
A BILL FOR AN ACT

RELATING TO ABANDONED VEHICLES.

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

1 SECTION 1. The legislature finds that abandoned vehicles
2 on public roads are a widespread environmental disaster that can
3 impact human health and safety.

4 The purpose of this Act is to require the counties to
5 remove abandoned vehicles on public roads within ten business
6 days.

7 SECTION 2. Section 290-1, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) The counties [~~may~~] shall cause vehicles that have
10 been abandoned to be taken into custody [~~and disposed of.~~]
11 within ten business days of abandonment. For the purposes of
12 this subsection, a vehicle is "abandoned" if it is defined to be
13 abandoned by an ordinance of the county in which the vehicle is
14 located. In the absence of such an ordinance, a vehicle is
15 "abandoned" if it is left unattended for a continuous period of
16 more than twenty-four hours and it is unlawfully parked on any
17 public highway or other public property or private lands defined



1 as a setback, shoulder, easement, or right of way that is
2 adjacent to or part of a public highway. The mayors of the
3 several counties may designate an agency within their counties
4 to carry out the functions and requirements of this section.
5 The term "agency" means any office, department, or other
6 governmental unit of the county."

7 SECTION 3. Section 290-2, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) Upon taking custody of any abandoned vehicle, [a
10 ~~written notice shall immediately be sent by registered or~~
11 ~~certified mail to the legal and registered owner of the vehicle~~
12 ~~at the address on record at the vehicle licensing division. The~~
13 ~~notice shall contain a brief description of the vehicle, the~~
14 ~~location of custody, and intended disposition of the vehicle if~~
15 ~~not repossessed within ten days after the mailing of the notice,~~
16 ~~or in the case where the address of the registered owner on~~
17 ~~record at the vehicle licensing division is an out of state~~
18 ~~address, within twenty business days after the mailing of the~~
19 ~~notice. A notice need not be sent to a legal or registered~~
20 ~~owner or any person with an unrecorded interest in the vehicle~~
21 ~~whose name or address cannot be determined. Absent evidence to~~



1 ~~the contrary, a notice shall be deemed received by the legal or~~
 2 ~~registered owner five days after the mailing.] the agency~~
 3 ~~designated by the mayor to carry out the functions and~~
 4 ~~requirements of this section shall give the legal and registered~~
 5 ~~owner of the vehicle twenty business days to claim the vehicle,~~
 6 ~~unless the vehicle is reported as stolen."~~

7 SECTION 4. Section 290-5, Hawaii Revised Statutes, is
 8 amended to read as follows:

9 "§290-5 Waiver of public auction requirements. The
 10 requirements of public auction may be waived [~~when the value of~~
 11 ~~any vehicle is less than \$1,000 as determined by the director of~~
 12 ~~finance or authorized representative or the vehicle is:~~

13 ~~(1) Missing major components or so materially damaged as~~
 14 ~~to render the vehicle inoperable; and~~

15 ~~(2) The registration period has expired for the vehicle.]~~

16 by the agency designated by the mayor. In that event, the
 17 vehicle, after public advertisement has been made pursuant to
 18 section 1-28.5, may be disposed of in the same manner as when a
 19 vehicle is put up for public auction and for which no bid is
 20 received."



1 SECTION 5. Section 290-9, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§290-9[+] Disposition of derelict vehicle. A derelict
4 vehicle may be immediately disposed of or sold as junk without
5 having to comply with the requirements of [~~section~~] sections
6 290-2 and 290-5. If there is no current registration for the
7 vehicle, the vehicle shall be considered derelict."

8 SECTION 6. The department of transportation shall adopt
9 rules pursuant to chapter 91 necessary to carry out the purposes
10 of this Act.

11 SECTION 7. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

Abandoned Vehicles; Removal; Counties; Public Roads; Derelict Vehicles

Description:

Requires the counties to take custody of abandoned vehicles on public roads within 10 business days. Removes the requirement that written notice be sent to the abandoned vehicle's owner. Requires the designated agency to give the abandoned vehicle's owner 20 business days to claim the vehicle, unless it is reported as stolen. Authorizes the designated county agency to waive the requirements for public auction in all cases. Specifies that a vehicle shall be considered derelict if there is no current registration for the vehicle. (HB2442 HD2)

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