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

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

10 (1) For a first infraction, or any infraction not preceded
11 within one year by a prior violation of this section,
12 a fine of \$ _____ ;

13 (2) For a second or subsequent violation committed within
14 one year of the first violation, a fine of
15 \$ _____ .

16 §291C- Expired registration; enforcement; penalties.

17 (a) Notwithstanding any law to the contrary, after verifying



1 the registration status of a vehicle the department of
2 transportation and the county police departments may impound a
3 vehicle that is parked on a public roadway or in a commercial
4 parking lot that is open to the public and cause the vehicle to
5 be towed pursuant to section 290-11(b) through (i); provided
6 that before towing the vehicle, the department of transportation
7 or a county department of finance has verified that the vehicle
8 is not currently registered and has not been registered for the
9 three previous consecutive years or more.

10 (b) The owner of a vehicle towed pursuant to subsection
11 (a) may recover the vehicle by registering the vehicle before
12 recovering the vehicle under section 290-11 and shall present
13 the vehicle's current registration when recovering the vehicle.

14 (c) The owner of a vehicle towed pursuant to subsection
15 (a) shall:

16 (1) Not be liable for any towing or storage charges under
17 section 290-11 if the vehicle was improperly impounded
18 or towed; and

19 (2) Be allowed to recover the vehicle upon presenting the
20 vehicle's current registration without payment to the
21 towing company.



1 The towing company shall allow a vehicle owner to enter the
2 vehicle to obtain the vehicle's current registration certificate
3 to establish ownership.

4 (d) The department of transportation and the county police
5 departments may establish rules as necessary for the enforcement
6 of this section.

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

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

13 **"§286-61 Penalty.** Any person who violates sections
14 286-41, 286-42, 286-44.5 to 286-56.5, and 286-58 to 286-60 shall
15 be fined not less than \$5 nor more than \$1,000; provided that
16 any corporate owner of a motor vehicle who fails to register a
17 motor vehicle as required by section 286-41(a) following a
18 transfer of the vehicle between counties shall be fined \$1,000
19 for each violation[-]; provided further that any owner of an
20 out-of-state motor vehicle brought into the State who fails to
21 register the out-of-state motor vehicle pursuant to section



1 286-41, 286-50, or 286-54 shall be fined not less than
2 \$ _____ and not more than \$ _____ for each violation.

3 Any person who violates section 286-43, 286-44, or 286-57 shall
4 be fined not less than \$5 and not more than \$1,000 or imprisoned
5 not more than one year, or both."

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

8 "~~§291C-227 Penalty. A person who violates any provision~~
9 ~~of this part shall [for a first conviction thereof be fined \$75,~~
10 ~~for conviction of a second offense committed within one year~~
11 ~~after the date of the first offense, the person shall be fined~~
12 ~~\$150; for conviction of a third or subsequent offense committed~~
13 ~~within one year after the date of the first offense, the person~~
14 ~~shall be fined \$200.], for each conviction thereof, be subject~~
15 to a fine of not less than \$250 and not more than \$500."

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

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 6. This Act shall take effect on August 1, 2027.



Report Title:

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

Description:

Prohibits vehicles from driving on the shoulder of a roadway, except in certain circumstances. Authorizes the Department of Transportation and county police departments to impound or cause to tow vehicles with expired registrations of three years or more after verifying the vehicle's registration status. Allows the owner of an impounded or towed vehicle to recover the vehicle under certain conditions. Exempts an owner of an impounded or towed vehicle from liability for any towing or storage charges if the vehicle was improperly impounded or towed. Allows the owner of an impounded or towed vehicle to recover the vehicle without payment upon presenting the vehicle's current registration to the towing company. Requires a towing company to allow a vehicle owner to enter the vehicle to obtain the vehicle's current registration. 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 8/1/2027. (SD1)

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