
A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

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

1 SECTION 1. Chapter 708, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV to be appropriately
3 designated and to read as follows:

4 "§708- Theft of a catalytic converter. (1) A person
5 commits the offense of theft of a catalytic converter if the
6 person commits theft of a catalytic converter.

7 (2) For the purposes of this section, "catalytic
8 converter" means a device that is incorporated in a motor
9 vehicle's exhaust system and contains a catalyst for converting
10 pollutant gas emissions into less harmful emissions.

11 (3) Theft of a catalytic converter is a class C felony."

12 SECTION 2. Section 289-6, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§289-6 Records to be kept. (a) Every licensee shall
15 keep a record, and maintain it for three years, in the form the
16 director of finance prescribes, of the purchases, consignments,
17 sales, and exchanges, moneys, commissions, or any other thing of



1 value paid or agreed to be paid to any person for each wrecked,
2 salvaged, or rebuilt motor vehicle, used motor vehicle part or
3 accessory purchased, sold, consigned to be sold, or exchanged,
4 and the records shall be at all times open to the inspection of
5 the director of finance, or the director of finance's authorized
6 representative, or any police officer. The records shall
7 contain:

8 (1) The name, address, vehicle registration, and driver's
9 license number of all persons from whom any wrecked,
10 salvaged, or rebuilt motor vehicle, or used motor
11 vehicle part or accessory is purchased or received,
12 the date of their receipt or acquisition, and the
13 consideration given;

14 (2) The name and address of any person to whom any
15 wrecked, salvaged, or rebuilt motor vehicle, or used
16 motor vehicle part or accessory is sold, consigned to
17 be sold, or otherwise exchanged, the consideration
18 received therefor, and its date of disposition;

19 (3) The name and address of any person who has received
20 any money, commissions, or anything of value, or to
21 whom the same is due and owing, in connection with the



1 sale or purchase of any such motor vehicle, or used
 2 motor vehicle part or accessory; and
 3 (4) A description of every such motor vehicle, used motor
 4 vehicle part, or accessory, including the identifying
 5 number or numbers for each such motor vehicle or used
 6 motor vehicle part or accessory.

7 (b) If the seller does not provide a copy of the
 8 information required under subsection (a) (1), the licensee shall
 9 not purchase the wrecked, salvaged, or rebuilt motor vehicle, or
 10 used motor vehicle part or accessory and shall report the
 11 attempted sale to the police."

12 SECTION 3. Section 289-8, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "**§289-8 Penalties.** Whoever violates any of the provisions
 15 of this chapter or any lawful rule or regulation promulgated by
 16 the director of finance under authority of this chapter, for the
 17 violation of which no penalty is provided by law, shall be fined
 18 not less than [~~\$25~~] \$100 nor more than [~~\$500-~~] \$2000."

19 SECTION 4. Section 445-231, Hawaii Revised Statutes, is
 20 amended by adding two new definitions to be appropriately
 21 inserted and to read as follows:



1 ""Catalytic converter" means an emissions control device
2 incorporated into a motor vehicle's exhaust system that converts
3 toxic vehicle emissions to less harmful substances by way of
4 catalyzed chemical reactions and which includes a catalyst
5 component made of catalytic converter metals.

6 "Catalytic converter metals" means any amount of palladium,
7 platinum, or rhodium in any form, whether by itself or as part
8 of another item."

9 SECTION 5. Section 445-233, Hawaii Revised Statutes, is
10 amended as follows:

- 11 1. By amending subsection (b) to read:
- 12 "(b) If the scrap presented for purchase is copper, a
13 catalytic converter, catalytic converter metals, a beer keg, or
14 an urn, in whole or in part, the seller shall provide a copy of
15 a receipt that describes, with particularity:
- 16 (1) The exact item that is being offered for sale;
 - 17 (2) Who issued the receipt;
 - 18 (3) The date of sale of the item prior to the item's being
19 offered to the scrap dealer; and
 - 20 (4) The price, if any, of the item when obtained by the
21 seller."

1 2. By amending subsections (d) through (f) to read:

2 "(d) If the seller does not provide a copy of the receipt

3 or the notarized declaration as required by subsections (b) and

4 (c), the scrap dealer shall not purchase the copper, catalytic

5 converter, catalytic converter metal, beer keg, or urn, in whole

6 or in part, and shall report the attempted sale to the police.

7 (e) If the scrap dealer purchases any copper, catalytic

8 converter, catalytic converter metal, beer keg, or urn, in whole

9 or in part, the scrap dealer shall take a photograph or

10 photographs of [~~all of the~~] that copper, catalytic converter,

11 catalytic converter metal, beer keg, or urn, offered for sale.

12 (f) The scrap dealer shall also require the seller to

13 verify the seller's identity by presenting a valid photo

14 identification card or license issued by a federal or state

15 government agency authorized to issue valid identification. If

16 the scrap being offered for sale is copper, a catalytic

17 converter, catalytic converter metals, a beer keg, or an urn, in

18 whole or in part, the scrap dealer shall:

19 (1) Take a photograph of the seller; or

20 (2) Make a photocopy of the identification card or license

21 of the seller."



1 SECTION 6. 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 7. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 8. This Act shall take effect on January 1, 2050.



Report Title:

Motor Vehicles; Used Motor Vehicles Parts and Accessories; Theft of a Catalytic Converter; Fines; Scrap Dealers; Catalytic Converter Metals; Seller Identification

Description:

Establishes a new offense of theft of a catalytic converter. Requires vehicle registration records to be kept for businesses engaged in the selling or negotiating the purchase of used motor vehicle parts or accessories or licensed to wreck, salvage, or dismantle motor vehicles. Requires these businesses to refuse purchase of used motor vehicle parts or accessories and report the attempted sale to police if a seller does not provide certain information. Changes the fine for any violations of the used motor vehicle parts and accessories law. Regulates the purchase of catalytic converters and catalytic converter metals by scrap dealers. Requires a written statement, photograph of the catalytic converter or catalytic converter metals, and verification of a seller's identification prior to a scrap dealer's purchase of a catalytic converter or catalytic converter metals. Specifies recordkeeping requirements for the sale of a catalytic converter or catalytic converter metals. Effective 1/1/2050. (HD1)

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