

A Bill for an Act Relating to Motor Vehicles.

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

SECTION 1. Chapter 249, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“Sec. 249- New motor vehicle with temporary number plates.** Any person who has purchased a new motor vehicle which has attached temporary number plates under section 286-53 shall register the new motor vehicle in accordance with this chapter within twenty days after taking possession of the motor vehicle. For the purposes of this chapter, the registration of such a motor vehicle shall be considered an original registration under section 249-7. Within thirty days of the original registration of such a motor vehicle, the director of finance shall furnish two number plates and the valid tag or emblem appropriate for the year of registration, if any, which shall be attached to the motor vehicle as provided under section 249-7. Upon attachment of the number plates, the temporary number plates provided under section 286-53 shall be destroyed.”

SECTION 2. Section 249-7, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 249-7 Number plates.** Upon receipt of the tax the director of finance shall number and register the vehicle in the owner’s name in a permanent record or book to be kept by him for this purpose, and shall furnish the owner thereof with a receipt showing upon its face the license number issued for the vehicle and the fact that the license tax has been paid thereon for the whole or the remainder of the current year in which the receipt is issued. The director of finance shall also furnish the owner, upon the original registration of the vehicle, two number plates for the vehicle or one plate in the case of trailers, semi-trailers, or motorcycles with the registration number marked thereon. The rear number plate shall have impressed thereon the year for which that series of number plates was first issued and during that year the number plates alone shall be evidence of the payment of the license tax. For original registration in subsequent years and upon the payment of the tax for each year subsequent to the year of original registration, a tag or emblem bearing a serial number and the year of issue shall be provided to the owner. Transfer of current number plates, tag, or emblem, except as authorized by this chapter or by chapter 286, is declared a misdemeanor, punishable by a fine of not more than \$50 for each offense.

Upon an original registration the director of finance shall fix, and shall charge to the owner, a fee equal to the cost of the number plate and tag or emblem plus the administrative cost of furnishing such plate and tag or emblem and effecting the registration. Upon the issuance of a new series of number plates as determined by the lieutenant governor, the director of finance shall charge the owner a fee equal to the costs of the number plate plus the administrative cost of furnishing such plates. Upon issuing a tag or emblem in subsequent years, the director of finance shall charge the owner a fee of 50 cents. The owner shall securely fasten the number plates on the vehicle, one on the front and the other on the rear thereof, in such a manner as to prevent the plates from swinging and at a minimum of twelve inches from the ground. Number plates shall at all times be displayed entirely unobscured and be kept reasonably clean. In the case of trailers, semi-trailers, or motorcycles, one plate shall be used and it shall be fastened to the rear thereof.

Upon the issuance of the tag or emblem in any year in which the number plates do not evidence the payment of the current year’s tax and for each year subsequent to the year of the initial payment of the tax and the original registration of the vehicle, the owner shall affix the tag or emblem to the rear number plate.

After the initial payment of the tax and the original registration of a vehicle as herein specified, a motor vehicle shall not be required to be reweighed in any succeeding year unless it has been so altered or changed as to increase or diminish its weight. No new number plates shall, however, be issued to a new owner except as provided in sections 249-8 and 249-

Should an owner of a vehicle registered in any county, upon the disposition of the vehicle, request that the license plates furnished to him with respect to the registration of the vehicle be assigned to another vehicle subsequently acquired by him, the assignment may be made by the director of finance at his discretion. To defray additional administrative costs incurred by acceding to such requests, the director of finance shall charge a fee of \$5 for each such reassignment of license

plates, in lieu of the fee for registration provided hereinafter. The procedure for registering the vehicles shall otherwise be identical with that provided by this section.

The director of finance shall, on or before the fifth day of each month, send to the chief of police of the county a list of the numbers issued by him and of changes in ownership recorded by him during the preceding month, together with a general description of the vehicles and the name and address of the owner to whom issued or registered. The chief of police shall retain each such list as a permanent record of his office."

SECTION 3. Section 249-11, Hawaii Revised Statutes, is amended to read as follows:

**"Sec. 249-11 Fraudulent use of plates and other misdemeanors; penalties.**

Any person who attaches to and uses on any vehicle plates not furnished in accordance with sections 249-1 to 249-13 or 286-53, or who fraudulently uses such number plates upon any vehicle other than the one for which the number plates were issued, or who molests or disturbs any vehicle which has been seized pursuant to sections 249-1 to 249-13, or any person who knowingly uses a motor vehicle, the tax upon which is delinquent, upon public highways of this State, or any director of finance who issues a certificate of registration or number plates to any person who has not paid the tax required by sections 249-1 to 249-13, or any person who violates any of the provisions of such sections, shall be fined not more than \$500."

SECTION 4. Section 286-53, Hawaii Revised Statutes, is amended to read as follows:

**"Sec. 286-53 Dealers in new motor vehicles.** (a) A manufacturer of or dealer in new motor vehicles having an established place of business, owning any such new vehicles and operating them upon the public highways exclusively for the purposes of his business, in lieu of registering each such new vehicle, may make application upon an official blank provided for that purpose to the director of finance for a general distinguishing number or symbol.

(b) Upon receipt of the application, the director of finance shall issue to the applicant a certificate of registration, containing the latter's name and business address, and the general distinguishing number or symbol assigned to him in such form and containing such further information as the director of finance may determine, and every new vehicle owned or controlled by the manufacturer or dealer, and permitted to be registered under a general distinguishing number, while being operated for the purposes of his business only, shall be regarded as registered thereunder until the vehicle is sold and the sale has been recorded by the director of finance.

(c) The director of finance shall also, upon receipt of the application, or thereafter, furnish to the manufacturer or dealer:

- (1) Permanent number plates which shall be attached to new motor vehicles which are used by the applicant only for demonstration of the new motor vehicles to customers upon the public highways if requested by the applicant. The price of each permanent number plate shall be established by the director of finance under chapter 91. Each permanent number plate shall display upon it the registration number which is assigned to the applicant and a different letter or symbol to differentiate it from other plates furnished

to the applicant. Permanent number plates which are detached from a new motor vehicle which has been sold may be used on another new motor vehicle; and

- (2) Temporary motor vehicle plates, if the applicant is a new motor vehicle dealer, which plates shall be blank except for an area on the lower right corner which shall be utilized for validation of the temporary plates. The validation shall not be reproducible by any person other than the director of finance, or director of finance of another county if an agreement is made to utilize a uniform validation, shall signify the official status of the temporary number plate, and be designed to be visible from a distance of two feet.

The directors of finance of any two or more counties may agree to utilize a uniform designation to be placed upon the temporary number plate. The director of finance shall establish the material used for the temporary number plate and a charge by rule under chapter 91 for each temporary number plate.

(d) Whenever the design of the number plates issued under chapter 249 is changed, the new motor vehicle dealer shall apply to the director of finance for the most current permanent number plates. Before issuing the current permanent number plates, the director of finance shall require each applicant to return the permanent number plates issued previously. If any permanent number plates issued previously have been lost or destroyed, the manufacturer or dealer who applies for the permanent number plates shall certify in writing to the director of finance that the permanent number plates have been lost or destroyed and that if any lost permanent number plates are found, they shall be returned forthwith to the director of finance. Upon receipt of the certificate, the director of finance shall issue an equal number of the most current permanent number plates as have been certified to be lost or destroyed.

(e) Whenever a new motor vehicle dealer sells a new motor vehicle to a person, the new motor vehicle dealer shall detach the permanent number issued under subsection (c) from that new motor vehicle and replace it with two temporary motor vehicle plates. The temporary number plates shall be attached in the same location as required for number plates under section 249-7. The new motor vehicle dealer shall print upon the temporary motor vehicle plates the:

- (1) Date which is thirty working days after the date which the person takes possession, which date shall be placed in the middle of each temporary number plate in numbers not less than four inches in height;
- (2) Name and address of the new owner;
- (3) Name and address of the new motor vehicle dealer;
- (4) Serial number of the new motor vehicle; and
- (5) Date the new motor vehicle owner took possession of the motor vehicle.

Items (2) through (5) shall be printed in the upper left corner of the temporary number plates.

The temporary number plates shall be valid through the date listed in item (1). Any person who operates a motor vehicle with an expired temporary number plate shall be fined not more than \$100.

(f) No manufacturer or dealer shall permit the operation of any motor vehicle owned or controlled by him upon any public highway, unless permanent number plates assigned to him are attached thereto, in the manner specified in this part;

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provided that the new vehicles may be operated without permanent number plates attached thereto on the initial continuous movement from the place of entry of the vehicle into this State to the warehouse, storeroom, salesroom, or other place of business selected by the manufacturer or dealer.

(g) Every manufacturer or dealer, upon the sale, lease, or other transfer by him of a new vehicle registered under a general distinguishing number, as herein provided, shall forthwith give notice of the transfer to the director of finance upon the appropriate official form, stating the date of the transfer, a description of the vehicle, the name and post office address of the transferee, and certifying that temporary number plates have been provided for the motor vehicle of the transferee.

Following the transfer, if application for registration has been made by or on behalf of the transferee, the vehicle may be operated until duly registered by the director of finance under chapter 249 and this chapter or until the expiration of the temporary number plates whichever occurs sooner.

(h) The director of finance may, at his discretion, grant a temporary permit to operate a vehicle, a registration for which has been applied for.

(i) For the purposes of this section:

- (1) "New motor vehicle dealer" means a dealer licensed under chapter 437 to engage in the business of selling at wholesale or retail or both, new motor vehicles or used motor vehicles;
- (2) "Permanent number plate" means a number plate furnished to a manufacturer or dealer under subsection (c)(1) for a motor vehicle which is similar to the number plate issued under section 249-7 and which allows the motor vehicle to be operated on the public highways; and
- (3) "Temporary number plate" means the number plate furnished to a new motor vehicle dealer under subsection (c)(2)."

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.\*

SECTION 6. This Act shall take effect on January 1, 1980.

(Approved May 27, 1980.)

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\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.