

ACT 3

S.B. NO. 1509-74

A Bill for an Act Relating to Defacing Vessel Hull Identification Numbers, Possessing Vessels with Defaced Numbers, and Imposition of Penalties.

Be It Enacted by the Legislature of the State of Hawaii:

Section 1. Hull, defined. As used herein "hull" means the shell, frame or body of a vessel, exclusive of masts, yards, sails, riggings, machinery and equipment.

Section 2. Defacing, etc., vessel hull identification numbers. No person shall wilfully deface, destroy, remove or alter the vessel hull identification number, carved, burned, stamped, embossed or otherwise permanently affixed to the hull of a vessel by the manufacturer, or by the owner in the case of restoration, for the purpose of identifying the hull. This section does not prohibit the restoration by an owner of an original number when the restoration is authorized by the department of transportation, nor prevent any manufacturer from placing in the ordinary course of business, numbers or marks upon new hulls.

Section 3. Unlawful to possess certain vessels or hulls. No person shall possess a vessel or a hull, knowing that the vessel hull identification number, placed on the same by the manufacturer or the owner for the purpose of identification, has been changed, altered, erased, or mutilated for the purpose of changing the identity of the vessel or hull thereof. Any vessel or hull from which the vessel hull identification number, carved, burned, stamped, embossed or otherwise permanently affixed to the hull by the manufacturer or by the owner has been removed, defaced or altered shall be caused by the director of transportation to be taken into custody and, if not identified, disposed of pursuant to chapter 267A. If identified, the director of transportation shall:

- (1) Notify the owner at his last known address or the address shown on the records of the department of transportation or U.S. Coast Guard, and all lien holders who have filed a financing statement indexed in the name of the registered owner in the bureau of conveyances or who are shown on the records of the department of transportation or U.S. Coast Guard;
- (2) Authorize restoration of the original vessel hull identification number or if unknown, assign a new number; and
- (3) Restore the vessel or hull to the owner.

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Section 4. Penalty. Any person who violates this act shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Section 5. This Act shall take effect upon its approval.

(Approved March 12, 1974.)