
A BILL FOR AN ACT

RELATING TO VEHICLES.

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

1 SECTION 1. The legislature finds that abandoned vehicles
2 on public roads are a widespread environmental concern that
3 adversely impacts human health and safety. Existing laws allow
4 motor vehicle owners to abandon their vehicles with impunity.
5 In recent years the number of abandoned vehicles appears to have
6 increased exponentially.

7 The legislature further finds that the counties, who are
8 primarily responsible for the disposition of abandoned vehicles,
9 are being overwhelmed by the problematic retrieval, custody,
10 storage, and disposition of abandoned vehicles. Accordingly,
11 the purpose of this Act is to:

12 (1) Authorize the county directors of finance to withhold
13 the issuance or renewal of a certificate of
14 registration until the county is reimbursed for all
15 costs relating to the disposition of the abandoned
16 vehicle;



- 1 (2) Make it a misdemeanor, with a \$250 to \$500 fine, if a
- 2 person abandons any vehicle on any public or private
- 3 roadway or any property without the consent of the
- 4 owner or lessee;
- 5 (3) Require the court to report the conviction to the
- 6 county director of finance, who may proceed to
- 7 prohibit the person from operating a vehicle; and
- 8 (4) Authorize the county to assess and collect fees,
- 9 fines, and penalties for actions relating to the
- 10 disposition of abandoned vehicles.

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

14 "§286- Abandoned vehicles; withholding of certificate
 15 of registration; rules. (a) Notwithstanding any provision of
 16 this chapter to the contrary, the director of finance of a
 17 county may withhold the issuance or renewal of a certificate of
 18 registration for a vehicle pursuant to section 290-1(d).
 19 (b) The county director of finance may adopt rules
 20 pursuant to chapter 91 for purposes of this section."



1 SECTION 3. Chapter 290, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§290- Abandonment of vehicle; misdemeanor; revocation
5 of driver's license; registration prohibition; fines.

6 Notwithstanding section 290-45, or any provision of law to the
7 contrary, any person who abandons any vehicle on any public or
8 private roadway or upon any property without the permission of
9 the owner or lessee of the property shall be guilty of a
10 misdemeanor and shall be fined \$250 for the first offense and
11 \$500 for each offense thereafter. The court with competent
12 jurisdiction shall report the conviction to the appropriate
13 county director of finance, who may proceed to take any and all
14 actions to prohibit the person from operating a vehicle,
15 including the revocation of the violator's driver's license for
16 a period not to exceed three months or the prohibition of the
17 registration of any other vehicle owned by the violator for a
18 period not to exceed one year, or both.

19 §290- Rules. The county agency designated by the mayor
20 to carry out the functions and requirements of section 290-1 may
21 adopt rules, pursuant to chapter 91, for purposes of this



1 chapter, including the assessment and collection of fees, fines,
2 and penalties relating to the towing, storage, processing, and
3 disposal of abandoned vehicles, including those vehicles deemed
4 to be derelict vehicles."

5 SECTION 4. Section 290-1, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§290-1 Disposition by counties of certain abandoned**
8 **vehicles [-]; withholding of certificate of registration.** (a)

9 The counties shall cause vehicles that have been abandoned to be
10 taken into custody within ten business days of abandonment. For
11 the purposes of this subsection, a vehicle is "abandoned" if it
12 is defined to be abandoned by an ordinance of the county in
13 which the vehicle is located. In the absence of such an
14 ordinance, a vehicle is "abandoned" if it is left unattended for
15 a continuous period of more than twenty-four hours and it is
16 unlawfully parked on any public highway or road or other public
17 property or private lands defined as a setback, shoulder,
18 easement, or right of way that is adjacent to or part of a
19 public highway [-] or road. The mayors of the several counties
20 may designate an agency within their counties to carry out the
21 functions and requirements of this section. For the purposes of



1 this subsection, "agency" means any office, department, or other
2 governmental unit of the county.

3 (b) The Hawaii public housing authority may cause vehicles
4 that have been abandoned on any public housing property owned,
5 managed, or administered by the Hawaii public housing authority
6 to be taken into custody and disposed of. For the purposes of
7 this subsection, a vehicle is "abandoned" if it is left
8 unattended for a continuous period of more than twenty-four
9 hours after a notice is conspicuously posted on the vehicle that
10 the vehicle is subject to disposal pursuant to this subsection.

11 (c) At the request of the landowner, a county may cause
12 vehicles to be taken into custody and disposed of that have been
13 abandoned on roads for which dedication to the State or county
14 is pending. For purposes of this subsection, a vehicle is
15 deemed abandoned if it is left unattended for a continuous
16 period of more than twenty-four hours after a notice is
17 conspicuously posted on the vehicle stating that the vehicle is
18 subject to disposal pursuant to this subsection.

19 (d) Notwithstanding any law to the contrary, if the county
20 agency designated to carry out the functions and requirements of
21 this section determines that a vehicle has been abandoned, the



1 director of finance of the county where the vehicle is to be
2 operated may withhold the issuance of any certificate of
3 registration for any vehicle until the county is reimbursed for
4 all costs, charges, and fines relating to the disposition of the
5 abandoned vehicle, including for costs related to towing,
6 storage, processing, and disposal charges."

7 SECTION 5. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 6. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Abandoned Vehicles; Withholding of Registration; Revocation of License; Penalties and Fines

Description:

Authorizes the withholding and revocation of vehicle registrations and driver's licenses for those who abandon a vehicle under specified conditions. Authorizes the assessment and collection of charges relating to abandoned and derelict vehicles. Takes effect on 7/1/2050. (HD1)

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

