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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 there has been a  
2 rise in abandoned vehicles within the State, necessitating a  
3 large amount of funding for the counties to dispose of the  
4 abandoned vehicles. To offset the costs, charges and fines are  
5 levied against individuals who abandon their vehicles. However,  
6 there is no current mechanism that requires the individuals to  
7 pay the charges within a reasonable timeframe, resulting in  
8 numerous outstanding cases within the State.

9           Accordingly, the purpose of this Act is to:

- 10           (1) Authorize the director of finance of a county to  
11           require payment of outstanding charges and fines  
12           relating to the disposition of an abandoned vehicle  
13           before issuing a certificate of registration or  
14           completing a transfer of ownership, except under  
15           certain circumstances; and
- 16           (2) Require a county director of finance to notify the  
17           appropriate county examiner of drivers of the



1 individuals who have outstanding charges and fines  
2 owed to the county relating to the disposition of an  
3 abandoned vehicle for the purposes of suspending,  
4 revoking, or prohibiting the renewal of their driver's  
5 licenses.

6 SECTION 2. Chapter 290, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§290- Abandoned vehicles; prohibition on transfer;  
10 suspension, revocation, or prohibition of renewal of driver's  
11 license; notification. (a) The county director of finance  
12 shall deny issuance of a certificate of registration, in  
13 accordance with section 286-51, and prohibit completion of any  
14 transfer of ownership, in accordance with sections 286-52 and  
15 286-52.5, of an abandoned vehicle whose registered owner has  
16 outstanding charges and fines relating to the disposition of the  
17 abandoned vehicle, including for costs related to towing,  
18 storage, processing, and disposal.

19 (b) The county director of finance shall notify the  
20 appropriate county examiner of drivers of any registered owners  
21 of abandoned vehicles in the county who have outstanding charges



1 and fines relating to the disposition of an abandoned vehicle.  
2 The county examiner of drivers shall then suspend, revoke, or  
3 prohibit the renewal of the registered owner's driver's license  
4 in accordance with sections 286-107 and 286-119."

5 SECTION 3. Section 286-51, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7 "(a) The certificate of registration for each motor  
8 vehicle in the counties of the State shall be renewed on a  
9 staggered basis as established by each county. The director of  
10 finance of each county may adopt rules to carry out the purposes  
11 stated in this section and shall expend the necessary funds from  
12 the director's operating funds as may be necessary for these  
13 purposes; provided that the director of finance, if the director  
14 has ascertained as of the date of the application that the  
15 registered owner has not deposited or paid bail with respect to  
16 any summons or citation issued to the registered owner for  
17 stopping, standing, or parking in violation of traffic  
18 ordinances within the county[7] or has outstanding charges and  
19 fines owed to the county relating to the disposition of an  
20 abandoned vehicle, including for costs related to towing,  
21 storage, processing, and disposal, may require, as a condition



1 precedent to the renewal, that the registered owner deposit or  
2 pay bail with respect to all such summonses or citations[-] or  
3 pay all outstanding charges and fines relating to the  
4 disposition of the abandoned vehicle; provided further that  
5 payment of all outstanding charges and fines relating to the  
6 disposition of the abandoned vehicle shall not be a condition  
7 precedent to the transfer if the abandoned vehicle was stolen or  
8 taken from the registered owner without permission or  
9 authorization and a police report for the abandoned vehicle is  
10 filed within a period of time, to be determined by the director  
11 of finance of each county, after discovery of the abandoned  
12 vehicle. The certificates of registration issued hereunder  
13 shall show, in addition to all information required under  
14 section 286-47, the serial number of the tag or emblem and shall  
15 be valid during the registration year only for which they are  
16 issued. The certificates of ownership need not be renewed  
17 annually but shall remain valid as to any interest shown therein  
18 until canceled by the director of finance as provided by law or  
19 replaced by new certificates of ownership as hereinafter  
20 provided."



1 SECTION 4. Section 286-52, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) Subsection (b), requiring a transferee to forward the  
4 certificate of ownership after endorsement to the director of  
5 finance, shall not apply to the transferee of a vehicle who was  
6 not intending to and does not drive the vehicle or permit the  
7 vehicle to be driven upon the public highways, but every such  
8 transferee, upon transferring the transferee's interest or title  
9 to another, shall give notice of the transfer to the director of  
10 finance and endorse the certificate of ownership to the new  
11 legal owner and the certificate of registration to the new  
12 owner[~~; provided that if~~]. If the director of finance has  
13 ascertained as of the date of the application that the  
14 registered owner has not deposited or paid bail with respect to  
15 any summons or citation issued to the registered owner for  
16 stopping, standing, or parking in violation of traffic  
17 ordinances within the county[~~7~~] or has outstanding charges and  
18 finer owed to the county relating to the disposition of an  
19 abandoned vehicle under the registered owner, including for  
20 costs related to towing, storage, processing, and disposal, the  
21 director may require, as a condition precedent to the transfer,



1 that the registered owner deposit or pay bail with respect to  
2 all such summons or citations[~~7~~] or pay all outstanding charges  
3 and fines relating to the disposition of the abandoned vehicle;  
4 provided that payment of all outstanding charges and fines  
5 relating to the disposition of the abandoned vehicle shall not  
6 be a condition precedent to the transfer if the abandoned  
7 vehicle was stolen or taken from the registered owner without  
8 permission or authorization and a police report for the  
9 abandoned vehicle is filed within a period of time, to be  
10 determined by the director of finance of each county, after  
11 discovery of the abandoned vehicle."

12 SECTION 5. Section 286-52.5, Hawaii Revised Statutes, is  
13 amended by amending subsection (c) to read as follows:

14 "(c) If the director of finance has ascertained as of the  
15 date of the application that the registered owner has not  
16 deposited or paid bail with respect to any summons or citation  
17 issued to the registered owner for stopping, standing, or  
18 parking in violation of traffic ordinances within the county[~~7~~]  
19 or has outstanding charges and fines owed to the county relating  
20 to the disposition of an abandoned vehicle under the registered  
21 owner, including for costs related to towing, storage,



1 processing, and disposal, the director may require, as a  
2 condition precedent to the transfer, that the registered owner  
3 deposit or pay bail with respect to all such summonses or  
4 citations[+] or pay all outstanding charges and fines relating  
5 to the disposition of the abandoned vehicle; provided that  
6 payment of all outstanding charges and fines relating to the  
7 disposition of the abandoned vehicle shall not be a condition  
8 precedent to the transfer if the abandoned vehicle was stolen or  
9 taken from the registered owner without permission or  
10 authorization and a police report for the abandoned vehicle is  
11 filed within a period of time, to be determined by the director  
12 of finance of each county, after discovery of the abandoned  
13 vehicle."

14 SECTION 6. Section 286-107, Hawaii Revised Statutes, is  
15 amended by amending subsection (e) to read as follows:

16 "(e) No driver's license shall be renewed by the examiner  
17 of drivers unless:

18 (1) The examiner of drivers is satisfied of the  
19 applicant's fitness to continue to operate a motor  
20 vehicle;



- 1 (2) The fee required by subsection (d) is tendered
- 2 together with the application for renewal; [~~and~~]
- 3 (3) The applicant complies with section 286-102.5[~~-~~]; and
- 4 (4) The examiner of drivers is satisfied that the
- 5 applicant does not have outstanding charges and fines
- 6 relating to the disposition of an abandoned vehicle."

7 SECTION 7. Section 286-119, Hawaii Revised Statutes, is  
 8 amended to read as follows:

9 "**§286-119 Authority of examiner of drivers to suspend or**  
 10 **revoke licenses.** (a) The examiner of drivers may suspend any  
 11 driver's license without hearing [~~when~~]:

12 (1) When the examiner has reasonable cause to believe that  
 13 the licensee is incompetent to operate the type of  
 14 motor vehicle for which the licensee holds a license  
 15 or is afflicted with mental or physical infirmities or  
 16 disabilities which would make it unsafe for the  
 17 licensee to operate a motor vehicle of the type for  
 18 which the licensee is licensed[~~-~~]; or

19 (2) When the examiner of drivers is notified by the  
 20 appropriate county director of finance that the  
 21 licensee has outstanding charges and fines relating to



1           the disposition of an abandoned vehicle, as provided  
2           pursuant to section 290- .

3           (b) When the examiner of drivers suspends a license under  
4 this section, the examiner shall immediately notify the licensee  
5 and afford the licensee a hearing. After the hearing, the  
6 examiner of drivers may rescind the suspension, or the examiner  
7 may suspend the license for a further period or revoke the  
8 license. Any person whose license has been suspended or revoked  
9 under this section may appeal under section 286-129."

10           SECTION 8. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12           SECTION 9. This Act shall take effect upon its approval.

13



**Report Title:**

Abandoned Vehicles; Outstanding Charges and Fines; Motor Vehicle Registration; Vehicle Transfer of Ownership; Driver's License

**Description:**

Allows the director of finance of a county to require payment of outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle within the county by the registered owner of the abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances. Requires the county directors of finance to notify the appropriate county examiner of drivers of individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses. (HD1)

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

