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# A BILL FOR AN ACT

RELATING TO ABANDONED VEHICLES.

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

- 1 SECTION 1. Section 290-1, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:
- 3 "(a) The counties may cause vehicles that have been  
4 abandoned to be taken into custody and disposed of. For the  
5 purposes of this subsection, a vehicle is "abandoned" if it is  
6 defined to be abandoned by an ordinance of the county in which  
7 the vehicle is located. In the absence of such an ordinance, a  
8 vehicle is "abandoned" if it is left unattended for a continuous  
9 period of more than twenty-four hours and it is unlawfully  
10 parked on [any]:
- 11 (1) Any public highway or other public property; or  
12 (2) Any private road or private lands defined as a  
13 setback, shoulder, easement, or right of way that is  
14 adjacent to or part of a private or public highway[-];  
15 provided that a vehicle on a private road shall be  
16 considered unlawfully parked if:  
17 (A) It is inoperable; and



1           (B) The owner or at least one of the co-owners of the  
2           private road requests in writing to the  
3           appropriate county authority for the removal of  
4           the vehicle.

5 The owner of a private road requesting the removal of an  
6 abandoned vehicle shall pay the county for the removal of the  
7 vehicle and is deemed to agree to indemnify and hold the county  
8 harmless for any claims against the county for the removal and  
9 disposal of the vehicle. The mayors of the several counties may  
10 designate an agency within their counties to carry out the  
11 functions and requirements of this section. The term "agency"  
12 means any office, department, or other governmental unit of the  
13 county."

14           SECTION 2. This Act does not affect rights and duties that  
15 matured, penalties that were incurred, and proceedings that were  
16 begun, before its effective date.

17           SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19           SECTION 4. This Act shall take effect upon its approval  
20 and shall be repealed on January 1, 2010.



**Report Title:**

Abandoned Vehicles; Private Roads; Counties

**Description:**

Allows counties to remove abandoned motor vehicles from private roads; requires owners of private roads to request removal in writing before vehicle is considered abandoned; requires private road owner to pay for removal and indemnify county for claims arising from removal and disposal. (HB1422 HD1)

