

ACT 103

S.B. NO. 2065

A Bill for an Act Relating to Motor Vehicle Registration.

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

SECTION 1. Section 291D-10, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) In all cases where the registered owner of a motor vehicle to which a notice of traffic infraction has been issued fails to pay the total amount of fines, fees, surcharges, costs, or monetary assessments that have been ordered, the court shall cause an entry to be made in the motor vehicle’s record so as to prevent issuance or renewal of the motor vehicle’s certificate of registration and transfer of title to the motor vehicle until the outstanding amount is paid or the notice of traffic infraction is otherwise disposed of pursuant to this chapter; provided that if the traffic infraction involves an unpaid parking violation, this subsection shall not prevent the issuance or renewal of the motor vehicle’s certificate of registration and transfer of title to the motor vehicle to another person, in which case the clerk of the court shall issue a clearance to effectuate the registration and transfer of title; and provided further that in no event shall a clearance:

- (1) Absolve the registered owner of the motor vehicle at the time the parking violation was incurred from paying the fine;

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- (2) Prevent any subsequent issuance or renewal of the motor vehicle's certificate of registration and transfer of title to the motor vehicle; or
- (3) Otherwise encumber the title of that motor vehicle."

SECTION 2. This Act shall apply retroactively to vehicles that have been prevented from being transferred prior to the effective date of this Act by reason of section 291D-10(b), Hawaii Revised Statutes.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved May 17, 2006.)