

A Bill for an Act Relating to Pawnbrokers.

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

SECTION 1. The purpose of this Act is to assist the police in tracking stolen property, and increase the likelihood of the property being returned to its legal owner.

SECTION 2. Section 486M-2, Hawaii Revised Statutes, is amended to read as follows:

“**§486M-2 Record of transactions.** Every dealer, or the agent, employee, or representative of the dealer shall, immediately upon receipt of any article, record the following information, on a form [prescribed] authorized by the chief of police in each county:

- (1) The name and address of the dealer;
- (2) The name, residence address, date of birth, and the age of the person from whom the article was received;
- (3) The date and time the article was received by the dealer;
- (4) The signature of the person from whom the article was received;
- (5) The Hawaii [drivers] driver's license number, or if the person does not possess a Hawaii [drivers] driver's license, the number of and description of any identification which bears a photograph of the person from whom the article was received;
- (6) A complete and accurate description of the article received, including all markings, names, initials, and inscriptions;
- (7) A reasonable estimate of the fineness and weights of the precious and semiprecious metals and precious and semiprecious gems received; and
- (8) The price paid by the dealer for each article.

[The] Upon request and at the discretion of the chief of police of each county, copies of all completed forms required by this section shall be surrendered [or mailed, upon request and at the discretion of the chief of police of each county], mailed, or electronically inputted and transmitted via modem or by facsimile transmittal to the chief of police or to the chief of police's authorized representative. The method of submittal to the chief of police shall be at the option of the dealer.”

SECTION 3. Section 486M-4, Hawaii Revised Statutes, is amended to read as follows:

“**§486M-4 Minimum retention of items.** (a) No dealer, the dealer's agents, employees, or representatives shall alter, melt, deface, break apart [or], dispose of, or change the character or integrity of the precious or semiprecious metals or precious or semiprecious gems received or purchased for a period of [ten working days] fifteen calendar days in counties with a population of less than 300,000, and thirty calendar days in counties with a population of 300,000 or more after the purchase or possession by the dealer, whichever comes later. Every article received by the dealer, the dealer's agents, employees, or representatives shall be retained by the dealer in the county where received or purchased for a period of [ten working days] fifteen calendar days in counties with a population of less than 300,000, and thirty calendar days in counties with a population of 300,000 or more after the purchase or possession by the dealer, whichever comes later.

(b) At the discretion of the chief of police of each county, the holding period may be reduced to fifteen calendar days; provided that the dealer has computerized record-keeping and transmittal capabilities acceptable to the chief of police or the chief of police's authorized representative."

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 3, 1998.)