
A BILL FOR AN ACT

RELATING TO THE STATEWIDE TRAFFIC CODE.

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- Number plates for mopeds; registration. (a) The
5 director shall cause to be produced number plates and tags or
6 emblems for the registration of mopeds operated in the State.

7 (b) The director shall number and register the moped in
8 the owner's name in a permanent record or book to be kept by the
9 director for this purpose, and shall furnish the owner thereof
10 with a receipt showing upon its face the license number issued
11 for the moped. The registration fee shall be \$ per
12 year. The director shall also furnish the owner, upon the
13 original registration of the moped, one plate with the
14 registration number marked thereon. Upon the payment of a
15 registration fee for each year, a tag or emblem bearing a serial
16 number and the month and year of expiration shall be provided to
17 the owner. Transfer of current number plates, tag, or emblem,



1 except as authorized by this chapter, is punishable by a fine of
2 not more than \$50 for each offense.

3 (c) Upon an original registration the director shall fix,
4 and shall charge to the owner, a fee equal to the cost of the
5 number plate and tag or emblem plus the administrative cost of
6 furnishing the plate and tag or emblem and effecting the
7 registration. Upon the issuance of a new series of number
8 plates, the director shall charge the owner a fee equal to the
9 costs of the number plate plus the administrative cost of
10 furnishing the plate. Upon issuing a tag or emblem, the
11 director shall charge the owner a fee of 50 cents. The owner
12 shall securely fasten the number plate on the rear of the moped
13 at a location provided by the manufacturer or in the absence of
14 such a location upon the bumper of the moped and in conformance
15 with section 291-31, in such a manner as to prevent the plate
16 from swinging. The number plate shall at all times be displayed
17 entirely unobscured and be kept reasonably clean.

18 (d) Upon the issuance of the tag or emblem, the owner
19 shall affix the tag or emblem to the top right portion of the
20 rear number plate."



1 SECTION 2. Section 286-21, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§286-21 Vehicles and mopeds without required equipment or
4 in unsafe condition. No person shall drive or cause to move on
5 any highway any motor vehicle, moped, trailer, semitrailer, or
6 pole trailer, or any combination thereof, unless the equipment
7 thereon is in good working order and adjustment as required in
8 this part [~~so as not to~~] and does not endanger the driver or
9 other occupant or any person upon the highway."

10 SECTION 3. Section 286-22, Hawaii Revised Statutes, is
11 amended by amending subsection (a), (b), and (c) to read as
12 follows:

13 "(a) The chief of police or any police officer of any
14 county may, at any time when the chief of police or police
15 officer has reasonable cause to believe that a vehicle or moped
16 is unsafe or not equipped as required by law, require the owner
17 or driver of the vehicle or moped to submit the vehicle or moped
18 to an inspection or make the necessary corrections or repairs.

19 (b) If the vehicle or moped is found to be in an unsafe
20 condition or if any required part or equipment is not present or
21 if any required part or equipment is present but not in proper



1 repair, the officer shall issue a citation to the owner or
2 driver stating the reasons that the vehicle or moped is deemed
3 unsafe or is not equipped as required and shall require that a
4 new certificate of inspection as provided in section 286-26 be
5 obtained within five days or that the defect be cured.

6 (c) If upon inspection, the chief of police or any police
7 officer determines that any vehicle or moped is in such unsafe
8 condition as to constitute a menace to the public or is not
9 equipped as required and cannot reasonably be restored to a safe
10 condition as required in this part, the chief of police or
11 police officer shall remove the sticker which signifies the
12 certificate of inspection and inform the director of finance who
13 shall [~~forthwith~~] immediately suspend the registration of the
14 vehicle or moped and give notice of the suspension to its owner.
15 Whenever the director of finance has suspended the registration
16 of any vehicle or moped under this part, the owner of the
17 vehicle or moped shall immediately surrender and forward to the
18 director of finance the certificate of registration and the
19 license plates last issued upon registration of the vehicle for
20 the current year."



1 SECTION 4. Section 286-23, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) No person shall operate any vehicle or moped after
4 receiving a citation with reference thereto as provided in
5 section 286-22(b), except that if the driver is authorized to do
6 so by the police officer, the driver may return the vehicle or
7 moped to the driver's residence or place of business or the
8 residence or place of business of the owner of the vehicle[~~er~~] or
9 moped, or to an automotive repair shop, if within a distance of
10 twenty miles, until a certificate of inspection is obtained or
11 the necessary corrections or repairs are made."

12 SECTION 5. Section 286-25, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§286-25 Operation of a vehicle or moped without a
15 certificate of inspection. Whoever operates, permits the
16 operation of, causes to be operated, or parks any vehicle or
17 moped on a public highway without a current official certificate
18 of inspection, issued under section 286-26, shall be fined not
19 more than \$100."



1 SECTION 6. Section 286-26, Hawaii Revised Statutes, is
2 amended by amending subsections (a), (b), (c), (d), and (e) to
3 read as follows:

4 "(a) The following vehicles shall be certified as provided
5 in subsection (e) once every year:

6 (1) Trucks, truck-tractors, semitrailers, and pole
7 trailers having a gross vehicle weight rating of more
8 than 10,000 pounds;

9 (2) Buses;

10 (3) Rental or U-drive motor vehicles two years of age or
11 older; [and]

12 (4) Taxicabs [-]; and

13 (5) Mopeds.

14 Ambulances shall be certified as provided in subsection (e) once
15 every six months.

16 (b) All other vehicles, including motorcycles, mopeds,
17 trailers, semitrailers, and pole trailers having a gross vehicle
18 weight rating of 10,000 pounds or less, and antique motor
19 vehicles as defined in section 249-1, except those in
20 subsections (c) and (d), shall be certified as provided in
21 subsection (e) every twelve months; provided that any vehicle to



1 which this subsection applies, except a moped, shall not require
2 inspection within two years of the date on which the vehicle was
3 first sold.

4 (c) Any vehicle or moped that has been involved in an
5 accident shall be certified as provided in subsection (e) before
6 it is operated again if:

7 (1) It is determined by a police officer or an insurer
8 that the vehicle's or moped's equipment has been
9 damaged so as to render the vehicle or moped unsafe;
10 or

11 (2) It is rebuilt or restored.

12 (d) Every vehicle or moped shall be certified prior to the
13 issuance of a temporary or permanent registration by the
14 director of finance and prior to the transfer of any
15 registration; provided that this requirement shall not apply to
16 a subsequent transfer of registration in a vehicle or moped that
17 carries a current certificate of inspection.

18 (e) Upon application for a certificate of inspection to be
19 issued for a vehicle[~~7~~] or moped, an inspection as prescribed by
20 the director under subsection (g) shall be conducted on the
21 vehicle[~~7~~] or moped, and if the vehicle or moped is found to be



1 in a safe operating condition, a certificate of inspection shall
2 be issued upon payment of a fee to be determined by the
3 director. The certificate shall state the effective date, the
4 termination date, the name of the issuing insurance carrier, and
5 the policy number of the motor vehicle insurance identification
6 card for the inspected motor vehicle as specified by section
7 431:10C-107 or state the information contained in the proof of
8 insurance card as specified by section 431:10G-106. A sticker,
9 authorized by the director, shall be affixed to the vehicle or
10 moped at the time a certificate of inspection is issued. An
11 inspection sticker which has been lost, stolen, or destroyed
12 shall be replaced without reinspection by the inspection station
13 that issued the original inspection sticker upon presentation of
14 the [~~vehicle's~~] current certificate of inspection; provided that
15 the current certificate of inspection and inspection sticker
16 shall not have expired at the time the replacement is requested.
17 The director shall adopt rules to determine the fee for
18 replacement of lost, stolen, or destroyed inspection stickers."

19 SECTION 7. Section 291C-195, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:



1 "(a) No person less than fifteen years of age shall drive
2 a moped on a highway, street, roadway, or any other public
3 property in the State. No person [~~less than eighteen years of~~
4 age] shall drive a moped unless the person wears a safety helmet
5 securely fastened with a chin strap. The safety helmet shall
6 meet the specifications and requirements established by rules
7 adopted by the director."

8 SECTION 8. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 9. This Act shall take effect upon its approval.

11



Report Title:

Mopeds; Registration; Inspections

Description:

Requires registration, inspections, and number plates for mopeds. Requires all persons driving a moped to wear a safety helmet securely fastened with a chin strap. (SD1)

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