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# 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, driver's license  
7 number, phone number, and emergency contacts of the owner and  
8 legal owner; and, if the applicant is a member of the United  
9 States naval or military forces, the applicant shall give the  
10 organization and station. All applications shall also contain a  
11 description of the vehicle, including the name of the maker, the  
12 type of fuel for the use of which it is adapted (e.g., gasoline,  
13 diesel oil, liquefied petroleum gas), the serial or motor  
14 number, and the date first sold by the manufacturer or dealer,  
15 and such further description of the vehicle as is called for in  
16 the form, and such other information as may be required by the  
17 director of finance, to establish legal ownership. A person



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

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

9 "§290-1 Disposition by counties of certain abandoned  
10 vehicles [↖];  fines. (a) The counties shall cause vehicles that  
11 have been abandoned to be taken into custody within ten business  
12 days of abandonment. For the purposes of this subsection, a  
13 vehicle is "abandoned" if it is defined to be abandoned by an  
14 ordinance of the county in which the vehicle is located. In the  
15 absence of such an ordinance, a vehicle is "abandoned" if it is  
16 left unattended for a continuous period of more than twenty-four  
17 hours and it is unlawfully parked on any public highway or other  
18 public property or private lands defined as a setback, shoulder,  
19 easement, or right of way that is adjacent to or part of a  
20 public highway. The mayors of the several counties may  
21 designate an agency within their counties to carry out the



1 functions and requirements of this section. For the purposes of  
2 this subsection, "agency" means any office, department, or other  
3 governmental unit of the county.

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

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

20 (d) The counties may assess a fine of \$1,000 against the  
21 legal or registered owner of a vehicle that is deemed abandoned



1 pursuant to this section; provided that the legal or registered  
 2 owner shall not be fined if the abandoned vehicle has been  
 3 stolen or taken from the legal or registered owner without  
 4 permission or authorization. The fines collected pursuant to  
 5 this subsection shall be deposited into the general fund of the  
 6 county that collected the fine."

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

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



1 security not to exceed the value of the vehicle. The security,  
2 if not forfeited, shall be returned two years from receipt."

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

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

8 SECTION 6. This Act shall take effect upon its approval.

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**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, driver's license number, phone number, and emergency contacts. Authorizes the counties to assess a fine to the legal or registered owner of a vehicle deemed abandoned unless certain conditions are met. 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. (SD1)

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

