
A BILL FOR AN ACT

RELATING TO RENTAL MOTOR VEHICLES.

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

1 SECTION 1. Upon notice that a rental motor vehicle has
2 been involved in a traffic incident from which a violation
3 results, the owner of the rental motor vehicle shall be
4 responsible for the violation unless it provides a court of
5 competent jurisdiction with the name and address of the lessee
6 of the rental motor vehicle within forty-five days.

7 The purpose of this Act is to clarify and extend the notice
8 provision by:

- 9 (1) Requiring the court to mail a copy of the summons or
10 violation to the rental motor vehicle owner;
- 11 (2) Extending the period of time within which the owner
12 must provide the lessee's name and address from forty-
13 five days to sixty days; and
- 14 (3) Clarifying that the period of time within which the
15 owner must provide the lessee's name and address
16 begins on the date of the mailing of the notice.

17 SECTION 2. Section 291D-3.5, Hawaii Revised Statutes, is
18 amended to read as follows:



1 " ~~[+]~~ §291D-3.5 ~~[+]~~ U-drive vehicles; traffic infractions.

2 Notwithstanding any other law to the contrary, except those
3 pertaining to the care and maintenance of the vehicle, if the
4 registered owner of record is the lessor of a rental or U-drive
5 motor vehicle, as defined in section 286-2, pursuant to a
6 written lease agreement, the lessee at the time of the issuance
7 of the traffic infraction shall be responsible for ~~[such]~~ the
8 summons or citation; provided that the lessor shall be
9 responsible for ~~[such]~~ the summons or citation if the court
10 mails a copy of the summons or citation to the lessor within
11 sixty days of the issuance of the summons or citation and if the
12 lessor does not provide the court having jurisdiction over the
13 summons or citation the name and address of the lessee within
14 ~~[forty-five]~~ sixty days after the mailing of a notice to the
15 lessor containing the date, time, and location of the violation
16 and the license number of the vehicle; provided further that if
17 requested by the lessor in writing within ~~[forty-five]~~ sixty
18 days of ~~[such]~~ the mailing of the notice of violation other than
19 for parking citations, the administrative judge of the court
20 having jurisdiction over the citation or summons shall waive the
21 requirement of providing the name and address of the lessee by
22 the lessor and impose an administrative fee of \$5 per citation



1 on the lessor, plus costs and fees not to exceed \$10 in total
2 per violation, notwithstanding section 607-4 or other [~~sections~~
3 ~~of the~~] law, county ordinance, or [~~any~~] rule to the contrary.
4 In the case of parking citations, the administrative judge of
5 the court having jurisdiction over the citation or summons may
6 waive the requirement of providing the name and address of the
7 lessee by the lessor and impose an administrative fee of \$5 per
8 parking citation on the lessor, plus costs and fees not to
9 exceed \$10 in total per [~~such~~] violation, notwithstanding
10 section 607-4 or other [~~sections of the~~] law, county ordinance,
11 or [~~any~~] rule to the contrary."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect July 1, 2046.



Report Title:

Traffic Infractions; Rental Motor Vehicles

Description:

Requires that the owner of a rental motor vehicle, upon notice that the rental motor vehicle has been involved in a traffic incident resulting in a violation, provide the court with the name and address of the lessee within 60, rather than 45, days of the mailing of the notice; requires the court to mail a copy of the summons or violation to the owner. (HB869 HD1)

