

ACT 292

S.B. NO. 1005

A Bill for an Act Relating to Motor and Other Vehicles.

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

SECTION 1. Section 286-50, Hawaii Revised Statutes, is amended to read as follows:

**“§286-50 Registration of vehicle located outside State; correction of errors; fee for correcting errors.** (a) The director of finance of a county shall not accept an application for registration of any vehicle under this part unless the vehicle at the time of application is to be operated on the public highways of that county as required under section 286-41 or, if the vehicle is not within the State, the vehicle is currently registered in the State in the name of a bona fide resident of the State. However, the director of finance shall accept and grant an application and issue number plates for a new unlicensed vehicle which is not within the State when the application is accompanied by a written certificate signed by the seller, who shall be a person licensed to sell new motor vehicles under chapter 437, giving the name and local address of the seller and the purchaser and a description of the vehicle, including a statement of a<sup>1</sup> weight thereof, and, when the [serial or engine and factory] vehicle identification numbers of such new vehicle are not available, a statement of such fact, and also by a written certificate of the purchaser giving the purchaser's name, the purchaser's local address and permanent residence, and the name of the seller, a full description of the vehicle, and a statement that the use tax payable thereon has been paid or that the same will be paid within sixty days of the arrival of the vehicle in the State. One copy of the application when granted shall be furnished by the director of finance to the director of taxation. In a case where the [serial or engine and factory] vehicle identification numbers of the new

vehicle are not available at the time of the application, the dealer shall certify to the [serial or engine and factory] vehicle identification numbers thereof upon receipt of the numbers from the factory or manufacturer, which certificate the director of finance shall enter in the director of finance's registration records. Within sixty days after arrival in the State of any such vehicle, unless the same has been shown in the application or subsequent certification, the dealer shall furnish to the director of finance a certificate of the dealer, identifying the vehicle by the [serial or engine and factory] vehicle identification numbers or other description, and evidence of arrival in the State of any such vehicle, which information the director of finance shall enter in the director of finance's registration records.

If the [serial or engine and factory] vehicle identification numbers of the vehicle, as given in the dealer's certificate of the [serial or engine and factory] vehicle identification numbers, subsequently prove to be erroneous on account of error in the information received by the dealer from the factory or manufacturer, or for any other reason, the dealer shall notify the director of finance of the error by a written certificate of the dealer stating the reasons for the nature of the error and the correction which should be made in the registration records; and upon receipt of the dealer's certificate by the director of finance, the registration records shall be corrected accordingly. A fee of [\$1] \$3 shall be paid by the dealer and collected by the director of finance for each instance of correction of the registration records.

(b) Notwithstanding the first paragraph of subsection (a), the director of finance shall accept and grant an application, and issue number plates, when the vehicle, although not within the State, is to be registered in the name of [a United States Senator from the State, a United States Representative from the State, or members of their congressional staffs who are] bona fide residents of the State, and the application is accompanied by:

- (1) A written certificate setting forth the name, local address<sup>1</sup> of the applicant; the name and business address of the seller; a full description of the vehicle, including a manufacturer's statement of the weight thereof, and the [serial or engine and factory] vehicle identification numbers[;] verified by a law enforcement agency; and such other information as may be required by the director of finance;
- (2) A copy of the bill of sale and such other documents as may be required by the director of finance, to establish legal ownership; and
- (3) A written statement signed by the applicant stating that the use tax payable thereon will be paid within sixty days of the arrival of the vehicle in the State.

The applicant shall be responsible for supplying to the director of finance all information relative to the correct [serial or engine and factory] vehicle identification numbers, and the payment of correction fees, in the same manner and to the same extent as is required hereinabove of a dealer. One copy of the application, when granted, shall be furnished by the director of finance to the state director of taxation.

No tax or other fees required by law in connection with the registration of a vehicle not within the State at the time of application shall be refundable."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 13, 1989.)

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### **Note**

1. So in original.