
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Chapter 286, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§286- Operation of a motor vehicle without certificate
5 of registration or certificate of inspection; seizure. (a) In
6 addition to any other penalty provided by law, the directors of
7 finance, any person authoritatively acting on behalf of the
8 director of finance, or any member of a police force of the
9 several counties of the State may seize a motor vehicle if the
10 motor vehicle is in operation without a valid:

11 (1) Certificate of registration as required by section
12 286-47; or

13 (2) Certificate of inspection as required by section 286-
14 26.

15 (b) The motor vehicle shall be held for a period of ten
16 days during which time the motor vehicle shall be subject to
17 redemption by its owner by providing evidence that the violation



1 for which the motor vehicle was seized has been corrected;
2 provided that if the motor vehicle was seized for not having a
3 valid certificate of inspection, the owner of the motor vehicle
4 shall be allowed to redeem the motor vehicle for the purpose of
5 obtaining a certificate of inspection. The owner of the vehicle
6 shall be responsible for the payment of all fees, including the
7 cost of storage, and any other charges incidental to the seizure
8 of the vehicle.

9 (c) The director of finance, chief of police, or any
10 police officer shall be deemed to have seized and taken
11 possession of any motor vehicle, after having securely sealed it
12 where located and posted a notice upon the vehicle, setting
13 forth the fact that it has been seized pursuant to subsection
14 (a).

15 (d) All vehicles seized and sealed shall remain at the
16 place of seizure or at any other place that the director of
17 finance may direct, at the expense and risk of the owner. If
18 the owner of the vehicle fails to redeem it within ten days
19 after seizure, the vehicle may be sold by the director of
20 finance at public auction to the highest bidder for cash, after
21 giving ten days public notice in the county and by posting



1 notices in at least three public places in the district where
2 the vehicle was seized; provided that the requirements of public
3 auction may be waived when the appraised value of any vehicle is
4 less than \$250 as determined by the director of finance or
5 authorized representative, in which case the vehicle may be
6 disposed of in the same manner as when a vehicle is put up for
7 public auction and for which no bid is received. The amount
8 realized at the sale, less the amount of the tax and penalty
9 due, together with all costs incurred in giving public notice,
10 storing, and selling the vehicle and all other charges incident
11 to the seizure and sale, shall be paid to the owner of the
12 vehicle. If no claim for the surplus is filed with the director
13 of finance within sixty days from the date of the sale, the
14 surplus shall be paid into the county treasury as a government
15 realization and all claim to that sum shall thereafter be
16 forever barred."

17 SECTION 2. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.



H.B. NO. 430

1 SECTION 3. New statutory material is underscored.

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

3

INTRODUCED BY:



JAN 23 2015



H.B. NO. 430

Report Title:

Motor Vehicles; Certificates of Registration or Inspection;
Seizure; Sale

Description:

Allows for the seizure of motor vehicles operated without valid certificates of registration or inspection. Allows for release of the motor vehicle if corrective action is taken.

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