

ACT 48

H. B. NO. 867

A Bill for an Act Prohibiting the Use of Motor Vehicles as a Domicile or Residence.

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

SECTION 1. **Purpose and findings.** The legislature finds that the use of motor vehicles as a domicile or residence constitutes a hazard to the public health and welfare. The purpose of this act is to protect the public health and welfare by prohibiting the use of any motor vehicle for purposes of human habitation unless authorized by law, applicable department rules and regulations, or under emergency conditions in the interest of vehicular safety.

SECTION 2. Chapter 291C, Hawaii Revised Statutes, is amended by adding to part XI new sections to be designated and to read as follows:

“Sec. 291C-112 Certain uses of parked vehicles prohibited between 6:00 p.m. and 6:00 a.m.; definition; exceptions. (a) No person shall use any vehicle for purposes of human habitation, whether or not the vehicle is designed or equipped for that purpose, while the vehicle is parked on any roadway, street, or highway or other public property between the hours of 6:00 p.m. and 6:00 a.m. or while the vehicle is parked on private property without authorization of the owner or occupant authorizing both the parking of the vehicle there and its use for purposes of human habitation.

(b) As used in this section “purposes of human habitation” includes use as a dwelling place, living abode, or sleeping place.

(c) This section does not apply to the parking of vehicles and their use for purposes of human habitation in parks, camps, and other recreational areas in compliance with law and applicable rules and regulations, or under emergency conditions in the interest of vehicular safety.

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(d) The department of health shall promulgate rules and regulations, pursuant to chapter 91, necessary for the administration of this section.

Sec. 291C-113 Ordinances regulating use of vehicles for purposes of human habitation. Each of the counties may enact and enforce ordinances regulating the use of vehicles for purposes of human habitation.

Upon each of the counties enacting an ordinance pertaining to the use of vehicles for purposes of human habitation, then so far as that county is concerned, the ordinance shall have full force and effect, and shall supersede section 291C-112 until the ordinance is repealed or otherwise made invalid.”

SECTION 3. This Act shall take effect upon its approval.

(Approved May 16, 1972.)