
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§291C-A Shoulder lanes; use prohibited. (a) Except as
5 otherwise provided in section 291C-26 or as permitted during
6 hours designated by the department of transportation, no vehicle
7 shall be driven on the shoulder of a roadway.

8 (b) Every person who violates this section shall be
9 subject to the following penalties:

10 (1) For a first violation of this section, or any
11 violation of this section not preceded within five
12 years by a prior violation of this section, a fine of
13 \$250; and

14 (2) For a violation of this section committed within five
15 years of a prior violation of this section, a fine of
16 \$1,000.



1 §291C-B Expired registration; enforcement; penalties. (a)

2 Notwithstanding any law to the contrary, the department of
3 transportation or any law enforcement officer may impound and
4 cause to be towed, subject to section 290-11(b) to (i), a
5 vehicle that is parked on a public roadway or in a commercial
6 parking lot that is open to the public if, before towing the
7 vehicle, the department of transportation or a county department
8 of finance has verified that the vehicle is not currently
9 registered and has not been registered for the three previous
10 consecutive years or more.

11 (b) The owner of the vehicle may recover the vehicle
12 pursuant to section 290-11 upon registering the vehicle and
13 presenting proof of the vehicle's current registration at the
14 time of recovery.

15 (c) The owner of the vehicle shall not be liable for any
16 towing or storage charges under section 290-11 if the vehicle
17 was improperly impounded or towed and shall be allowed to
18 recover the vehicle upon presenting proof of the vehicle's
19 current registration, without payment to the towing company.
20 The towing company shall allow a vehicle owner to enter the



1 vehicle to obtain the vehicle's current registration
2 certificate.

3 (d) The department of transportation and law enforcement
4 agencies may adopt rules pursuant to chapter 91 as necessary for
5 the enforcement of this section.

6 (e) The department of transportation shall submit an
7 annual report to the legislature no later than twenty days prior
8 to each regular session detailing, by county, the enforcement
9 activity of this section."

10 SECTION 2. Section 286-61, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "~~§286-61~~ **Penalty.** Any person who violates sections 286-
13 41, 286-42, 286-44.5 to 286-56.5, and 286-58 to 286-60 shall be
14 fined ~~[not]~~ no less than \$5 ~~[not]~~ and no more than \$1,000;
15 provided that any corporate owner of a motor vehicle who fails
16 to register a motor vehicle as required by section 286-41(a)
17 following a transfer of the vehicle between counties shall be
18 fined \$1,000 for each violation~~[+]~~; provided further that any
19 owner of an out-of-state motor vehicle brought into the State
20 who fails to register the out-of-state motor vehicle pursuant to
21 section 286-41, 286-50, or 286-54 shall be fined no less than



1 \$500 and no more than \$1,000 for each violation. Any person who
2 violates section 286-43, 286-44, or 286-57 shall be fined [~~not~~
3 no less than \$5 and [~~not~~] no more than \$1,000 or imprisoned
4 [~~not~~] no more than one year, or both."

5 SECTION 3. Section 291C-227, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "~~§291C-227 Penalty.~~ A person who violates any provision
8 of this part shall [~~for a first conviction thereof be fined \$75;~~
9 ~~for conviction of a second offense committed within one year~~
10 ~~after the date of the first offense, the person shall be fined~~
11 ~~\$150; for conviction of a third or subsequent offense committed~~
12 ~~within one year after the date of the first offense, the person~~
13 ~~shall be fined \$200.], for each conviction thereof, be subject
14 to a fine of no less than \$250 and no more than \$."~~

15 SECTION 4. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 5. In codifying the new sections added by section
19 1 of this Act, the revisor of statutes shall substitute
20 appropriate section numbers for the letters used in designating
21 the new sections in this Act.



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

3 SECTION 7. This Act shall take effect on July 1, 3000;
4 provided that section 291C-B, Hawaii Revised Statutes, shall
5 take effect one year after the effective date of this Act.



Report Title:

DOT; Counties; Motor Vehicles; Shoulder Lanes; Registration;
Expired Registration; Out-of-state Motor Vehicles; High
Occupancy Vehicle Lanes; Enforcement; Penalties

Description:

Prohibits vehicles from driving on the shoulder of a roadway, except in certain circumstances. Beginning one year after the effective date of this Act, authorizes the Department of Transportation and law enforcement officers to impound vehicles with expired registrations of three years or more, under certain conditions. Requires an annual report to the Legislature. Increases the fine amount for owners of out-of-state motor vehicles who fail to register the vehicle in the State. Establishes minimum and maximum statutory penalties for violations relating to the use of high occupancy vehicle lanes. Effective 7/1/3000. (HD2)

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

