
A BILL FOR AN ACT

RELATING TO SECONDHAND DEALERS.

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

1 SECTION 1. Section 486M-1, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding a new definition to be appropriately inserted
4 and to read:

5 "Automated recycling kiosk" means an interactive device
6 that purchases previously owned consumer hand-held electronic
7 devices that is installed within a secure retail space and
8 performs the following technological functions:

- 9 (1) Verifies a seller's identity through a combination of
10 technology within the kiosk and remote examination of
11 a government-issued identification by a live
12 representative during each transaction;
13 (2) Securely stores articles accepted by the kiosk;
14 (3) Can be remotely opened upon request by law enforcement
15 during normal business hours;
16 (4) Records images of the seller and the articles accepted
17 during the transaction;



- 1 (5) Possesses computerized record-keeping and transmittal
- 2 capabilities; and
- 3 (6) Electronically transmits transaction records to law
- 4 enforcement within twenty-four hours from when the
- 5 article was received."

6 2. By amending the definition of "secondhand dealer" to
7 read:

8 "'Secondhand dealer" means any person who trades in
9 secondhand or previously owned articles, including the operation
10 of an automated recycling kiosk, and includes any person subject
11 to part VII of chapter 445."

12 SECTION 2. Section 486M-4, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§486M-4 Minimum retention of items.** (a) No dealer, the
15 dealer's agents, employees, or representatives shall alter,
16 melt, deface, break apart, dispose of, or change the character
17 or integrity of the precious or semiprecious metals or precious
18 or semiprecious gems received or purchased for a period of
19 fifteen calendar days in counties with a population of less than
20 [~~300,000~~], three hundred thousand and thirty calendar days in
21 counties with a population of [~~300,000~~] three hundred thousand



1 or more after the purchase or possession by the dealer,
2 whichever comes later. Every article received by the dealer,
3 the dealer's agents, employees, or representatives shall be
4 retained by the dealer in the county where received or purchased
5 for a period of fifteen calendar days in counties with a
6 population of less than [~~300,000~~,] three hundred thousand and
7 thirty calendar days in counties with a population of [~~300,000~~]
8 three hundred thousand or more after the purchase or possession
9 by the dealer, whichever comes later.

10 (b) At the discretion of the chief of police of each
11 county, the holding period may be reduced to fifteen calendar
12 days; provided that the dealer has computerized record-keeping
13 and transmittal capabilities acceptable to the chief of police
14 or the chief of police's authorized representative.

15 (c) A secondhand dealer operating an automated recycling
16 kiosk shall be permitted to retain articles received or
17 purchased at an alternate business location outside the county
18 where received or purchased for a period of thirty calendar
19 days. During this retention period, and upon request by law
20 enforcement, a secondhand dealer operating an automated



1 recycling kiosk shall promptly return any requested articles to
2 the requesting law enforcement agency."

3 SECTION 3. Section 486M-5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§486M-5 Inspections. The chief of police of each county
6 or the chief of police's authorized representative may
7 immediately inspect, during normal business hours or whenever
8 the dealer or the dealer's agents or employees are otherwise
9 present, any records required by this chapter and any articles
10 described in [~~such~~] those records that the police reasonably
11 believe are stolen goods."

12 SECTION 4. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

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

17 SECTION 6. This Act shall take effect on July 1, 2050.



S.B. NO. 925
S.D. 1

Report Title:

Secondhand Dealers; Automated Recycling Kiosk

Description:

Clarifies that the secondhand dealers law applies to a secondhand dealer's operation of an automated recycling kiosk. Effective 7/1/2050. (SD1)

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