

- 1 (4) A description, including serial numbers and other
- 2 identifying marks, when practical, of every scrap;
- 3 (5) The amount received by the seller;
- 4 (6) The date, time and place of the sale; and
- 5 (7) The license number of any vehicle used to deliver the
- 6 property to the place of purchase.

7 The scrap dealer shall require the seller to verify the
8 seller's identity by presenting proper identification. The
9 scrap dealer shall keep at the dealer's place of business the
10 signed written statement from the seller for a period of two
11 years after the date of purchase.

12 **§ -7 Entry and inspection of records.** The director or
13 chief of police of the county in which the scrap dealer is
14 located may enter and inspect any building or place at any time
15 for the purpose of:

- 16 (1) Investigating an actual or suspected violation of this
- 17 chapter; and
- 18 (2) Examining, reviewing, and copying statements.

19 **§ -8 Penalties; revocation of license.** Any scrap
20 dealer who violates this chapter, or who falsifies a statement
21 required under this chapter shall be guilty of a misdemeanor.



1 If a person, after being sentenced under this section on
 2 three separate and prior occasions, fails to comply with the
 3 requirements of this chapter, the director may permanently
 4 revoke the person's license provided for under this chapter.

5 **§ -9 Rulemaking; enforcement by state and county**
 6 **authorities.** The director may adopt rules pursuant to chapter
 7 91, necessary for the purposes of this chapter.

8 All state and county health authorities and police officers
 9 shall enforce this chapter and the rules of the department."

10 SECTION 2. Section 286-48, Hawaii Revised Statutes, is
 11 amended by amending subsection (c) to read as follows:

12 "(c) Upon resale of the salvage vehicle, the seller or, if
 13 the seller is an insurance company, its authorized agent shall
 14 transfer the salvage certificate and issue a bill of sale to the
 15 purchaser which shall be on a form prescribed by the director of
 16 finance. The seller shall notify the purchaser, in writing, of
 17 the requirements of this chapter regarding the recertification
 18 of salvage vehicles. The seller shall sell the salvage vehicle
 19 only to a person licensed pursuant to chapter 437B, sections
 20 289-4, or [~~445-232~~], chapter , or any person who executes an
 21 affidavit which states whether or not the salvage vehicle would
 22 be used to construct a rebuilt vehicle as defined in section



1 286-2 and that if the salvage vehicle is to be rebuilt, the
2 purchaser will register the rebuilt vehicle as required by this
3 chapter."

4 SECTION 3. Chapter 445, Part X, Hawaii Revised Statutes,
5 is repealed.

6 SECTION 4. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun, before its effective date.

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval;
12 provided that a scrap dealer who was issued a license under
13 chapter 445, part X, Hawaii Revised Statutes, before the
14 effective date of this Act shall not be penalized by any
15 provision of this Act; provided that the licensed scrap dealer
16 obtains a new license under the provisions of this Act within
17 180 days of its effective date or such greater time as the
18 director of health may require to process the initial
19 application under this Act.

20 
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Report Title:

Scrap Dealers; License; Penalties

Description:

Transfers licensing issuance and enforcement duties for scrap dealers to the Department of Health. Establishes penalties for failure to obtain license and written statements from sellers regarding ownership of scrap. Exempts currently licensed scrap dealers for 180 days of effective date.

