
A BILL FOR AN ACT

RELATING TO MOTORIZED VEHICLES.

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

1 SECTION 1. Section 249-1, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Motor scooter" has the same meaning as defined in section
5 286-2."

6 SECTION 2. Section 249-7, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§249-7 Number plates.** (a) Upon receipt of the tax the
9 director of finance shall number and register the vehicle,
10 moped, or motor scooter in the owner's name in a permanent
11 record or book to be kept by the director for this purpose, and
12 shall furnish the owner thereof with a receipt showing upon its
13 face the license number issued for the vehicle, moped, or motor
14 scooter and the fact that the license tax has been paid thereon
15 for the whole or the remainder of the current year in which the
16 receipt is issued. The director of finance shall also furnish
17 the owner, upon the original registration of the vehicle, moped
18 or motor scooter, two number plates for the vehicle or one plate



1 in the case of trailers, semitrailers, [~~or~~] motorcycles, mopeds,
2 or motor scooters with the registration number marked thereon.

3 Upon the payment of the tax for each year a tag or emblem
4 bearing a serial number and the month and year of expiration
5 shall be provided to the owner. Transfer of current number
6 plates, tag, or emblem, except as authorized by this chapter or
7 by chapter 286, is punishable by a fine of not more than \$50 for
8 each offense.

9 (b) Upon an original registration the director of finance
10 shall fix, and shall charge to the owner, a fee equal to the
11 cost of the number plate and tag or emblem plus the
12 administrative cost of furnishing the plate and tag or emblem
13 and effecting the registration. Upon the issuance of a new
14 series of number plates as determined by the directors of
15 finance of each county through majority consent, the director of
16 finance shall charge the owner a fee equal to the costs of the
17 number plate plus the administrative cost of furnishing the
18 plates. Upon issuing a tag or emblem, the director of finance
19 shall charge the owner a fee of 50 cents. The owner shall
20 securely fasten the number plates on the vehicle, one on the
21 front and the other on the rear, at a location provided by the
22 manufacturer or in the absence of such a location upon the



1 bumpers of the vehicle and in conformance with section 291-31,
2 in such a manner as to prevent the plates from swinging. Number
3 plates shall at all times be displayed entirely unobscured and
4 be kept reasonably clean. In the case of trailers,
5 semitrailers, ~~[or]~~ motorcycles, mopeds, or motor scooters, one
6 plate shall be used and it shall be fastened to the rear thereof
7 at a location provided by the manufacturer or in the absence of
8 such a location at the rear thereof, and in the case of
9 motorcycles in conformance with section 291-31.

10 (c) Upon the issuance of the tag or emblem the owner shall
11 affix the tag or emblem to the top right portion of the rear
12 number plate, except that all vehicles owned by the State, any
13 county government, any board of water supply, and official
14 representatives of any foreign governments shall be issued
15 registrations which need be renewed only in the new plate issue
16 year.

17 (d) After the initial payment of the tax and the original
18 registration of a vehicle, moped, or motor scooter as herein
19 specified, a motor vehicle, moped, or motor scooter shall not be
20 required to be reweighed in any succeeding year unless it has
21 been so altered or changed as to increase or diminish its



1 weight. No new number plates shall, however, be issued to a new
2 owner except as provided in sections 249-7.5 and 249-8.

3 (e) If an owner of a vehicle, moped, or motor scooter
4 registered in any county, upon the disposition of the vehicle,
5 moped, or motor scooter, requests that the license plates
6 furnished to the owner with respect to the registration of the
7 vehicle, moped, or motor scooter be assigned to another vehicle
8 subsequently acquired by the owner, the assignment may be made
9 by the director of finance at the director's discretion. To
10 defray additional administrative costs incurred by acceding to
11 those requests, the director of finance shall charge a fee of \$5
12 for each reassignment of license plates, in addition to the fee
13 for registration. The procedure for registering the vehicles,
14 mopeds, or motor scooters shall otherwise be identical with that
15 provided by this section."

16 SECTION 3. Section 249-14, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**\$249-14 Bicycle [~~and Moped~~] Fee.** (a) Bicycles having
19 two tandem wheels that are twenty inches or more in diameter
20 [~~and all mopeds~~] are required to be registered and shall be
21 subject to a permanent registration fee of \$15, to be paid by
22 the owners thereof to the director of finance.



1 (b) An owner of a bicycle having two tandem wheels that
2 are less than twenty inches in diameter is not required to
3 register such bicycle, but may do so to facilitate the return of
4 recovered stolen bicycles by payment of the registration fee.
5 The fee collected shall not be refunded or prorated. Upon
6 receipt of the fee, the director of finance shall number and
7 register each bicycle [~~and moped~~] for which the fee is paid, in
8 the owner's name and furnish the owner with a metallic tag or
9 decal for each bicycle [~~or moped~~] which shall be attached to the
10 bicycle [~~or moped~~]. On bicycles the decal shall be affixed to
11 the upright post attached to the sprocket facing in the forward
12 direction. [~~On mopeds the decal shall be affixed to the lower
13 portion of the rear fender facing rearward.~~] Upon initial
14 registration by an owner or transferee, the director of finance
15 shall require proof of ownership and require the owner to
16 furnish verification of the serial number and description
17 contained in the proof of ownership and application for
18 registration. The metallic tags or decals shall be in a form as
19 the director of finance shall from time to time prescribe. It
20 shall be the duty of the director of finance of each county to
21 purchase a sufficient number of these tags or decals.



1 (c) All fees collected under this section shall be
2 deposited into the bikeway fund and shall be expended in the
3 county in which the fees are collected as provided in section
4 249-17.5."

5 SECTION 4. Section 249-14.2, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[+]§249-14.2[+] Procedure when registration of a bicycle
8 [~~or moped~~] transferred. (a) Upon transfer of registered
9 ownership in or to a bicycle [~~or moped~~], the person whose
10 interest is to be transferred and the transferee shall write
11 their signatures with pen and ink upon the certificate of
12 registration issued for the bicycle [~~or moped~~], together with
13 the address of the transferee in the appropriate space provided
14 upon the certificate.

15 (b) Within thirty calendar days of the transfer of
16 registered ownership of a bicycle [~~or moped~~], the transferee
17 shall forward the certificate of registration so endorsed to the
18 director of finance who shall file the certificate. The
19 director of finance may charge a fee of \$5 which shall be
20 deposited into the county bikeway fund for each new certificate
21 of registration issued. Whenever a transferee fails to comply
22 with these provisions, the director of finance shall charge a



1 fee of \$10, in addition to the fee provided in this section, for
2 the issuance of a new certificate of registration.

3 (c) The director of finance, upon receipt of the
4 certificate of registration properly endorsed and the required
5 fee, shall register the bicycle [~~or-moped~~] and shall issue to
6 the owner thereof by reason of the transfer a new certificate of
7 registration in the manner and form provided for in an original
8 registration.

9 (d) Until the director of finance has issued the new
10 certificate of registration as provided in subsection (c),
11 delivery of such bicycle [~~or-moped~~] shall be deemed not to have
12 been made and registration thereto shall be deemed not to have
13 passed, and the intended transfer shall be deemed to be
14 incomplete and not to be valid or effective for any purpose.

15 (e) In the event of the transfer by operation of law in or
16 to a bicycle [~~or-moped~~], as upon inheritance, devise, or
17 bequest, order in bankruptcy, or insolvency, execution sale,
18 repossession upon default in performance of the terms of a lease
19 or executory sales contract, or otherwise than by the voluntary
20 act of the person whose interest is to be transferred, the
21 certificate of registration shall be signed upon the spaces
22 provided by the personal representative of, or successor in



1 interest of the person whose registered ownership or interest is
2 so transferred in lieu of such person. Every personal
3 representative, receiver, trustee, sheriff, or other
4 representative hereinabove referred to shall file with the
5 director of finance a notice of any transfer by sale, lease, or
6 otherwise by the person, of any such bicycle [~~or moped~~],
7 together with evidence satisfactory to the director of finance
8 of all facts entitling such representative to make the transfer.

9 (f) Any person who refuses or neglects to deliver a
10 certificate of registration to a transferee entitled thereto
11 under this section, shall be punished as provided in section
12 249-14.6.

13 (g) Every dealer or manufacturer, upon transferring a
14 bicycle [~~or moped~~], whether by sale, lease, or otherwise, shall
15 immediately give notice of the transfer to the director of
16 finance upon the official form provided by the director of
17 finance. Every such notice shall contain the date of the
18 transfer, the names and addresses of the transferor and
19 transferee, and such description of the bicycle [~~or moped~~] as
20 may be called for in the official form.

21 (h) Every person, other than a dealer, upon transferring a
22 bicycle [~~or moped~~], whether by sale, lease, or otherwise, shall



1 within ten days give notice of the transfer to the director of
2 finance upon the official form provided by the director of
3 finance. Every notice shall contain the date of transfer, the
4 names and addresses of the transferor and transferee, and such
5 description of the bicycle [~~or moped~~] as may be called for in
6 the official form. Any person who violates this subsection
7 shall be fined not more than \$100.

8 (i) Whenever the registered owner of a bicycle [~~or moped~~]
9 or any dealer or manufacturer has given notice to the director
10 of finance of a transfer of the registered ownership to the
11 bicycle [~~or moped~~], as provided in subsection (g) or (h), and
12 has delivered the certificate of registration bearing the
13 transferor's signature to the transferee as required by
14 subsection (a), the transferor shall be relieved from liability,
15 civil or criminal, which the transferor might subsequently incur
16 by reason of being the registered owner of the bicycle [~~or~~
17 ~~moped~~].

18 (j) Any person who falsely or fraudulently gives notice to
19 the director of finance of a transfer of registered ownership to
20 a bicycle [~~or moped~~] shall be subject to the penalty provided in
21 section 249-14.6."



1 SECTION 5. Section 249-14.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§249-14.5 New bicycles [and mopeds]**. All new bicycles
4 [~~and mopeds~~], otherwise requiring the payment of fees under
5 section 249-14, held in stock for purposes of sale shall be
6 exempt from the fee. At the time of first sale, the dealer
7 selling the new bicycle [~~or moped~~] shall:

- 8 (1) Require the buyer to complete a license application
9 form furnished by the director of finance;
- 10 (2) Issue a copy of the completed form to the buyer; and
- 11 (3) Transmit a copy of the completed form to the director
12 of finance with the required fees which the dealer has
13 collected from the buyer.

14 Upon receipt of the fee and the completed license application
15 form, the director of finance shall mail a tag or decal and
16 certificate of registration to the registered owner. Until the
17 tag or decal is received, the bicycle [~~or moped~~] owner shall
18 keep a copy of the completed application form upon the owner's
19 person when riding the bicycle [~~or moped~~] on a public street."

20 SECTION 6. Section 249-15, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "**§249-15 Seizure and sale.** The directors of finance, any
2 person authoritatively acting on behalf of the director of
3 finance, or any member of a police force of the several counties
4 of the State may seize any bicycle [~~or moped~~] liable for the
5 payment of the required fees or which has no tag or decal
6 affixed as required by section 249-14, and may hold the bicycle
7 [~~or moped~~] for a period of ten days, during which time it shall
8 be subject to redemption by its owner on payment of the fee due
9 and a penalty of \$1. All bicycles [~~and mopeds~~] not so redeemed
10 shall be sold by the county chief of police or director of
11 finance or their authorized representative, at public auction
12 after first giving five days public notice of the time and place
13 of sale in the county where the sale is to be held. Sale shall
14 be made for the best price obtainable, which amount shall be
15 forthwith paid over to the director of finance, accompanied by a
16 statement containing a description of the bicycles [~~or mopeds~~],
17 their serial number, makes, and any other marks of
18 identification. The director of finance, after deducting from
19 the amount so received the amount of the fee and penalty due and
20 costs of giving public notice, shall pay any surplus to the
21 previous registered owners of the bicycles [~~or mopeds~~]. If at
22 the expiration of ninety days the previous registered owners



1 remain unknown, the surplus shall be paid into the treasury of
2 the county, as a government realization, and all claims to the
3 sums shall be forever barred."

4 SECTION 7. Section 249-16, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§249-16 Duplicate bicycle [~~and moped~~] tags and**
7 **certificates of registration.** In the event that a bicycle [~~or~~
8 ~~moped~~] tag or certificate of registration furnished under
9 section 249-14 or 249-14.2 is lost, stolen, or mutilated, or
10 becomes illegible, the person to whom it was furnished may
11 obtain a duplicate thereof by presenting to the county director
12 of finance the number and registration of the bicycle [~~or moped~~]
13 involved. There shall be a charge of \$2 for the duplicate tag
14 and \$5 for the duplicate certificate of registration."

15 SECTION 8. Section 249-17, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§249-17 False tag[~~r~~]; bicycle; [~~or moped~~], penalty.** Any
18 person who uses a tag not furnished in accordance with section
19 249-14, or who counterfeits any such tag or who fraudulently
20 removes such a tag from any bicycle [~~or moped~~], shall be fined
21 not more than \$500."



1 SECTION 9. Section 286-2, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending the definition of "motor vehicle" to read:

4 "Motor vehicle" means every vehicle which is self-
5 propelled and every vehicle which is propelled by electric
6 power, including a moped, but which is not operated upon rails[
7 ~~but excludes a moped~~]."

8 2. By amending the definition of "vehicle" to read:

9 "Vehicle" means every device in, upon, or by which any
10 person or property is or may be transported or drawn upon a
11 highway, but excludes devices moved by human power or devices
12 used exclusively upon stationary rails or tracks [~~and mopeds~~]."

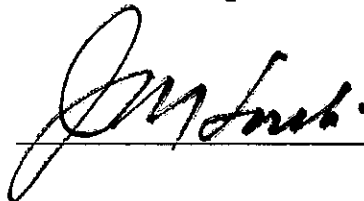
13 SECTION 10. This Act does not affect rights and duties
14 that matured, penalties that were incurred, and proceedings that
15 were begun before its effective date.

16 SECTION 11. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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

19

INTRODUCED BY: _____



JAN 26 2011



Report Title:

Motor Vehicle Regulation; Mopeds; Motor Scooters

Description:

Requires the Director of Transportation, rather than the counties, to regulate mopeds. Requires owners of mopeds and motor scooters to register them with the State and obtain license plates.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

