

ACT 98

H.B. NO. 92

A Bill for an Act Relating to Motor Vehicles.

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

SECTION 1. Section 286-44, Hawaii Revised Statutes, is amended to read as follows:

“§286-44 Unlawful to possess certain motor vehicles, parts, etc.; forfeiture. (a) It shall be unlawful for any person to possess a motor vehicle, a motor block, or any part thereof, knowing that the motor number, serial number, or manufacturer’s number, placed on the same by the manufacturer for the purpose of identification, has been changed, altered, erased, or mutilated, for the purpose of changing the identity of the motor vehicle, motor, motor block, or any part thereof. All such motor vehicles, motor blocks, or parts from which the manufacturer’s identification number has been removed, defaced, or altered shall be forfeited to the county where found and if not identified may be sold at public auction or destroyed. If identified, all persons having an interest in [it] the motor vehicle, motor block, or part shall be notified, there shall be assigned a new registration number, and [it] the motor vehicle, motor block, or part shall be returned to the owner entitled to possession.

(b) The chief of police of each county or officers of the county police who are permanently assigned to conduct vehicle theft investigations may immediately inspect, during normal business hours or whenever the dealer or dealer’s agents or employees are otherwise present, any records required by chapters 286, 289, or 445 and any articles described in such records that the police reasonably believe are stolen goods, limited to the purpose of establishing rightful title or registration of vehicles or identifiable vehicle components in order to determine rightful ownership or possession, on the premises of:

- (1)¹ Any motor vehicle repair dealer registered under chapter 437B; or
- (2)¹ Any person licensed pursuant to sections 289-2 and 289- 3 to engage in the business of purchasing or selling used motor vehicle parts or accessories, or wrecking, salvaging, or dismantling motor vehicles for the purpose of reselling the parts or accessories thereof.

As used in this section, “identifiable vehicle component” means any component of a motor vehicle, including motor block or part that can be distinguished from other similar components by a serial number or other unique distinguishing number, sign, or symbol. Whenever possible, inspections conducted pursuant to this subsection shall be conducted at a time and in a manner so as to minimize any interference with, or delay of, business operations.”

SECTION 2. Section 286-54, Hawaii Revised Statutes, is amended to read as follows:

“§286-54 Out-of-state vehicle permit. The owner of a motor vehicle which has been duly registered for the current year in another state or country and in accordance with the laws thereof, may, in lieu of registering the vehicle as otherwise

required by this part, apply to the director of finance for the registration thereof as provided in this section.

The owner shall, within [ten] thirty days after commencing to operate the vehicle or causing or permitting it to be operated within the State, apply to the director of finance for the registration thereof upon the appropriate official form stating therein the name and home address of the owner and the temporary address, if any, of the owner while within the State, the registration number of the vehicle as assigned thereto by the state or country, together with [such] a description of the motor vehicle [as] that may be called for in the form and [such] other statements of facts [as] that may be required by the director of finance.

The director of finance shall file every application received and register the vehicle therein described and shall issue to the owner a registration certificate of a distinctive form containing the date of its issue, a brief description of the vehicle, and a statement that the owner has procured registration of the vehicle.

No owner of a motor vehicle which has been duly registered for the current year in another state or country shall operate any [such] vehicle or cause or permit to be operated upon the public highways, either before or while it is registered under this section, unless there is at all times displayed thereon the current registration number plates assigned to the vehicle by the other state or country, nor unless the certificate of registration is kept within the vehicle for which it is registered, or in the event the vehicle is a motorcycle, carry [such] the certificate of registration in a convenient receptacle attached to the vehicle. The director of finance shall also furnish the owner with an emblem bearing a serial number with the words "VEHICLE PERMIT" and the date of expiration of [such] the emblem to be placed on the rear bumper in plain sight of [such] the vehicle, or when issued to a motorcycle emblem to be placed on rear fender.

Every certificate of registration issued pursuant to this section shall be valid for the unexpired portion of the current license number plates assigned to the vehicle in accordance with the law of the other state or country; provided that in no case shall [such] a certificate be issued to exceed a twelve-month period.

Whenever a vehicle is registered under this section, the sum of \$5 shall be assessed against the owner of the vehicle to defray the administrative costs incurred by the county. Subsequent changes in the amount of the administrative costs shall be established by the county's legislative body."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

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 3, 1998.)

Note

1. Should be underscored.