



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 20, 2018

GOV. MSG. NO. 1148

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 20, 2018, the following bill was signed into law:

HB2442 HD2 SD2 CD1

RELATING TO ABANDONED VEHICLES
ACT 048 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on JUN 20 2018

HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE, 2018
STATE OF HAWAII

ORIGINAL

ACT 048

H.B. NO.

2442
H.D. 2
S.D. 2
C.D. 1

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 adversely impact human health and safety.

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

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]~~ For the purposes of this subsection, "agency" means
6 any office, department, or other governmental unit of the
7 county."

8 SECTION 3. Section 290-2, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§290-2 Notice to owner. (a) Upon taking custody of any
11 abandoned vehicle, a written notice shall immediately be sent by
12 registered or certified mail to the legal and registered owner
13 of the vehicle at the address on record at the vehicle licensing
14 division. The notice shall contain a brief description of the
15 vehicle, the location of custody, and intended disposition of
16 the vehicle if not repossessed within ten days after the mailing
17 of the notice, or in the case where the address of the
18 registered owner on record at the vehicle licensing division is
19 an out-of-state address, within twenty business days after the
20 mailing of the notice. A notice need not be sent to a legal or
21 registered owner or any person with an unrecorded interest in



1 the vehicle whose name or address cannot be determined. Absent
2 evidence to the contrary, a notice shall be deemed received by
3 the legal or registered owner five days after the mailing.

4 (b) The county agency designated by the mayor to carry out
5 the functions and requirements of section 290-1 and this section
6 shall adopt rules pursuant to chapter 91 regarding notification
7 of vehicle owners.

8 ~~[(b)]~~ (c) For purposes of this section, "business days"
9 shall exclude Saturdays, Sundays, and state holidays."

10 SECTION 4. Section 290-3, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "§290-3 Public auction. If the vehicle is not repossessed
13 within the time limits provided in section 290-2, the vehicle
14 ~~[shall]~~ may be disposed of by public auction, through oral
15 tenders, or by sealed bids, after public advertisement has been
16 made once in a newspaper of general circulation; provided that
17 the public auction shall not be held less than five days after
18 the publication has been made. Where no bid is received, the
19 vehicle may be either sold by negotiation, disposed of or sold
20 as junk, or donated to any governmental agency."



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

3 "§290-8 Derelict vehicle. A vehicle shall be deemed a
4 derelict vehicle by the administrative head of the county agency
5 designated to carry out section 290-1, or by the executive
6 director or a representative of the executive director of the
7 Hawaii public housing authority in the case of a vehicle that
8 has been abandoned on property owned, managed, or administered
9 by the authority, if ~~[major parts have]~~ a part has been removed
10 or material damage to the vehicle has rendered the vehicle
11 inoperable and one of the following conditions exists:

- 12 (1) The vehicle is registered for the current registration
13 period and the registered and legal owners no longer
14 reside at the addresses on record with the county
15 director of finance;
- 16 (2) The vehicle has been registered for the current or
17 previous registration period and the registered and
18 legal owners disclaim ownership~~[+]~~, or a notice of
19 transfer has been submitted by the registered and
20 legal owners and recorded with the director of finance
21 and the new owner has not transferred the title or



1 registration into the new owner's name within thirty
2 days of release;

3 (3) The vehicle identification number and license plates
4 have been removed so as to nullify efforts to locate
5 or identify the current registered and legal owners;

6 (4) The vehicle has not been registered for the [~~current~~
7 ~~er~~] previous [~~registration periods,~~] twelve month
8 period; or

9 (5) The vehicle registration records of the county
10 director of finance contain no record that the vehicle
11 has ever been registered in the county.

12 Prior to authorizing the removal of a derelict vehicle, the
13 administrative head of the county agency designated to carry out
14 section 290-1 or the executive director or a representative of
15 the executive director of the Hawaii public housing authority in
16 the case of vehicles that have been abandoned on property owned,
17 managed, or operated by the authority, shall notify the county
18 chief of police only if the vehicle is reported stolen or
19 otherwise needed for police investigation."

20 SECTION 6. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 7. This Act shall take effect upon its approval.

APPROVED this 20 day of JUN, 2018



GOVERNOR OF THE STATE OF HAWAII



HB No. 2442, HD 2, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



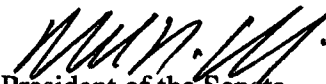
Brian L. Takeshita
Chief Clerk
House of Representatives

H.B. No. 2442, H.D. 2, S.D. 2, C.D. 1


THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.



President of the Senate



Clerk of the Senate