

ACT 262

H. B. NO. 474

A Bill for an Act Requiring the Notation of Odometer Reading on Documents of Sales of Motor Vehicles by Amending Chapter 201A, Revised Laws of Hawaii 1955, as Amended.

ACT 262

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

SECTION 1. Chapter 201A, Revised Laws of Hawaii 1955, as amended, is further amended by adding thereto the following section to be appropriately numbered and to read as follows:

“**Section 201A- . Odometer Reading.** “(a) The Seller in every retail installment sales contract, sales contract, bill of sale or other instrument conveying, transferring or selling any interest in a motor vehicle, other than a security interest, without a written sales document, shall deliver to the Buyer prior to the execution of such sales document by the Seller or if there is no sales document, prior to receipt of payment or deposit from the Buyer, a written statement signed by the Seller containing the exact odometer reading of such motor vehicle at the time of such sale, the date of such sale and if the odometer is not in operative condition at the time of such sale, the statement shall include such fact. If such motor vehicle does not contain an odometer at the time of such sale, the Seller shall furnish the Buyer a written statement to such effect signed and dated as aforesaid and at the aforesaid time.

“(b) The Buyer receiving the statement described in subsection (a) herein executed by his immediate Seller, shall retain and deliver same plus the statement required of him by subsection (a) herein upon conveying, transferring or selling any interest in such motor vehicle, except a security interest, to another Buyer. If the first mentioned Buyer cannot deliver the aforesaid statement executed by his immediate Seller to the second Buyer, then the first mentioned Buyer shall deliver in lieu thereof, an affidavit stating the facts contained in such statement.

“(c) No person shall willfully alter or destroy the statement described in subsection (a) herein after delivery thereof by the Seller, unless such statement is not required to be retained and delivered under subsection (b) herein.

“(d) Penalty. Whoever violates any provision of this section shall be fined not more than FIVE HUNDRED DOLLARS (\$500).

“(e) The provisions of Section 201A-21 shall not apply to this section.”

SECTION 2. If House Bill No. 718* is enacted into law, then the manufacturer's certificate of accuracy required by that bill is the written statement which is required by this Act.”

SECTION 3. This Act shall take effect upon approval.

(Approved July 16, 1969.)

* Act 279