

JAN 24 2019

A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

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

1 SECTION 1. Section 286-41, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) Application for the registration of a vehicle shall
4 be made upon the appropriate form furnished by the director of
5 finance and shall ~~[contain]~~ include but not be limited to the
6 name, occupation, [and], address of residence, social security
7 number, date of birth, driver's license number, phone number,
8 electronic mail address, and emergency contacts of the owner and
9 legal owner; and, if the applicant is a member of the United
10 States naval or military forces, the applicant shall give the
11 organization and station. All applications shall also contain a
12 description of the vehicle, including the name of the maker, the
13 type of fuel for the use of which it is adapted (e.g., gasoline,
14 diesel oil, liquefied petroleum gas), the serial or motor
15 number, and the date first sold by the manufacturer or dealer,
16 and such further description of the vehicle as is called for in
17 the form, and such other information as may be required by the



1 director of finance, to establish legal ownership. A person
2 applying for initial registration of a neighborhood electric
3 vehicle shall certify in writing that a notice of the
4 operational restrictions applying to the vehicle as provided in
5 section 291C-134 are contained on a permanent notice attached to
6 or painted on the vehicle in a location that is in clear view of
7 the driver."

8 SECTION 2. Section 290-1, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§290-1 Disposition by counties of certain abandoned**
11 **vehicles[-]; fines.** (a) The counties shall cause vehicles that
12 have been abandoned to be taken into custody within ten business
13 days of abandonment. For the purposes of this subsection, a
14 vehicle is "abandoned" if it is defined to be abandoned by an
15 ordinance of the county in which the vehicle is located. In the
16 absence of such an ordinance, a vehicle is "abandoned" if it is
17 left unattended for a continuous period of more than twenty-four
18 hours and it is unlawfully parked on any public highway or other
19 public property or private lands defined as a setback, shoulder,
20 easement, or right of way that is adjacent to or part of a
21 public highway. The mayors of the several counties may



1 designate an agency within their counties to carry out the
2 functions and requirements of this section. For the purposes of
3 this subsection, "agency" means any office, department, or other
4 governmental unit of the county.

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

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



1 (d) The counties may assess a fine of \$1,000 against the
2 legal or registered owner of a vehicle that is deemed abandoned
3 pursuant to this section. The fines collected pursuant to this
4 subsection shall be deposited into the general fund of the
5 county that collected the fine."

6 SECTION 3. Section 290-4, Hawaii Revised Statutes, is
7 amended to read as follows:

8 **"§290-4 Repossession by person entitled.** Any person
9 entitled to the vehicle may repossess the same prior to the date
10 of public auction upon payment of all towing, handling, storage,
11 appraisal, advertising, and any other expenses incurred in
12 connection with the vehicle[-], including the fine pursuant to
13 section 290-1(d); provided that if the person claiming the
14 vehicle is the legal or registered owner, the person shall show
15 proof of an up-to-date motor vehicle registration pursuant to
16 section 286-41 and up-to-date motor vehicle insurance coverage
17 prior to repossession. If the person claiming the vehicle is
18 not the legal or registered owner, the person may repossess the
19 vehicle upon paying the foregoing expenses and posting adequate
20 security not to exceed the value of the vehicle. The security,
21 if not forfeited, shall be returned two years from receipt."



1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.
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INTRODUCED BY:

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S.B. NO. 1297

Report Title:

Abandoned Vehicles; Motor Vehicle Registration; Fines

Description:

Requires an application for motor vehicle registration to include but not be limited to the name, occupation, address of residence, social security number, date of birth, driver's license number, phone number, email address, and emergency contacts. Authorizes the counties to assess a fine to the legal or registered owner of a vehicle deemed abandoned. Requires the legal or registered owner to have up-to-date motor vehicle registration and motor vehicle insurance prior to repossession of the abandoned vehicle.

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

