

ACT 128

H.B. NO. 26

A Bill for an Act Relating to Motor Vehicles.

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

SECTION 1. The legislature finds that the current law regarding shipping motor vehicles interisland should be amended to provide more flexibility for vehicle owners and shippers. The current law requires an owner of a motor vehicle to present a current certificate of ownership and current no-fault insurance card to the shipper. In many instances, that certificate is not in the possession of the owner, but is held by a financial institution until payments on the loan are completed. The legislature further finds that allowing a legal owner to present a current certificate of registration, picture identification, and current no-fault insurance card and allowing a non-legal owner to present a current certificate of registration and notarized written consent of the legal owner, current certificate of registration, and no-fault insurance card in addition to other documents, will give both shippers and owners increased flexibility in transporting cars interisland.

SECTION 2. Section 286-271, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) Except as provided in subsection (b), [an] a legal owner of a vehicle shall not ship that vehicle interisland in this State unless the legal owner first presents to the shipper the legal owner’s current certificate of [ownership] registration showing that the person is the registered owner of the vehicle, picture identification, and a current no-fault identification card for the vehicle[, provided that presentation of a no-fault identification card shall not be required for:]. If the registered owner of the vehicle is not the legal owner of the vehicle, the registered owner must present to the shipper, the registered owner’s current certificate of registration, the notarized written consent of the legal owner thereof to the transportation, and a no-fault identification card. Presentation of a no-fault identification card shall not be required for:

- (1) Unlicensed propelled vehicles that are not intended for on-road use;
- (2) Vehicles that have been repossessed by a regulated financial institution or vehicles that have been voluntarily surrendered to a regulated financial institution or its designated agent; or
- (3) New unregistered vehicles shipped with a bill of lading.

(b) [An] A legal owner of a damaged vehicle shall not ship that vehicle interisland in this State for repair, disposal, or salvage unless the legal owner first presents to the shipper the legal owner’s current certificate of [ownership,] registration showing that the person is the registered owner of the vehicle and a picture identification, or a dealer’s license, or a notarized bill of sale, as applicable, which evidences the vehicle’s identification number or serial number. A registered owner of the vehicle who is not the legal owner of the vehicle must present a current certificate of registration and a notarized written consent of the legal owner thereof

to the transportation or a dealer's license, or a notarized bill of sale, as applicable, which evidences the vehicle's identification number or serial number.''

SECTION 3. Statutory material to be deleted is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 9, 1995.)