

ACT 238

H.B. NO. 3563

A Bill for an Act Relating to Vehicles.

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

SECTION 1. Section 290-1, Hawaii Revised Statutes, is amended to read as follows:

“§290-1 Disposition by counties of certain abandoned vehicles. (a) The counties may cause vehicles to be taken into custody[,] and [dispose] disposed of, [vehicles] which have been abandoned. A vehicle is “abandoned”, for the purposes of this [section,] subsection, if it is defined to be abandoned by an ordinance of the county in which the vehicle is located; in the absence of such an ordinance, a vehicle is “abandoned” if it is left unattended for a continuous period of more than twenty-four hours and it is unlawfully parked on any public highway or other public property. The mayors of the several counties may designate an agency within their counties to carry out the functions and requirements of this section. The term “agency” means any office, department, or other governmental unit of the county.

(b) The Hawaii housing authority may cause vehicles which have been abandoned on any property owned, managed, or administered by the Hawaii housing authority, to be taken into custody and disposed of. A vehicle is “abandoned”, for the purposes of this subsection, if it is left unattended for a

continuous period of more than twenty-four hours after a notice is conspicuously posted on the vehicle that the vehicle is subject to disposal pursuant to this subsection."

SECTION 2. Section 290-8, Hawaii Revised Statutes, is amended to read as follows:

"§290-8 Derelict vehicle. A vehicle shall be deemed a derelict by the administrative head of the county agency designated to carry out section 290-1, or by the executive director or a representative of the director of the Hawaii housing authority in the case of a vehicle which has been abandoned on property owned, managed, or administered by the authority, if major parts have been removed or material damage to the vehicle has rendered the vehicle inoperable and one of the following conditions exists:

- (1) The vehicle is registered for the current registration period and the registered and legal owners no longer reside at the addresses on record with the county director of finance;
- (2) The vehicle has been registered for the current or previous registration period and the registered and legal owners disclaim ownership;
- (3) The vehicle identification number and license plates have been removed so as to nullify efforts to locate or identify the current registered and legal owners;
- (4) The vehicle has not been registered for the current or previous registration periods;
- (5) The vehicle registration records of the county director of finance contain no record that the vehicle has ever been registered in the county; or
- (6) The vehicle is ten model years old or older.

Prior to authorizing the removal of a derelict vehicle, the administrative head of the county agency designated to carry out section 290-1 [must] or the executive director or a representative of the director of the Hawaii housing authority in the case of vehicles which have been abandoned on property owned, managed, or operated by the authority, shall notify the county chief of police."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 17, 1992.)