

JAN 26 2011

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# A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION.

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

1           SECTION 1. Section 286-2, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4           "After market motorcycle frame" means a frame that is  
5 manufactured to replace the frame of a motorcycle that was  
6 certified by its manufacturer to be in compliance with all  
7 applicable Federal Motor Vehicle Safety Standards as of the date  
8 of manufacture, or the frame of a homemade motorcycle that was  
9 manufactured not for profit by a person who built the motorcycle  
10 as a hobby."

11           SECTION 2. Section 286-42, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13           "(a) The county director of finance shall examine and to  
14 the best of the director's ability determine the genuineness and  
15 regularity of every registration and transfer of registration of  
16 a vehicle as in this part provided, in order that every  
17 certificate issued for a vehicle shall contain true statements  
18 of the ownership thereof, and to prevent the registration of a

1 vehicle by any person not entitled thereto, and the director of  
2 finance may require any applicant to furnish such information,  
3 in addition to that contained in the application, as may be  
4 necessary to satisfy the director of finance of the truth and  
5 regularity of the application. The director of finance may  
6 accept any county certificate of title issued for a vehicle as  
7 prima facie evidence of ownership for registration and transfer  
8 of registration. The director may issue vehicle identification  
9 numbers for reconstructed vehicles, special interest vehicles,  
10 or motorcycles, which do not have vehicle identification numbers  
11 if the director determines that the requirements of this section  
12 have been met.

13 The county director of finance may register a motorcycle  
14 with an after market motorcycle frame, using the [~~vehicle~~  
15 ~~identification~~] number of the frame as issued by the [~~incomplete~~  
16 ~~vehicle~~] manufacturer of the frame[~~-~~], the vehicle  
17 identification number on the certification label, or a vehicle  
18 identification number assigned by the director of finance. A  
19 bill of sale and Manufacturers Statement of Origin for the  
20 frame, engine, and transmission must be presented and retained  
21 as a part of the permanent county registration records. If a  
22 Manufacturers Statement of Origin is not available for the

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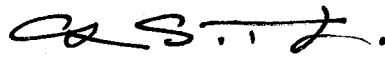
1 engine and transmission due to the use of a used or  
2 reconstructed engine, transmission, or both, then a bill of sale  
3 or other proof of ownership, satisfactory to the director of  
4 finance must be presented. Except for motorcycles that are  
5 built on an after market motorcycle frame, special interest  
6 vehicles and reconstructed vehicles, any motor vehicle or device  
7 that is not certified by the manufacturer to be in compliance  
8 with all applicable Federal Motor Vehicle Safety Standards as of  
9 the date of manufacturer shall not be registered."

10 SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:



BY REQUEST

**Report Title:**

Motor Vehicle Registration

**Description:**

Defines "after market motorcycle frame" and allows the County director of finance to assign a vehicle identification number to a motorcycle with an aftermarket frame. Except for special interest vehicles, reconstructed vehicles and motorcycles with an after market frame, the bill disallows the registration of uncertified motor vehicles and devices.

JUSTIFICATION SHEET

DEPARTMENT: Transportation

TITLE: A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION.

PURPOSE: To defines "after market motorcycle frame" and allow the County director of finance to assign a vehicle identification number to a motorcycle with an aftermarket frame. Except for special interest vehicles, reconstructed vehicles and motorcycles with an after market frame, the bill disallows the registration of uncertified motor vehicles and devices.

MEANS: Amend sections 286-2 and 286-42 (a), Hawaii Revised Statutes.

JUSTIFICATION: When Act 225, Session Laws of Hawaii 2002, was passed, the wording of the sections noted above was changed in a manner that allows motorcycles that were manufactured for off-road use only to be registered for use on public roads. This bill is an effort to correct this situation.

The definition of a motorcycle is so general that there is a very wide variety of vehicles that can fit it. Two examples are: off-road dirt motorcycles and pocket motorcycles. Mixing vehicles like these with the vehicle population on public roads causes safety hazards that were not intended by Act 225 or the motorcycle manufacturers. Legitimate motorcycle manufacturers place a label on off-road motorcycles indicating that they are not made for use on public roads. This bill is intended to exclude these vehicles from registration. The bill is also designed to allow registration of vehicles that were certified for use on public roads when they were originally manufactured and subsequently modified by owners in a manner (changing the frame) that removed the original

certification and VIN, and uncertified vehicles that were built by hobbyists.

Impact on the public: None.

GENERAL FUND: None.

OTHER FUNDS: None.

PBS PROGRAM  
DESIGNATION: TRN 597.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.