

ACT 237

H.B. NO. 2095-82

A Bill for an Act Relating to Vehicle Number Plates.

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

SECTION 1. Section 249-7, Hawaii Revised Statutes, is amended to read as follows:

“§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] directors of finance of each county through majority consent, 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, except that all vehicles owned by the State [of Hawaii], any county government, any [Board of Water Supply] board of water supply, and official representatives of any foreign governments shall be issued registrations which need be renewed only in the new plate issue year.

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 249-7.5 and 249-8.

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 2. Section 249-9, Hawaii Revised Statutes, is amended to read as follows:

"§249-9 Uniform number plates; purchase. The number plates hereinabove referred to shall be uniform throughout the State and shall be used upon all vehicles for which a tax has been paid pursuant to sections 249-1 to 249-13. All such plates shall bear the word "Hawaii", shall have a distinct contrast between the color of the plate and the numerals and letters thereon, and shall be of such shape, size, and color, and with such arrangements of letters and numbers as may, subject to sections 249-1 to 249-13, be determined by the [lieutenant governor.] directors of finance of each county through majority consent. The numerals on all such plates shall be not less than three inches in height and the strokes thereof not less than three-eighths inch in width, except in the case of motorcycles, in which case the numerals shall not be less than one inch in height and the strokes thereof not less than one-eighth inch in width.

The [lieutenant governor] director of finance of the city and county of Honolulu shall contract annually on behalf of the counties for the purchase of all number plates, tags, or emblems required. The contract for the procurement of such plates, tags, or emblems shall specify a delivery date not later than September 1 of each year. The council of each county shall appropriate and cause to be paid over to the party with whom the [lieutenant governor] director of finance of the city and county of Honolulu shall contract, or to the [lieutenant governor] director of finance of the city and county of Honolulu as he may direct, such sum or sums as the [lieutenant governor] director of finance of the city and county of Honolulu

shall determine to be the county's proportionate share of the expense of such contract and the charges connected therewith. The contract shall be made by the [lieutenant governor] director of finance of the city and county of Honolulu as agent of the several counties, and the proportionate liability of each county shall be stated in the contract. Notwithstanding any other provision of law, the contract shall constitute a valid obligation of each county for its proportionate share.

The number plates for members of the Congress of the United States from the State shall designate their office and be of the type and color authorized for motor vehicles in the State; provided that the number on the plates of the United States senator and the United States representative shall be assigned in terms of seniority of service with the senator or representative having the greater length of service having the number "1" and consecutively thereafter for the others. The [lieutenant governor] director of finance of the city and county of Honolulu shall, in his procurement of the number plates on behalf of the counties, contract for the number plates of the members of Congress and all expenses connected therewith shall be paid by the respective members of Congress.

Notwithstanding any other provision of law, any antique motor vehicle shall be issued a special number plate for a fee of \$10 which plate shall be permanent and valid for use on such vehicles without renewal so long as the vehicle is in existence in lieu of the uniform state number plates. In addition to the payment of any other fee required by law, applicable to antique motor vehicles, the owner of any such vehicle shall pay the fee for the issuance of the special license plate. The registration numerals and special number plates assigned to antique motor vehicles shall be labeled "Horseless Carriage" and "Permanent" and shall run in a separate numerical series, commencing with Horseless Carriage No. 1."

SECTION 3. Section 249-9.1, Hawaii Revised Statutes, is amended to read as follows:

"**[§249-9.1] Special number plates.** In lieu of the number plates contracted on behalf of the counties by the [lieutenant governor] director of finance of the city and county of Honolulu, the director of finance shall provide, upon request, special number plates. The special number plates shall conform to the requirements provided for the uniform number plates except that the owner shall be consulted in the choice and arrangement of letters and numbers. The fee for special number plates shall be \$100. The director of finance shall prescribe rules [and regulations] pursuant to chapter 91 to carry out the provisions of this section."

SECTION 4. Section 249-12, Hawaii Revised Statutes, is amended to read as follows:

"**§249-12 Standard size license plates.** Notwithstanding sections 249-1 to 249-11 each county director of finance may issue standard size license plates in connection with the first registration of a motor vehicle subsequent to September 1, 1956, charging therefor the costs provided in section 249-7 in the case of original registration, and the [lieutenant governor] director of finance of the city and county of Honolulu shall make the necessary contractual arrangements so that the [said] issuance of standard size license plates may be accomplished."

SECTION 5. This Act shall not be considered a mandate under Article VIII, Section 5 of the State Constitution, to undertake a new program or increase the

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level of service under an existing program of any of the political subdivisions.

SECTION 6. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved June 14, 1982.)