
A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

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

1 SECTION 1. The legislature finds that there is an
2 increased frequency of illegal activity in the form of chop
3 shops on public lands. The legislature further finds that there
4 has been an increasing number of community complaints about
5 public lands being used as locations for dismantling of stolen
6 mopeds and bicycles. These chop shops, in addition to acting as
7 sites for illegal disassembly and redistribution of parts, also
8 litter the State's sidewalks, parks, streams, bridges, and other
9 open spaces with unusable debris left for disposal by state and
10 county agencies.

11 The purpose of this Act is to:

12 (1) Strengthen the county police departments'
13 investigation and enforcement abilities by making the
14 act of dismantling a bicycle or moped on public
15 property the trigger for police investigation and the
16 basis for a criminal offense; and



1 (2) Provide a basis for law enforcement officers to
2 request license and registration information for any
3 bicycle or moped being disassembled on public property
4 for confiscation of the item if proof of ownership
5 cannot be provided and pursuit of additional charges
6 for stolen property.

7 SECTION 2. Chapter 711, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§711- Unlawful assembly or disassembly of bicycles or
11 mopeds on public property. (1) A person commits the offense of
12 unlawful assembly or disassembly of a bicycle or moped on public
13 property if the person knowingly assembles or disassembles a
14 bicycle or moped on public property.

15 (2) It shall be an affirmative defense to prosecution
16 under this section that the defendant:

17 (a) Assembles or disassembles bicycles or mopeds under a
18 valid license or permit authorizing such activities on
19 the public property; or

20 (b) Is repairing the bicycle or moped as a result of
21 malfunxion or damage that occurred while the



1 defendant rode the bicycle or moped on public property
2 and the defendant is the registered owner of or, with
3 the consent of the registered owner, operated the
4 bicycle or moped.

5 (3) Any bicycle or moped in the person's possession at the
6 time of violation of this section may be seized and ordered
7 forfeited to the State, subject to the requirements of chapter
8 712A.

9 (4) Unlawful assembly or disassembly of a bicycle or moped
10 on public property is a petty misdemeanor.

11 (5) For purposes of this section:

12 "Bicycle" has the same meaning as in section 249-1.

13 "Moped" has the same meaning as in section 249-1.

14 "Public property" means any public right-of-way, street,
15 sidewalk, alley, parkway, public passageway, beach, park, or
16 other public property owned or managed by the State or any of
17 the counties."

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

21 SECTION 4. New statutory material is underscored.

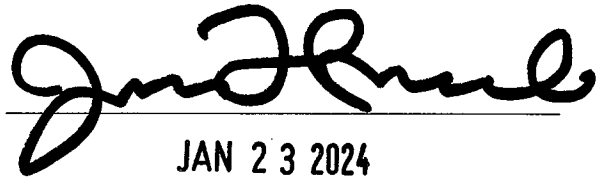


H.B. NO. 2551

1 SECTION 5. This Act shall take effect on July 1, 2024.

2

INTRODUCED BY:


JAN 23 2024



H.B. NO. 2551

Report Title:

Law Enforcement; Bicycles; Mopeds; Unlawful Assembly or Disassembly of a Bicycle or Moped on Public Property

Description:

Establishes the offense of unlawful assembly or disassembly of a bicycle or moped on public property.

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

