

A Bill for an Act Relating to Motor Vehicles.

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

SECTION 1. Section 286-41, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Every owner of a motor vehicle which is to be operated upon the public highways shall, for each vehicle owned, except as herein otherwise provided, apply to the director of finance of the county where the vehicle is to be operated, for the registration thereof. If a vehicle is moved to another county and is to be operated upon the public highways of that county, the existing certificate of registration shall be valid until its expiration date, at which time the owner shall apply to the director of finance of the county in which the vehicle is then located for the registration of the vehicle, whether or not the owner is domiciled in the county or the owner’s principal place of business is in that county, except that this provision shall not apply to vehicles which are temporarily transferred to another county for a period of not more than three months.”

SECTION 2. Section 286-50, Hawaii Revised Statutes, is amended to read as follows:

“§286-50 Registration of vehicle located outside State; correction of errors; fee for correcting errors. (a) The director of finance of a county shall not accept an application for registration of any vehicle under this part unless the vehicle at the time of application is to be operated on the public highways of that county as required under section 286-41 or, if the vehicle is not within the State [or], the vehicle is currently registered in the State in the name of a bona fide resident of the State. However, the director of finance shall accept and grant an application and issue number plates for a new unlicensed vehicle which is not within the State when the application is accompanied by a written certificate signed by the seller, who shall be a person licensed to sell new motor vehicles under chapter 437, giving the name and local address of the seller and the purchaser and a description of the vehicle, including a statement of the weight thereof, and, when the serial or engine and factory numbers of such new vehicle are not available, a statement of such fact, and also by a written certificate of the purchaser giving the purchaser’s name, the purchaser’s local address and permanent residence, and the name of the seller, a full description of the vehicle, and a statement that the use tax payable thereon has been paid or that the same will be paid within sixty days of the arrival of the vehicle in the State. One copy of the application when granted shall be furnished by the director of finance to the director of taxation. In a case where the serial or engine and factory numbers of the new vehicle are not available at the time of the application, the dealer shall certify to the serial or engine and factory numbers thereof upon receipt of the numbers from the factory or manufacturer, which certificate the director of finance shall enter in the director of finance’s registration records. Within sixty days after arrival in the State of any such vehicle, unless the same has been shown in the application or

subsequent certification, the dealer shall furnish to the director of finance a certificate of the dealer, identifying the vehicle by the serial or engine and factory numbers or other description, and evidence of arrival in the State of any such vehicle, which information the director of finance shall enter in the director of finance's registration records.

If the serial or engine and factory numbers of the vehicle, as given in the dealer's certificate of the serial or engine and factory numbers, subsequently prove to be erroneous on account of error in the information received by the dealer from the factory or manufacturer, or for any other reason, the dealer shall notify the director of finance of the error by a written certificate of the dealer stating the reasons for the nature of the error and the correction which should be made in the registration records; and upon receipt of the dealer's certificate by the director of finance, the registration records shall be corrected accordingly. A fee of \$1 shall be paid by the dealer and collected by the director of finance for each instance of correction of the registration records.

(b) Notwithstanding the first paragraph of [this section,] subsection (a), the director of finance shall accept and grant an application, and issue number plates, when the vehicle, although not within the State, is to be registered in the name of a United States Senator from the State, a United States Representative from the State, or members of their congressional staffs who are bona fide residents of the State, and the application is accompanied by:

- (1) A written certificate setting forth the name, local address, and current address of the applicant; the name and business address of the seller; a full description of the vehicle, including a statement of the weight thereof, and the serial or engine and factory numbers; and such other information as may be required by the director of finance;
- (2) A copy of the bill of sale and such other documents as may be required by the director of finance, to establish legal ownership; and
- (3) A written statement signed by the applicant stating that the use tax payable thereon will be paid within sixty days of the arrival of the vehicle in the State.

The applicant shall be responsible for supplying to the director of finance all information relative to the correct serial or engine and factory numbers, and the payment of correction fees, in the same manner and to the same extent as is required hereinabove of a dealer. One copy of the application, when granted, shall be furnished by the director of finance to the state director of taxation.

No tax or other fees required by law in connection with the registration of a vehicle not within the State at the time of the application shall be refundable."

SECTION 3. Section 286-61, Hawaii Revised Statutes, is amended to read as follows:

* **"§286-61 Penalty.** Any person who violates any of the provisions of sections 286-41 to 286-60 shall be fined not less than \$5 nor more than \$1,000 or imprisoned not more than one year, or both[.]; provided that any corporate owner of a motor vehicle who fails to register a motor vehicle as required by section 286-41(a) following a transfer of the vehicle between counties shall be fined \$1,000 for each violation."

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SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 6, 1987.)