and illegal dumping of trash, and noted that unrestricted access to properties exacerbates the problem. He further noted that empty

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propane canisters have become a serious problem because they can no longer be refilled.

A testifier who provides towing services noted that he was restricted from removing vehicles from private property because he cannot tow a vehicle without the permission of the vehicle or property owner.

Another testifier commented specifically on the deteriorating condition of Omaopio Road, the access to the dump, which has itself turned into an illegal dumpsite due to trash being dropped along the roadside.

Representatives of the Community Work Day Program, Maui Scrap Metal, the Department of Finance, the Department of Police, and the Department of Public Works and Environmental Management participated in a panel discussion.

The Director of Finance informed your Committee of the status of funding for vehicle removal and trash clean-up. He noted that the Highway Beautification Fund was depleted in February 2003, an additional \$15,000 was appropriated to continue the program, and finally, an additional \$10,000 was appropriated, which was also soon depleted. The clean-up program was temporarily suspended until funding could be obtained. Funding is available for Fiscal Year 2004.

The Director of Finance advised that it can be difficult to determine the owner of an abandoned vehicle when the vehicle identification number (VIN) is scratched off, or the vehicle has not been registered with the County for a number of years. He confirmed that the Department of Finance will continue to work with the Community Work Day Program to address the abandoned and derelict vehicle problem.

The Sergeant stated that since January 2003, 256 abandoned vehicles were noted via "self-generated" reports from the officers within the Department. He also stated that Section 290-11, Hawaii Revised Statutes (HRS), authorizes the removal of abandoned or derelict vehicles from private property.

The Executive Director, Community Work Day Program, stated that the illegal dumping of trash and vehicles is affecting the quality of life within the County. She noted that the Adopt a Road program has removed 78 abandoned or derelict vehicles. She also noted that abandoned vehicles attract illegal

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dumping of trash. She suggested that all procedures, including existing ordinances, be reviewed to enhance enforcement efforts, that more volunteers assist with the clean-up of illegal dumpsites, that illegally dumped trash be investigated to obtain evidence to prosecute the perpetrators, that education efforts be increased, and that an environmental court and an *ad hoc* committee be created to review existing procedures.

Mr. Freitas informed your Committee that his towing company picks up approximately two-thirds of the reported abandoned vehicles, which are typically filled with trash. The towing company may remove the vehicle 24 hours after the Department of Police posts an appropriate notice on the vehicle. The towing service then transports the vehicle to the storage yard, and contact is made with the owner to pick up the vehicle. If the owner cannot be determined or does not respond, the vehicle is auctioned 30 to 60 days later. Only a small percentage of vehicles is actually sold, and those vehicles that are not sold are recycled. The entire process is very expensive.

Mr. Koki informed your Committee that the declining price of scrap metal has required Maui Scrap Metal to start charging a fee to recycle vehicles. Processing, barging, loading and unloading of vehicles have contributed to the high price of recycling vehicles.

The Executive Assistant acknowledged that abandoned vehicles and illegal dumping of trash go hand-in-hand. The administrative departments have been working together to provide recommendations for addressing the problem. Individuals who abandon vehicles typically do not have the ability to reimburse the County for costs. A "disposal fee" collected in advance would help to offset costs. There are more than 130,000 registered vehicles in the County. Securing a County-owned storage facility would help to eliminate some costs and developing a service area for storage, processing, disposal and sale of the vehicles would reduce towing fees.

The Executive Assistant informed your Committee that an analysis had not been conducted to develop a "disposal fee". However, a preliminary review of the matter suggests that a fee of \$100 per vehicle might be appropriate. He commented that a "bounty" or amnesty program for turning in vehicles might be effective.

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The Director of Finance noted that the County previously conducted an amnesty program that paid approximately \$75 to \$90 for vehicles that were no longer functioning. The program was discontinued due to lack of funding.

The Director of Finance also noted that tracking the registered owner can be problematic if a vehicle has not been registered with the County for the last two years. After two years, vehicle registration records are purged and stored, making research time-consuming. Your Committee commented that a system should be developed to make records more readily available for research.

The Sergeant informed your Committee that a notice is placed on the vehicle advising the owner of a Section 20.20.050, Maui County Code (MCC), violation, and that the vehicle will be towed in 24 hours. Once the 24-hour period has expired, an order for removal by the towing company is submitted.

Your Committee voiced concerns over the suspension of the highway beautification effort during the last few months of Fiscal Year 2003. Although additional funding was later secured, your Committee commented that, in the future, budget amendments should be considered before funding nears depletion to ensure that the program continues uninterrupted.

Your Committee noted that pursuant to Subsection 20.20.060(H), MCC, a "derelict vehicle" may be immediately disposed of or sold as junk. Aggressive implementation of this Subsection could result in expediting the removal of derelict vehicles. Your Committee further noted that the existing ordinances appear to be sufficient to address the problem, and encouraged a review of the Subsection to expedite dealing with derelict vehicles.

The Executive Assistant informed your Committee of the following alternatives being reviewed by the Administration:

1. acquisition of property known as the Puunene Airstrip for storage of abandoned or derelict vehicles;
2. development of a consolidated service area for processing, storage, and sale of abandoned or derelict vehicles;

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3. establishment of a vehicle amnesty program to encourage individuals to turn in vehicles to the County in lieu of leaving them abandoned; and
4. creation of a "disposal fee" to be collected upon the sale of a new vehicle or, alternatively, upon registration of a ten-year-old vehicle.

Your Committee questioned whether the Council has the authority to impose a "disposal fee" for the purpose of funding the removal, disposal, processing, and recycling of abandoned or derelict vehicles.

The Director of Finance informed your Committee that the appropriation for the Highway Beautification Fund is \$655,000 for Fiscal Year 2004. Section 286-51, HRS, allows Counties to charge up to \$5 per registered vehicle for highway beautification and removal of abandoned vehicles; however, no more than \$2 can be spent for highway beautification efforts. Your Committee suggested that the Council consider pursuing a fee increase with the State Legislature.

The Director of Public Works and Environmental Management informed your Committee that the Highway Beautification Fund currently pays for clean-up efforts in the Central Maui, Upcountry, Lahaina and Kihei areas. The Solid Waste Division pays for highway beautification efforts in Hana, Lanai, and Molokai. The Director of Finance opined that this method for funding clean-up efforts is not authorized under the MCC.

Your Committee requested the following:

1. That the Department of the Corporation Counsel provide a written response concerning the County's ability to establish a disposal fee upon sale of a new vehicle or upon registration of a vehicle that is at least ten years old, recommendations for proposed legislation to increase fees for highway beautification and disposal of abandoned and derelict vehicles, and implications of a more aggressive approach to disposal of derelict vehicles;
2. That the Department of Public Works and Environmental Management provide information relating to the acquisition of a vehicle storage facility, the development of a consolidated service

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and processing center, the establishment of a vehicle amnesty program, the creation of a disposal fee, and the feasibility of a recycling program for empty propane canisters;

3. That the Department of Police identify the number of reported abandoned or derelict vehicles that are crime-related; and
4. That the Department of Finance comment on implementation of Subsection 20.20.060(H), MCC, respond to questions concerning appraisal of abandoned or derelict vehicles, develop a tracking system for unregistered vehicles, and provide the average age of abandoned or derelict vehicles.

Your Committee deferred the matter pending further discussion.

Your Committee received correspondence dated August 2, 2003, from Lawrence Koki, Maui Scrap Metal.

By correspondence dated August 16, 2003, the Chief of Police provided statistics relating to the number of documented derelict or abandoned vehicles from 1998 through July 2003.

By correspondence dated August 20, 2003, the Director of Finance responded to the questions posed by your Committee.

By correspondence dated August 27, 2003, the Council Chair transmitted correspondence dated August 15, 2003, from Ray Philips, concerning a "bounty" system used by the County of San Diego.

By correspondence dated September 2, 2003, and October 15, 2003, the Director of Public Works and Environmental Management and the Corporation Counsel, respectively, provided detailed responses relating to the issues raised by your Committee.

At its meeting of October 16, 2003, your Committee met with the Deputy Director of Public Works and Environmental Management; the Director of Finance; the Motor Vehicle and Licensing Manager, Department of Finance; a Sergeant, Department of Police; a Lieutenant, Department of Fire and Public

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Safety; a Deputy Corporation Counsel; Mercer "Chubby" Vicens, Vice President, A&B; and Jack Freitas, Owner, Maui Tow and Transport.

Your Committee accepted public testimony from four individuals, all of whom spoke of the need for increased enforcement. One testifier indicated that her vehicle had been stolen and has yet to be recovered. She commented that more police personnel are necessary and enforcement of existing laws would address the problem. Another testifier stated that abandoned vehicles are located across from Lokelani Intermediate School in Kihei, and requested that the vehicles be removed. The third testifier stated that limited towing services are licensed to store abandoned vehicles, removal of vehicles from private property is restricted without the property owner's permission, and programs should be established to assist with the removal of vehicles. The final testifier proposed that a County "buy back" program be funded, a disposal fee be established, and the last owner of the vehicle be held responsible for its disposition.

Your Committee reviewed correspondence dated October 15, 2003, from a Deputy Corporation Counsel, relating to the creation of a vehicle disposal fee, a request that the State Legislature grant counties the authority to increase fees for highway beautification, and more aggressive enforcement of derelict vehicle regulations.

The Deputy Director of Public Works and Environmental Management provided your Committee with an overview on the acquisition of a vehicle storage facility, consolidated vehicle service and processing center, vehicle amnesty program, vehicle disposal fee, and propane tank recycling program. The Old Puunene Airport site is approximately one acre, and ownership will be transferred to the County by Executive Order by the end of 2003 or the beginning of 2004. He noted that a vehicle disposal fee must be authorized by the State. He suggested that a liquid petroleum gas (LPG) canister recycling program be implemented on a semi-annual basis with the assistance of the Department of Fire and Public Safety.

The Lieutenant commented that community education should commence immediately for the LPG amnesty program, and that the use of fire stations as potential collection sites for the program should be discussed. He further noted that derelict vehicles are not considered a potential fire hazard.



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The Director of Finance noted that vehicles to be auctioned are not appraised; instead, the bid price sets the value of the vehicle. The Department is working on developing a motor vehicle history database to track vehicles that have not been registered within the last two years. He stated that the program should be implemented soon. He also indicated that the average age of abandoned or derelict vehicles is 17 years.

The Director of Finance also noted that the Department is developing a Derelict and Abandoned Vehicle Abatement Program (DAVAP). The program, which should be implemented within a month, will provide an option for the public to arrange for vehicle pick-up at a minimal charge, or alternatively, for the public to deliver the vehicle to the County at no charge. He informed your Committee that a program being considered by the City and County of Honolulu will utilize volunteers to identify derelict or abandoned vehicles.

A Deputy Corporation Counsel stated that the County currently does not have the authority to establish a vehicle disposal fee, noting that the State Legislature must grant such authority. Furthermore, State law provides that the counties may charge up to \$5 for highway beautification, retain the proceeds from the sale of abandoned or derelict vehicles, and file claims against the owners of such vehicles to recover costs. However, it may be difficult to file a claim against the vehicle owner if the VIN is not available. She recommended that the Maui County Code be amended to grant authority to the Director of Finance for the implementation of a vehicle amnesty and abatement program.

The Motor Vehicle and Licensing Manager informed your Committee that registration and safety certification are not required to be current prior to the sale of derelict or abandoned vehicles, as not all such vehicles are purchased for the purpose of transportation. He explained the way in which the motor vehicle database would work. He also noted that a community education effort will be established prior to implementation of the DAVAP. He also informed your Committee that Maui Tow and Transport and Maui Scrap Metal are required to adhere to State Department of Health standards for the proper disposal of gasoline, motor oil, batteries, and other fluids.

The Sergeant noted that a vehicle is impounded as evidence if it is involved in a fatal or near fatal accident, or if it is involved in a drug forfeiture

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arrest. Derelict or abandoned vehicles are not impounded by the Department of Police.

Mr. Freitas stated that it may be difficult to determine if towing companies would be willing to provide complimentary towing service to senior citizens, noting that it is very costly to tow vehicles and such a program could be burdensome.

Mr. Vicens stated that he is not aware if illegal dumping of LPG canisters has contributed to recent fires. He will be meeting with representatives from HC&S and will pose the question to them. A&B recently discovered 20 to 30 abandoned vehicles on its property in Hamakuapoko.

A Deputy Corporation Counsel informed your Committee that the County is not authorized to remove abandoned or derelict vehicles from private property, but that the responsibility rests with the property owner.

The Director of Finance noted that the Community Work Day Program receives a grant from the County to remove illegal dumpsites and abandoned vehicles from private property. He suggested that the Committee consider recommending a budget amendment to increase the clean-up effort.

Your Committee requested the following:

1. That the Corporation Counsel draft a proposed bill granting the Director of Finance the authority to adopt administrative rules to implement a vehicle amnesty and abatement program;
2. That the Department of Public Works and Environmental Management provide information on the creation of an LPG amnesty program, including potential collection sites; determine the availability of Federal funding to implement the program; and isolate a potential funding source to implement the program; and
3. That the Department of Fire and Public Safety determine whether fire stations throughout the County can be used as collection sites for an LPG amnesty program on specified dates during the year.

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Your Committee deferred the matter pending further discussion.

By correspondence dated October 22, 2003, the Chair of your Committee requested that the Director of Public Works and Environmental Management provide information relating to Subsection 20.20.070(B), MCC, relating to litter removal from private property.

By correspondence dated October 23, 2003, the Chair of your Committee provided information relating to possible solutions for illegal dumpsites and abandoned and derelict vehicles, including the implementation of Chapter 20.20, MCC, and the use of volunteers to identify illegal dumpsites and abandoned vehicles.

By correspondence dated October 23, 2003, the Chair of your Committee requested that the Chief of Police review a bill being considered by the Honolulu City Council (Bill No. 64 (2003), CD1, relating to volunteers) to determine if a similar volunteer program could be effectively implemented in the County of Maui.

By correspondence dated October 24, 2003, the Fire Chief responded that, while recycling of LPG canisters is worthwhile, fire stations should not be designated collection sites.

By correspondence dated November 12, 2003, the Department of the Corporation Counsel transmitted a proposed bill, entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 2 OF THE MAUI COUNTY CODE PERTAINING TO THE AUTHORITY OF THE DIRECTOR OF FINANCE TO ESTABLISH ADMINISTRATIVE RULES". The purpose of the proposed bill is to authorize the Director of Finance to establish administrative rules to carry out the Director's duties and responsibilities as set forth in the Maui County Code, generally.

By correspondence dated November 13, 2003, the Chair of your Committee requested that the Director of Public Works and Environmental Management comment on the Fire Chief's October 24, 2003 response.

By correspondence dated November 13, 2003, the Chair of your Committee requested that the Corporation Counsel respond to questions relating

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to the Fire Chief's recommendation that businesses that sell LPG canisters be required to accept spent canisters for recycling.

By correspondence dated November 25, 2003, the Chief of Police responded to your Committee's inquiry regarding a possible volunteer policing program to assist with enforcement of laws and, in particular, abandoned vehicles and illegal dumping of trash.

By correspondence dated January 12, 2004, the Director of Public Works and Environmental Management responded to your Committee's inquiry concerning Subsection 20.20.070(B), MCC.

By correspondence dated June 28, 2004, the Chair of your Committee transmitted a June 24, 2004 article from the *Maui Weekly* entitled "Junk car problem turns serious as Maui loses way to dump them".

By correspondence dated July 28, 2004, the Department of the Corporation Counsel transmitted a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 20.20, MAUI COUNTY CODE, PERTAINING TO LITTER CONTROL", accompanied by a set of draft administrative rules for the implementation of the DAVAP program. The purpose of the proposed bill is to establish the derelict and abandoned vehicle abatement program, or DAVAP.

By correspondence dated August 3, 2004, the Chair of your Committee transmitted correspondence dated July 28, 2004, from Normand A. Duquette, conveying a proposal for dealing with abandoned vehicles.

By correspondence dated August 5, 2004, the Chair of your Committee transmitted a "Statement of Facts Relating to Junking of Vehicle" and "Request Removal of a Junked Vehicle" form, City and County of Honolulu, Department of Customer Services, Division of Motor Vehicles and Licensing.

At its meeting of August 5, 2004, your Committee met with the Director of Public Works and Environmental Management; the Acting Director of Finance; the Motor Vehicle and Licensing Manager, Department of Finance; a Deputy Corporation Counsel; the Executive Assistant to the Mayor (Environmental Concerns); a Captain, Wailuku District, Department of Police; a Captain, Fire

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Prevention Bureau, Department of Fire and Public Safety; and a Civil Engineer VI, Wastewater Reclamation Division, Department of Public Works and Environmental Management.

The Chair of your Committee opened the meeting by noting that your Committee intended to review the proposed derelict and abandoned vehicle abatement program, or DAVAP.

The Director of Public Works and Environmental Management provided a brief overview, noting that the Acting Director of Finance would be making a presentation on the proposed amnesty program. Implementation of the program will need to await resolution of a complaint made concerning the use of the Waikapu Landfill as a temporary storage site for vehicles. The Department of Finance has evaluated abatement programs that could be implemented once the Department of Public Works and Environmental Management has located a storage site.

The Acting Director of Finance distributed a one-page spreadsheet entitled "DAVAP Pro-forma Statement 8-03-04A Maui" and provided a presentation to your Committee on the financial components of the program. Maui Scrap Metal, which used to charge a disposal fee of approximately \$50 per car, lost its permit in October. A request for proposals in early 2004 resulted in three bids; of those vendors, only one was permitted. The Department currently estimates it will cost \$167 per car for disposal processing. The Department proposes a collection program to recover costs, and estimates collection efforts will result in a net increase of \$126,000.

Your Committee questioned the reliability of the revenue projections. The Acting Director of Finance responded that the Department had not conducted a study based on past collections of the potential for recovering costs.

The Motor Vehicle and Licensing Manager informed your Committee that the Department's projections were based on anticipating that 1,100 vehicles could be tracked down, that costs associated with 900 of those vehicles would be sent to a collection agency, and that 700 of those efforts would be collectible.

Your Committee questioned whether the collections would be a reported revenue source, and if so, how that revenue would be reported.

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Your Committee further questioned whether the owner of an abandoned vehicle is affected when he or she tries to register other vehicles. The Department of Finance estimates that 130,000 vehicles are registered in the County this year.

The Director of Public Works and Environmental Management informed your Committee that the Administration's intent is to move the operational end of the program to the Department, while leaving the administrative and collections functions with the Department of Finance. The current projection is that approximately 3,300 vehicles will be abandoned on an annual basis.

Your Committee discussed the possibility of locating a storage facility at the Maui Raceway Park, as well as the regulatory requirements associated with a storage-only facility, versus one that could also handle processing. The Director of Public Works and Environmental Management informed your Committee that the County of Kauai spent \$5 million to \$6 million to acquire a site and is spending approximately \$0.5 million per year to operate it. Your Committee noted that the size of a facility (5 to 8 acres) is related to critical mass, or the ability to accommodate a sufficient quantity of vehicles to make it financially viable to ship vehicles off island.

Your Committee also considered whether there is a way for the County to recover battery disposal or other similar fees.

The Department of Finance has not conducted a cost analysis comparing the cost for towing by the County versus the cost by outside vendors. Your Committee asked the Department to consider a cost comparison.

Your Committee requested that the Department of Police provide statistics concerning the number of documented abandoned or derelict vehicles that turn out to be stolen. A Captain with the Department of Police provided comments on the proposed abatement program.

A Captain with the Department of Fire and Public Safety informed your Committee that the Fire Code does not mention abandoned vehicles specifically, although there is an article relating to accumulated waste and one relating to

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auto wrecking yards. The Department has no comment on the proposed program.

Two individuals testified in support of the program. The Executive Director, Community Work Day Program, commented that the proposed bill and draft administrative rules seem fine. She voiced concerns over derelict vehicles that are causing health and safety hazards. While the Community Work Day Program has tried to enlist the aid of tow companies, the organization does not want to be in the towing business. She emphasized the need for solutions through education and changing attitudes.

Mike Kitagawa, Kitagawa Towing, suggested researching the last registered owner of record, advising the owner of the violation, and instructing the owner on what to do. He also suggested promulgating ordinances that would result in civil fines staying on Maui.

The Acting Director of Finance indicated that a source to fund implementation of the program has not yet been identified. The DAVAP would be implemented on the island of Maui, excluding Hana.

Your Committee questioned whether Senate Bill No. 291, CD1, relating to motor vehicle towing, had passed. Your Committee notes that it has passed and was adopted as Act 84 (2003). Your Committee noted that the legislation authorizes the council of any county to adopt and provide for the enforcement of ordinances regulating towing operations, including the storage and safeguarding of towed vehicles, insurance requirements, and tax clearances.

Your Committee discussed whether there are advantages to placing guidelines for implementing the program in the Hawaii Administrative Rules, rather than in the enabling ordinance itself. The Deputy Corporation Counsel informed your Committee that an advantage to having administrative rules is that they can often be more specific and technical than an ordinance would permit. Your Committee also discussed a general timeline for adoption of rules under the Hawaii Administrative Procedure Act.

Your Committee discussed the way in which penalties could be incorporated into the program.

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The Director of Public Works and Environmental Management commented on what the bill could achieve. He further commented that rulemaking could take anywhere from six months to a year, and deferring the proposal until every component of a comprehensive plan could be accommodated would ultimately delay implementation of the program.

Your Committee considered revisions to the proposed bill, including the deletion of Subsection D, which provides that implementation of the project shall be subject to annual budget appropriations by the County Council. The Deputy Corporation Counsel opined that Subsection D is necessary and should remain. Your Committee further recommended that the Administration consider deleting the proposed definitions from the draft administrative rules, due to the unnecessary confusion that might arise from inconsistencies between those definitions and the ones already found in Section 20.20.020, MCC. Revisions to the proposed text of the draft administrative rules would be made accordingly.

Your Committee noted that it would have been preferable if substantive aspects of the program could have been codified, while still allowing the rulemaking process to proceed.

Your Committee reiterated that the Department of Finance should be cautious in its projections for reimbursement.

Your Committee requested that the Department of the Corporation Counsel opine as to whether a person who has abandoned a vehicle and has not paid the Department of Finance for expenses incurred in connection with the vehicle, can be prohibited from registering another vehicle with the Department of Motor Vehicles.

Your Committee also requested that certain housekeeping and nonsubstantive revisions be made to the proposed bill.

Your Committee voted to recommend adoption of the revised proposed bill.

Your Committee deferred the matter pending further discussion.



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Your Committee is in receipt of a revised proposed bill, approved as to form and legality, incorporating your Committee's suggested revisions.

Your Public Works and Traffic Committee RECOMMENDS that Bill No. \_\_\_\_\_ (2004), attached hereto, entitled "A BILL FOR AN ORDINANCE ESTABLISHING A DERELICT AND ABANDONED VEHICLE ABATEMENT PROGRAM" be PASSED ON FIRST READING and be ORDERED TO PRINT.

Adoption of this report is respectfully requested.

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MICHAEL J. MOLINA Chair

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DAIN P. KANE Member

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CHARMAINE TAVARES Vice-Chair

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JOSEPH PONTANILLA Member

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G. RIKI HOKAMA Member