

ACT 77

S.B. NO. 2854

A Bill for an Act Relating to Mopeds.

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

SECTION 1. The legislature finds that mopeds provide an inexpensive, reliable, and convenient means of transportation. Mopeds can be illegally modified and converted to be able to reach speeds above the legal limit. Illegally altered mopeds have had a detrimental impact on neighborhoods due to the loud noises that disturb residents.

The legislature further finds that Act 200, Session Laws of Hawaii 2016 (Act 200), was enacted to require annual registration and safety inspections for mopeds as a means of helping to resolve the ongoing issue of illegally modified mopeds. While about five thousand mopeds have since been registered under the new law, it is believed that there may still be thousands that have not been registered. While there are penalties for failing to have a safety inspection and for illegal modifications, Act 200 did not include a penalty for failure to register a moped. The Honolulu police department recommends authorizing a fine for unregistered mopeds to encourage compliance.

The purpose of this Act is to establish a fine for failure to register a moped.

SECTION 2. Section 249-14.1, Hawaii Revised Statutes, is amended to read as follows:

“[§249-14.1] Number plates for mopeds; registration[-]; fine. (a) The director of finance shall cause to be produced number plates and tags or emblems for the registration of mopeds operated in the State.

(b) The director of finance shall number and register the moped in the owner's name in a permanent record or book to be kept by the director of finance for this purpose, and shall furnish the owner thereof with a receipt showing upon its face the license number issued for the moped. The registration of mopeds shall occur on a staggered basis as agreed upon by the counties' director of finance. The registration fee shall be \$27 per year. The director of finance shall also furnish the owner, upon the original registration of the moped, one plate with the registration number marked thereon. Upon the payment of a registration fee for each year, a tag or emblem bearing a serial number and the month and year of expiration shall be provided to the owner. Transfer of current number plates, tag, or emblem, except as authorized by this chapter, is punishable by a fine of not more than \$50 for each offense.

ACT 77

(c) Upon an original registration the director of finance shall fix, and shall charge to the owner, a fee equal to the cost of the number plate and tag or emblem plus the administrative cost of furnishing the plate and tag or emblem and effecting the registration. Upon the issuance of a new series of number plates, the director of finance shall charge the owner a fee equal to the costs of the number plate plus the administrative cost of furnishing the plate. Upon issuing a tag or emblem, the director of finance shall charge the owner a fee of 50 cents. The owner shall securely fasten the number plate on the rear of the moped at a location provided by the manufacturer or in the absence of such a location upon the ~~[bumper]~~ fender of the moped and in conformance with section 291-31, in such a manner as to prevent the plate from swinging. The number plate shall at all times be displayed entirely unobscured and be kept reasonably clean.

(d) Upon the issuance of the tag or emblem, the owner shall affix the tag or emblem to the top right portion of the rear number plate.

(e) An owner who fails to comply with the registration requirements of this section shall be subject to a fine not to exceed \$100 per violation."

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 June 29, 2018.)