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# A BILL FOR AN ACT

RELATING TO VEHICLES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Abandoned vehicles on Hawaii's roads is a  
2 problem that few can ignore. These vehicles impair the beauty  
3 of our physical environment, decrease visibility for drivers,  
4 create hazards for walkers and bicyclists, leak hazardous  
5 materials, and often serve as breeding grounds for pests.

6 The situation is particularly aggravating when vehicles are  
7 abandoned on private roads whose owners are unknown or cannot be  
8 located, since current law allows abandoned vehicle removal by  
9 the counties only from public roads and public property.

10 The purpose of this Act is to allow a private road to be  
11 deemed "public" for abandoned vehicle removal purposes when the  
12 owners of the private road are unknown or cannot be found.

13 SECTION 2. Section 290-1, Hawaii Revised Statutes, is  
14 amended by amending subsection (a) to read as follows:

15 "(a) The counties may cause vehicles that have been  
16 abandoned to be taken into custody and disposed of. For the  
17 purposes of this subsection, a vehicle is "abandoned" if [~~it~~]:



1        (1) It is defined to be abandoned by an ordinance of the  
2                    county in which the vehicle is located~~[+]~~; or

3        (2) It is located on a private road and is within the  
4                    definition of "abandoned vehicle" under a county  
5                    ordinance; provided that the owner of the private road  
6                    is unknown or cannot be located; and provided further  
7                    that the county or the person or entity removing the  
8                    vehicle shall not be liable for trespass onto a  
9                    private road for any action taken to remove the  
10                   vehicle.

11 In the absence of such an ordinance, a vehicle is "abandoned" if  
12 it is left unattended for a continuous period of more than  
13 twenty-four hours and it is unlawfully parked on any public  
14 highway or other public property or private lands defined as a  
15 setback, shoulder, easement, or right of way that is adjacent to  
16 or part of a public highway. The mayors of the several counties  
17 may designate an agency within their counties to carry out the  
18 functions and requirements of this section. [~~The~~] For purposes  
19 of this section, the term "agency" means any office, department,  
20 or other governmental unit of the county."

21        SECTION 3. Statutory material to be repealed is bracketed

1 and stricken. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

**Report Title:**

Abandoned Vehicles; Private Roads

**Description:**

Allows counties to tow an abandoned vehicle located on private roads. (SD1)

