

ACT 252

H. B. NO. 152

A Bill for an Act Relating to Motor Vehicle Odometers.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 311, Revised Laws of Hawaii 1955, is amended by adding a new section to be appropriately designated and to read as follows:

“Sec. 311- . Tampering with motor vehicle odometer to cause registration of other than true mileage, etc.; penalty. (a) It is unlawful for any person:

(1) To advertise for sale, to sell, to use, or to install on any part of a motor vehicle or on an odometer in a motor vehicle any device which causes the odometer to register any mileage other than the true mileage driven. For the purposes of this section the true mileage driven is that mileage driven by the car as registered by the odometer within the manufacturer’s designed tolerance.

(2) To operate a motor vehicle on any street or highway knowing that the odometer of the vehicle is disconnected or nonfunctional.

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(3) To disconnect, turn back, advance or reset the odometer of any motor vehicle with the intent to alter the number of miles indicated on the odometer gauge.

(b) Any person who violates this section shall be fined not more than \$200.

(c) This section shall not apply to the installation, maintenance, repair or replacement of taxi meters, provided, however, that before any person undertakes such activity he shall obtain an endorsement of the manufacturer's certificate of accuracy from the division of weights and measures, department of agriculture, which endorsement shall indicate the number of miles registered on the odometer prior to the installation, maintenance, repair or replacement of the taxi meter."

SECTION 2. Section 160-167, Revised Laws of Hawaii 1955, is amended by adding to subsection (a) a new item to be appropriately designated and to read as follows:

"() That such applicant has been convicted of a violation of section 311- ."

SECTION 3. Section 160-170, Revised Laws of Hawaii 1955, is amended by adding to subsection (a) a new item to be appropriately designated and to read as follows:

"() Has been convicted of a violation of section 311- ."

SECTION 4. Section 160-173, Revised Laws of Hawaii 1955, is amended in the following respects:

(a) By adding to subsection (b) a new item to be appropriately designated and to read as follows:

"() Has been convicted of a violation of section 311- ."

(b) By amending subsection (d) to read as follows:

"(d) In addition to criminal penalties. The suspension or revocation of a license by the board shall be in addition to any penalty that might be imposed upon any licensee upon a conviction at law for any violation of this part or chapter or of section 311- ."

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

SECTION 6. Notwithstanding the adoption of Act 16, Session Laws of Hawaii 1968, this Act shall have full force according to its intent. Upon the taking effect of this Act or the Hawaii Revised Statutes, whichever occurs later, this Act shall be construed to be in amendment of or in addition to the Hawaii Revised Statutes, all references in this Act being construed to refer to the applicable or corresponding provisions of the Hawaii Revised Statutes.

The Revisor of Statutes may reword and renumber the references in this Act and make such other formal or verbal changes as may be necessary to conform with the Hawaii Revised Statutes.

SECTION 7. This Act shall take effect upon its approval.

(Approved July 15, 1969.)