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# 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 abandoned vehicles  
2 continue to overrun neighborhoods across the State. The  
3 prevalence of abandoned vehicles on public streets has created  
4 widespread environmental issues, as well as unsafe and unhealthy  
5 conditions for Hawaii residents. The legislature further finds  
6 that existing law is silent regarding the distance a vehicle  
7 must be moved in order to no longer be classified as abandoned.  
8 This loophole can create problems in the disposition of an  
9 abandoned vehicle if a vehicle that was once deemed abandoned  
10 can no longer be classified as abandoned if it merely moves an  
11 inch or two from the location where it was deemed abandoned.  
12 The legislature believes that it should be clear as to how much  
13 a vehicle must be moved and when it must be moved in order to no  
14 longer be classified as abandoned.

15           Accordingly, the purpose of this Act is to require the  
16 counties to provide a minimum distance a vehicle must be moved  
17 within a specified timeframe after a vehicle is initially



1 inspected for abandonment to avoid an official classification of  
2 abandonment.

3 SECTION 2. Section 290-1, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) The counties shall cause vehicles that have been  
6 abandoned to be taken into custody within ten business days of  
7 abandonment. For the purposes of this subsection, a vehicle is  
8 "abandoned" if it is defined to be abandoned by an ordinance of  
9 the county in which the vehicle is located~~[ ]~~; provided that the  
10 ordinance shall provide a minimum distance and timeframe in  
11 which a vehicle must be moved after the initial inspection in  
12 order to not be classified as being abandoned. If the vehicle  
13 has not moved the minimum distance within the specified  
14 timeframe as required by the county ordinance after the initial  
15 inspection, the agency designated to carry out the functions and  
16 requirements of this section shall provide notice that the  
17 vehicle must be moved the minimum distance within the specified  
18 timeframe or the vehicle shall be classified as abandoned and  
19 subject to removal as provided by this chapter. In the absence  
20 of such an ordinance, a vehicle is "abandoned" if it is left  
21 unattended for a continuous period of more than twenty-four



1 hours and it is unlawfully parked on any public highway or other  
2 public property or private lands defined as a setback, shoulder,  
3 easement, or right of way that is adjacent to or part of a  
4 public highway. The mayors of the several counties may  
5 designate an agency within their counties to carry out the  
6 functions and requirements of this section. For the purposes of  
7 this subsection, "agency" means any office, department, or other  
8 governmental unit of the county."

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

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

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

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**Report Title:**

Abandoned Vehicles; Distance Requirement; Counties

**Description:**

Requires the counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment. Requires that, before a vehicle can be classified as being abandoned, notice be provided that the vehicle must be moved the specified distance within the specified timeframe or be subject to removal. (CD1)

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

