
A BILL FOR AN ACT

RELATING TO RENTAL MOTOR VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Upon notice that a rental motor vehicle has
2 been involved in a traffic incident from which a violation
3 results, the owner of the rental motor vehicle shall be
4 responsible for the violation unless the owner provides a court
5 of competent jurisdiction with the name and address of the
6 lessee of the rental motor vehicle within forty-five days.

7 The purpose of this Act is to clarify and extend the notice
8 provision by:

9 (1) Requiring the court to mail a copy of the summons or
10 violation to the rental motor vehicle owner within a
11 certain period of time; and

12 (2) Clarifying that the period of time within which the
13 owner must provide the lessee's name and address to
14 the court begins on the date of the mailing of the
15 notice.

16 SECTION 2. Section 291D-3.5, Hawaii Revised Statutes, is
17 amended to read as follows:

1 "~~[+]§291D-3.5[+]~~ **U-drive vehicles; traffic infractions.**

2 Notwithstanding any other law to the contrary, except those
3 pertaining to the care and maintenance of the vehicle, if the
4 registered owner of record is the lessor of a rental or U-drive
5 motor vehicle, as defined in section 286-2, pursuant to a
6 written lease agreement, the lessee at the time of the issuance
7 of the traffic infraction shall be responsible for ~~[such]~~ the
8 summons or citation; provided that the lessor shall be
9 responsible for ~~[such]~~ the summons or citation if the court
10 mails a copy of the summons or citation to the lessor within
11 sixty days of the issuance of the summons or citation and if the
12 lessor does not provide the court having jurisdiction over the
13 summons or citation the name and address of the lessee within
14 ~~[forty-five]~~ sixty days after ~~[a]~~ the mailing of the notice to
15 the lessor containing the date, time, and location of the
16 violation and the license number of the vehicle; provided
17 further that if requested by the lessor in writing within
18 ~~[forty-five]~~ sixty days of ~~[such]~~ the mailing of the notice of
19 violation other than for parking citations, the administrative
20 judge of the court having jurisdiction over the citation or
21 summons shall waive the requirement of providing the name and
22 address of the lessee by the lessor and impose an administrative

1 fee of \$5 per citation on the lessor, plus costs and fees not to
2 exceed \$10 in total per violation, notwithstanding section 607-4
3 or other [~~sections of the~~] law, county ordinance, or [~~any~~] rule
4 to the contrary. In the case of parking citations, the
5 administrative judge of the court having jurisdiction over the
6 citation or summons may waive the requirement of providing the
7 name and address of the lessee by the lessor and impose an
8 administrative fee of \$5 per parking citation on the lessor,
9 plus costs and fees not to exceed \$10 in total per [~~such~~]
10 violation, notwithstanding section 607-4 or other [~~sections of~~
11 ~~the~~] law, county ordinance, or [~~any~~] rule to the contrary."

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

14 SECTION 4. This Act shall take effect July 1, 2075.

Report Title:

Traffic Infractions; Rental Motor Vehicles

Description:

Requires that the owner of a rental motor vehicle, upon notice that the rental motor vehicle has been involved in a traffic incident resulting in a violation, provide the court with the name and address of the lessee within 45 days of the mailing of the notice to the lessor and registered driver of the vehicle. Effective 7/1/2075. (SD1)