

ACT 216

H.B. NO. 2324

A Bill for an Act Relating to Motor Vehicle Safety Responsibility.

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

SECTION 1. Section 287-4, Hawaii Revised Statutes, is amended to read as follows:

“§287-4 Report required following accident. The driver of every motor vehicle which is in any manner involved in an accident within this State in which any person is killed or injured or in which damage to the property of any one person, including the driver, to an apparent extent in excess of [\$1,000] \$3,000 is sustained shall at the earliest practical time, and in any event within twenty-four hours after the accident, report the matter in writing or in person to the chief of police. The report, the form of which shall be prescribed by the chief of police and administrator, shall contain information to enable the administrator to determine whether the requirements for the deposit of security under sections 287-5 and 287-6 are inapplicable by reason of the existence of insurance or other exceptions specified in this chapter. If the driver is physically incapable of making the report, any other occupant in the vehicle at the time of the accident capable of making the report shall make or cause to be made the report not

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made by the driver, and the registered owner of the motor vehicle involved in the accident shall, unless the report is filed, within ten days after learning of the accident make the report. The driver, occupant, and registered owner shall furnish such additional relevant information as the chief of police or administrator shall require. If the reports required hereunder are made pursuant to any ordinance or other provision or requirement of law, no additional report, except as specifically provided herein, shall be required hereby.”

SECTION 2. Section 287-5, Hawaii Revised Statutes, is amended to read as follows:

“**§287-5 Security required unless evidence of insurance.** If twenty days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to property of any one person in excess of [\$1,000] \$3,000,¹ the administrator does not have on file evidence satisfactory to the administrator that the person who would otherwise be required to file security under section 287-6 has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the administrator shall determine the amount of security which is sufficient in the administrator’s judgment to satisfy any judgment or judgments for damages resulting from the accident as may be recovered against each driver or owner. This section shall be applicable to each driver or owner notwithstanding that the administrator determines that the amount of security required hereunder shall as to any such driver or owner be less than [\$1,000.] \$3,000.”

SECTION 3. Section 291C-16, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The driver of a vehicle involved in an accident resulting in injury or death of any person or total damage to all property to an apparent extent of [\$1,000] \$3,000 or more shall immediately by the quickest means of communication give notice of the accident to the nearest police office. If sent to the site of the accident, a responding police officer shall file a written report if it appears at the time that the accident has resulted in the injury or death of any person, or total damage to all property to an apparent extent of \$3,000 or more.”

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 20, 1995.)

Note

1. Comma should not be underscored.