

JAN 25 2006

S.B. NO. 2976

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# A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

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

1 SECTION 1. Section 286-51, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Every certificate of registration issued under this  
4 part shall expire at midnight on December 31 of each year and  
5 shall be renewed annually before April 1 of each year upon  
6 application by the registered owner by presentation of the last  
7 issued certificate of registration or the last issued  
8 application for renewal, such renewal to take effect as of  
9 January 1 of each year; provided that the certificate of  
10 registration for each motor vehicle in the counties of the State  
11 may be renewed on a staggered basis, if a county elects to do  
12 so. The director of finance of each county may adopt rules to  
13 carry out the purposes stated in this section and shall expend  
14 the necessary funds from the director's operating funds as may  
15 be necessary for these purposes[; ~~provided that the director of~~  
16 ~~finance, if the director has ascertained as of the date of the~~  
17 ~~application that the registered owner has not deposited or paid~~  
18 ~~bail with respect to any summons or citation issued to the~~



1 ~~registered owner for stopping, standing, or parking in violation~~  
2 ~~of traffic ordinances within the county, may require, as a~~  
3 ~~condition precedent to the renewal, that the registered owner~~  
4 ~~deposit or pay bail with respect to all such summons or~~  
5  ~~citations].~~ The certificates of registration issued hereunder  
6 shall show, in addition to all information required under  
7 section 286-47, the serial number of the tag or emblem and shall  
8 be valid during the registration year only for which they are  
9 issued. The certificates of ownership need not be renewed  
10 annually but shall remain valid as to any interest shown therein  
11 until canceled by the director of finance as provided by law or  
12 replaced by new certificates of ownership as hereinafter  
13 provided."

14 SECTION 2. Section 286-52, Hawaii Revised Statutes, is  
15 amended by amending subsection (c) to read as follows:

16 "(c) Subsection (b), requiring a transferee to forward the  
17 certificate of ownership after endorsement to the director of  
18 finance, shall not apply to the transferee of a vehicle who was  
19 not intending to and does not drive the vehicle or permit the  
20 vehicle to be driven upon the public highways, but every such  
21 transferee, upon transferring the transferee's interest or title  
22 to another, shall give notice of the transfer to the director of



1 finance and endorse the certificate of ownership to the new  
2 legal owner and the certificate of registration to the new  
3 owner[; ~~provided that if the director of finance has ascertained~~  
4 ~~as of the date of the application that the registered owner has~~  
5 ~~not deposited or paid bail with respect to any summons or~~  
6 ~~citation issued to the registered owner for stopping, standing,~~  
7 ~~or parking in violation of traffic ordinances within the county,~~  
8 ~~the director may require, as a condition precedent to the~~  
9 ~~transfer, that the registered owner deposit or pay bail with~~  
10 ~~respect to all such summons or citations.]"~~

11 SECTION 3. Section 291D-10, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "**§291D-10 Restriction on driver's license [and motor**  
14 **vehicle registration]**. [(+)] When the person issued a notice  
15 of traffic infraction [~~not involving parking~~] fails to pay the  
16 total amount of fines, fees, surcharges, costs, or monetary  
17 assessments that has been ordered, the court shall cause an  
18 entry to be made in the driver's license record so as to prevent  
19 the person from acquiring or renewing the person's driver's  
20 license until the outstanding amount is paid or the notice of  
21 traffic infraction is otherwise disposed of pursuant to this  
22 chapter.



1        ~~[(b) In all cases where the registered owner of a motor~~  
 2 ~~vehicle to which a notice of traffic infraction has been issued~~  
 3 ~~fails to pay the total amount of fines, fees, surcharges, costs,~~  
 4 ~~or monetary assessments that have been ordered, the court shall~~  
 5 ~~cause an entry to be made in the motor vehicle's record so as to~~  
 6 ~~prevent issuance or renewal of the motor vehicle's certificate~~  
 7 ~~of registration and transfer of title to the motor vehicle until~~  
 8 ~~the outstanding amount is paid or the notice of traffic~~  
 9 ~~infraction is otherwise disposed of pursuant to this chapter.]"~~

10        SECTION 4. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

12        SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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**Report Title:**  
Motor Vehicle Registration

**SB. NO. 2976**

**Description:**

Repeals requirement that the registered owner of a motor vehicle pay bail from a summons or citation arising from unpaid traffic infractions before a transfer of registration is effectuated.

