
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 there has been a
2 rise in abandoned vehicles within the State, necessitating a
3 large amount of funding for the counties to dispose of the
4 abandoned vehicles. To offset the costs, charges and fines are
5 levied against individuals who abandon their vehicles. However,
6 there is no current mechanism that requires the individuals to
7 pay the charges within a reasonable timeframe, resulting in
8 numerous outstanding cases within the State.

9 Accordingly, the purpose of this Act is to:

- 10 (1) Authorize the director of finance of a county to
11 require payment of outstanding charges and fines
12 relating to the disposition of an abandoned vehicle
13 before issuing a certificate of registration or
14 completing a transfer of ownership, except under
15 certain circumstances; and
- 16 (2) Require a county director of finance to notify the
17 appropriate county examiner of drivers of the



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1 individuals who have outstanding charges and fines
2 owed to the county relating to the disposition of an
3 abandoned vehicle for the purposes of suspending,
4 revoking, or prohibiting the renewal of their driver's
5 licenses.

6 SECTION 2. Chapter 290, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§290- Abandoned vehicles; prohibition on transfer;
10 suspension, revocation, or prohibition of renewal of driver's
11 license; notification. (a) The county director of finance
12 shall deny issuance of a certificate of registration, in
13 accordance with section 286-51, and prohibit completion of any
14 transfer of ownership, in accordance with sections 286-52 and
15 286-52.5, of an abandoned vehicle whose registered owner has
16 outstanding charges and fines relating to the disposition of the
17 abandoned vehicle, including for costs related to towing,
18 storage, processing, and disposal.

19 (b) The county director of finance shall notify the
20 appropriate county examiner of drivers of any registered owners
21 of abandoned vehicles in the county who have outstanding charges



1 and fines relating to the disposition of an abandoned vehicle.
2 The county examiner of drivers shall then suspend, revoke, or
3 prohibit the renewal of the registered owner's driver's license
4 in accordance with sections 286-107 and 286-119."

5 SECTION 3. Section 286-51, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) The certificate of registration for each motor
8 vehicle in the counties of the State shall be renewed on a
9 staggered basis as established by each county. The director of
10 finance of each county may adopt rules to carry out the purposes
11 stated in this section and shall expend the necessary funds from
12 the director's operating funds as may be necessary for these
13 purposes; provided that the director of finance, if the director
14 has ascertained as of the date of the application that the
15 registered owner has not deposited or paid bail with respect to
16 any summons or citation issued to the registered owner for
17 stopping, standing, or parking in violation of traffic
18 ordinances within the county, or has outstanding charges and
19 fines owed to the county relating to the disposition of an
20 abandoned vehicle, including for costs related to towing,
21 storage, processing, and disposal, may require, as a condition



1 precedent to the renewal, that the registered owner deposit or
2 pay bail with respect to all such summonses or citations[-] or
3 pay all outstanding charges and fines relating to the
4 disposition of the abandoned vehicle; provided that payment of
5 all outstanding charges and fines relating to the disposition of
6 the abandoned vehicle shall not be a condition precedent to the
7 transfer if the abandoned vehicle was stolen or taken from the
8 registered owner without permission or authorization and a
9 police report for the abandoned vehicle is filed within a period
10 of time, to be determined by the director of finance of each
11 county, after discovery of the abandoned vehicle. The
12 certificates of registration issued hereunder shall show, in
13 addition to all information required under section 286-47, the
14 serial number of the tag or emblem and shall be valid during the
15 registration year only for which they are issued. The
16 certificates of ownership need not be renewed annually but shall
17 remain valid as to any interest shown therein until canceled by
18 the director of finance as provided by law or replaced by new
19 certificates of ownership as hereinafter provided."

20 SECTION 4. Section 286-52, Hawaii Revised Statutes, is
21 amended by amending subsection (c) to read as follows:



1 "(c) Subsection (b), requiring a transferee to forward the
2 certificate of ownership after endorsement to the director of
3 finance, shall not apply to the transferee of a vehicle who was
4 not intending to and does not drive the vehicle or permit the
5 vehicle to be driven upon the public highways, but every such
6 transferee, upon transferring the transferee's interest or title
7 to another, shall give notice of the transfer to the director of
8 finance and endorse the certificate of ownership to the new
9 legal owner and the certificate of registration to the new
10 owner[~~;~~ ~~provided that if~~]. If the director of finance has
11 ascertained as of the date of the application that the
12 registered owner has not deposited or paid bail with respect to
13 any summons or citation issued to the registered owner for
14 stopping, standing, or parking in violation of traffic
15 ordinances within the county, or has outstanding charges and
16 finances owed to the county relating to the disposition of an
17 abandoned vehicle under the registered owner, including for
18 costs related to towing, storage, processing, and disposal, the
19 director may require, as a condition precedent to the transfer,
20 that the registered owner deposit or pay bail with respect to
21 all such summons or citations[~~-~~] or pay all outstanding charges



1 and fines relating to the disposition of the abandoned vehicle;
2 provided that payment of all outstanding charges and fines
3 relating to the disposition of the abandoned vehicle shall not
4 be a condition precedent to the transfer if the abandoned
5 vehicle was stolen or taken from the registered owner without
6 permission or authorization and a police report for the
7 abandoned vehicle is filed within a period of time, to be
8 determined by the director of finance of each county, after
9 discovery of the abandoned vehicle."

10 SECTION 5. Section 286-52.5, Hawaii Revised Statutes, is
11 amended by amending subsection (c) to read as follows:

12 "(c) If the director of finance has ascertained as of the
13 date of the application that the registered owner has not
14 deposited or paid bail with respect to any summons or citation
15 issued to the registered owner for stopping, standing, or
16 parking in violation of traffic ordinances within the county, or
17 has outstanding charges and fines owed to the county relating to
18 the disposition of an abandoned vehicle under the registered
19 owner, including for costs related to towing, storage,
20 processing, and disposal, the director may require, as a
21 condition precedent to the transfer, that the registered owner



1 deposit or pay bail with respect to all such summonses or
2 citations[-] or pay all outstanding charges and fines relating
3 to the disposition of the abandoned vehicle; provided that
4 payment of all outstanding charges and fines relating to the
5 disposition of the abandoned vehicle shall not be a condition
6 precedent to the transfer if the abandoned vehicle was stolen or
7 taken from the registered owner without permission or
8 authorization and a police report for the abandoned vehicle is
9 filed within a period of time, to be determined by the director
10 of finance of each county, after discovery of the abandoned
11 vehicle."

12 SECTION 6. Section 286-107, Hawaii Revised Statutes, is
13 amended by amending subsection (e) to read as follows:

14 "(e) No driver's license shall be renewed by the examiner
15 of drivers unless:

16 (1) The examiner of drivers is satisfied of the
17 applicant's fitness to continue to operate a motor
18 vehicle;

19 (2) The fee required by subsection (d) is tendered
20 together with the application for renewal; [~~and~~]

21 (3) The applicant complies with section 286-102.5[-]; and



1 (4) The examiner of drivers is satisfied that the
2 applicant does not have outstanding charges and fines
3 relating to the disposition of an abandoned vehicle."

4 SECTION 7. Section 286-119, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§286-119 Authority of examiner of drivers to suspend or**
7 **revoke licenses.** (a) The examiner of drivers may suspend any
8 driver's license without hearing [~~when~~]:

9 (1) When the examiner has reasonable cause to believe that
10 the licensee is incompetent to operate the type of
11 motor vehicle for which the licensee holds a license
12 or is afflicted with mental or physical infirmities or
13 disabilities which would make it unsafe for the
14 licensee to operate a motor vehicle of the type for
15 which the licensee is licensed[-]; or

16 (2) When the examiner of drivers is notified by the
17 appropriate county director of finance that the
18 licensee has outstanding charges and fines relating to
19 the disposition of an abandoned vehicle, as provided
20 pursuant to section 290- .



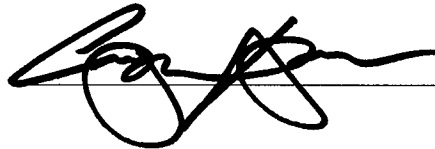
1 (b) When the examiner of drivers suspends a license under
2 this section, the examiner shall immediately notify the licensee
3 and afford the licensee a hearing. After the hearing, the
4 examiner of drivers may rescind the suspension, or the examiner
5 may suspend the license for a further period or revoke the
6 license. Any person whose license has been suspended or revoked
7 under this section may appeal under section 286-129."

8 SECTION 8. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 9. This Act shall take effect upon its approval.

11

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'C. ...', written over a horizontal line.

JAN 14 2022



H.B. NO. 1413

Report Title:

Abandoned Vehicles; Outstanding Charges and Fines; Motor Vehicle Registration; Vehicle Transfer of Ownership; Driver's License

Description:

Allows the director of finance of a county to require payment of outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle within the county by the registered owner of the abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances. Requires the county directors of finance to notify the appropriate county examiner of drivers of individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle, who shall have their licenses revoked, suspended, or prohibited from being renewed.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

