

## ACT 126

S.B. NO. 2021

A Bill for an Act Relating to Street Rod Vehicles.

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

SECTION 1. Section 286-2, Hawaii Revised Statutes, is amended by amending the definition of “special interest vehicle” to read as follows:

““Special interest vehicle” means a vehicle of any age that, because of its significance, is being collected, preserved, restored, or maintained by a collector. The term includes a street rod vehicle and a street rod replica vehicle, as those terms are defined in section 286-26.5; a vehicle manufactured before [1949;] 1968; and a vehicle manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949;] 1968.”

SECTION 2. Section 286-26.5, Hawaii Revised Statutes, is amended to read as follows:

“[H]§286-26.5[.] **Special interest vehicles.** (a) As used in this section:

“Collector” means an owner of one or more vehicles, including parts vehicles, who collects, purchases, acquires, trades, or disposes of a vehicle or its parts, for the owner’s own use, to preserve, restore, and maintain the vehicle or another vehicle for hobby or historical purposes.

“Parts vehicle” means a vehicle that is owned by a collector to furnish parts for the restoration or maintenance of a special interest vehicle.

“Street rod replica vehicle” means a vehicle that was assembled from a manufactured kit, either as:

- (1) A complete kit to construct a new vehicle consisting of a prefabricated body and chassis;
- (2) Components manufactured before [1949;] 1968; or
- (3) Components manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949;] 1968;

and that has been modified in its body style or design through the use of nonoriginal or reproduction components, such as the frame, engine, drive train, suspension, or brakes, in a manner that does not adversely affect its safe performance as a motor vehicle or render the vehicle unlawful for use on public highways.

“Street rod vehicle” means a vehicle that was:

- (1) Manufactured before [1949;] 1968; or
- (2) Manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949;] 1968;

and that has been modified in its body style or design through the use of nonoriginal or reproduction components, such as the frame, engine, drive train, suspension, or brakes, in a manner that does not adversely affect its safe performance as a motor vehicle or render the vehicle unlawful for use on public highways. The term does not include a motorcycle, an antique vehicle, or a restored vehicle.

(b) If a street rod vehicle was manufactured before [1949] 1968 and has been modified in body style or design, the make and year of the vehicle shall be the year the vehicle most nearly resembles. If a street rod vehicle was manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949;] 1968, the body type of the vehicle shall be street rod vehicle or “STRD”.

(c) A state vehicle identification number shall be issued to a street rod vehicle that was manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949;] 1968, when no vehicle identification number is present on the vehicle; when more than one vehicle identification number is present on the vehicle;

or when the vehicle identification number is absent from the body or frame, or both, of the vehicle. The state vehicle identification number shall be assigned by the director of finance of the county in which the vehicle resides[-]; provided that not more than one hundred vehicle identification numbers shall be issued annually.

To obtain a state vehicle identification number under this subsection, the owner of a street rod vehicle that was manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949] 1968 shall provide:

- (1) A title of ownership from the previous owner of the vehicle's body or frame;
- (2) A bill of sale or invoices for all major parts used in the modification of the vehicle; and
- (3) A weight certificate issued by a state-certified scale for the actual weight of the vehicle.
- (d) Notwithstanding any other law to the contrary:
  - (1) Street rod vehicles and street rod replica vehicles shall be equipped with the following equipment:
    - (A) Hydraulic service brakes on all wheels;
    - (B) Sealed beam or halogen headlights;
    - (C) Turn signals and a turn signaling switch;
    - (D) Safety glass or lexan windshield;
    - (E) Electric or vacuum windshield wiper located in front of the driver;
    - (F) Standard or DOT/SAE-approved tail lights; [and]
    - (G) A parking brake that operates on at least two wheels on the same axle; and
    - (H) Seat belt assembly as provided in section 291-11.6;
  - (2) Street rod vehicles and street rod replica vehicles shall be equipped in such a manner that no part of a vehicle, other than the vehicle's tires, will make contact with the surface of a flat highway when the vehicle is operated on the same;
  - (3) [~~Seatbelts, bumpers,~~] Bumpers, hoods, door handles, and fenders shall be optional equipment on street rod vehicles and street rod replica vehicles; and
  - (4) [~~Seatbelts, bumpers,~~] Bumpers, hoods, door handles, and fenders shall be optional equipment on vehicles manufactured before [1949.] 1968, and on vehicles manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949.] 1968.

In the event of a conflict between this subsection and equipment requirements specified in chapters 286, 291 and 291C, this subsection shall control.

(e) If a street rod replica vehicle was assembled from a manufactured kit as a complete kit to construct a new vehicle consisting of a prefabricated body and chassis, the year of the vehicle shall be the year the vehicle resembles as reflected on the manufacturer's certificate of origin. If a street rod replica vehicle was assembled from a manufactured kit as components manufactured before [1949] 1968 or components manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949.] 1968, the year of the vehicle shall be the year the vehicle resembles as reflected on the manufacturer's certificate of origin. The certificate of title for a street rod replica vehicle shall be for the make and year the vehicle resembles, and the body type of the vehicle shall be street rod vehicle replica (STRD-RPLC).

(f) The state vehicle identification number of a street rod replica vehicle that was assembled from a manufactured kit as a complete kit to construct a new vehicle consisting of a prefabricated body and chassis shall be taken from the manufacturer's certificate of origin. The state vehicle identification number shall be assigned

by the director of finance of the county in which the vehicle resides[-]; provided that not more than one hundred vehicle identification numbers shall be issued annually.

The state vehicle identification number of a ~~street rod replica~~ vehicle that was assembled from a manufactured kit as components manufactured before [1949] 1968 or components manufactured after [1948] 1967 to resemble a vehicle manufactured before [1949,] 1968, shall be taken from the manufacturer's certificate of origin or provided by the director of finance of the county in which the vehicle resides.

To obtain a state vehicle identification number under this subsection, the owner of a street rod replica vehicle shall provide:

- (1) Ownership documents from the manufacturer of the kit or components;
- (2) All shipping and freight documents for the kit or components; and
- (3) A weight certificate issued by a state-certified scale for the actual weight of the vehicle.

(g) A state vehicle identification number shall be issued to a street rod replica vehicle when the vehicle identification number is absent from the body or frame, or both, of the vehicle; or when the vehicle identification number is absent from the manufacturer's certificate of origin. The state vehicle identification number shall be assigned by the director of finance of the county in which the vehicle resides[-]; provided that not more than one hundred vehicle identification numbers shall be issued annually.

SECTION 3. Section 286-83, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) On and after January 1, 1972, no person shall display for sale, sell, or offer for sale for use in or upon, or as part of the equipment of a motor vehicle, trailer, semitrailer, or pole trailer any head lamp, auxiliary or fog lamp, rear lamp, signal lamps, or reflector, which reflector is required by law, or any glazing material, hydraulic brake fluid, [~~seat belt, shoulder harness or seat belt and shoulder harness assembly~~] or seat belt assembly as defined in section 291-11.6, unless the device is of a type [~~which~~] that has been submitted to the director of transportation and approved by the director. This subsection shall not apply to equipment in actual use on May 25, 1971, or replacement parts therefor[-], except seat belt assemblies required under section 286-26.5(d).”

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

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

(Approved June 16, 2004.)