
A BILL FOR AN ACT

RELATING TO SCRAP DEALERS.

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

1 SECTION 1. Section 445-233, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§445-233 Statement required.** Every scrap dealer, when
4 the dealer purchases scrap within the State, shall obtain a
5 written statement signed by the seller or the seller's agent
6 certifying that the seller or the seller's agent has the lawful
7 right to sell and dispose of the scrap. This statement shall
8 also contain the location from which the scrap was obtained; the
9 party from whom the scrap was obtained; the seller's name; the
10 seller's business or residence address; the seller's occupation;
11 a description, including serial numbers and other identifying
12 marks, when practical, of every scrap; the amount received by
13 the seller; the date, time and place of the sale; and the
14 license number of any vehicle used to deliver the property to
15 the place of purchase.

16 The scrap dealer shall require the seller to verify the
17 seller's identity by presenting [~~proper identification.~~] a
18 proper photo identification card or license issued by any



1 federal or state governmental agency or branch of military
2 service authorized to issue such identification. The scrap
3 dealer shall take the seller's thumbprint and retain the
4 thumbprint on file. The scrap dealer shall keep at the dealer's
5 place of business the signed written statement from the seller
6 for a period of two years after the date of purchase and the
7 statement may be examined at any time by the treasurer or the
8 chief of police."

9 SECTION 2. Section 445-235, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§445-235 Prohibitions; penalty.** Any person who violates
12 [~~sections~~] section 445-232 [~~and~~] or 445-233, or any person who
13 falsifies a statement required by section 445-233, shall be
14 guilty of a [~~misdemeanor.~~] petty misdemeanor and sentenced as
15 follows:

16 (1) For the first offense, a mandatory fine of not less
17 than \$100.

18 (2) For the second offense, a mandatory fine of not less
19 than \$500; and

20 (3) For the third and any subsequent offense, a fine of
21 not less than \$1,000 and a mandatory revocation of
22 license for a period not less than six months."



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1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.

7

INTRODUCED BY:



JAN 19 2007



Report Title:
Scrap Dealers

Description:
Requires scrap seller or scrap seller's agent to disclose the location from which and party from whom scrap was obtained prior to sale to a scrap dealer; increases penalties for violation.

