

ACT 20

S.B. NO. 2201

A Bill for an Act Relating to Motor Vehicles.

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

SECTION 1. Section 249-2, Hawaii Revised Statutes, is amended to read as follows:

“§249-2 Imposition of tax. Except as otherwise provided in sections 249-1 to 249-13, and except in the case of antique motor vehicles which shall be subject to an annual tax of \$10 in lieu of the annual tax otherwise imposed by this section, all vehicles and motor vehicles as defined in section 249-1, shall be subject to an annual tax, computed, except for the minimum tax provided for in section 249-13 according to the net weight of each vehicle at a rate determined as hereinafter provided in section 249-13. ~~[The tax shall become due and payable on January 1 and must be paid before April 1, in each year.]~~ The tax shall be paid by the owner of each vehicle in the county in which the vehicle is located at the time of registration, whether the original registration or any subsequent registration, and shall be collected by the director of finance of such county; provided that if ~~[any such]~~ a vehicle is transported to another county after the payment of ~~[such]~~ the tax, no additional tax shall be imposed on ~~[such]~~ the vehicle for the remaining period of the year for which ~~[such]~~ the tax has been paid.”

SECTION 2. Section 249-31, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) All vehicles and motor vehicles in the ~~[State]~~ state as defined in section 249-1, including antique motor vehicles, except as otherwise provided in sections 249-4 and 249-6, shall be subject to a \$25 annual vehicle registration fee. The fee ~~[shall become due and payable on January 1, and]~~ shall be paid ~~[before April 1 in]~~ each year together with all other taxes and fees levied by this chapter~~;~~ provided that should any county elect to renew motor vehicle registrations on a staggered basis as established by each county as authorized by section 286-51, and the state registration for that county shall likewise be staggered so that the state registration fee is due and payable at the same time and shall be collected together with the county fee. The state registration fee shall be deemed delinquent if not paid with the county registration fee. The respective counties shall collect this fee together with the vehicle registration tax collected for the county and shall transfer the moneys collected under this section to the State.”

SECTION 3. Section 249-33, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The tax shall become due and payable ~~[on January 1 and shall be paid before April 1]~~ in each year together with all other taxes and fees levied by this chapter~~;~~ provided that should any county elect to renew motor vehicle registrations on a staggered basis as established by each county as authorized by section 286-51, the state vehicle weight tax shall likewise be staggered so that the state vehicle weight tax is collected together with the county fee. The state vehicle weight tax shall be deemed delinquent if not paid with the county registration fee. The tax shall be paid by the owner of each vehicle to the director of finance of the county in which the vehicle is registered and shall be collected by the director of finance of such county together with all other fees and taxes levied by this chapter from the owner of each vehicle and motor vehicle registered in the county.

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By the fifteenth day of the month following the month in which taxes under this section are collected, the director of finance of each county shall transmit the taxes collected to the state director of finance for deposit into the state highway fund.”

SECTION 4. Section 286-51, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) ~~Every certificate of registration issued under this part shall expire at midnight on December 31 of each year and shall be renewed annually before April 1 of each year upon application by the registered owner by presentation of the last issued certificate of registration or the last issued application for renewal, such renewal to take effect as of January 1 of each year; provided that the~~ The certificate of registration for each motor vehicle in the counties of the State ~~may~~ shall be renewed on a staggered basis ~~if a county elects to do so~~ as established by each county. The director of finance of each county may adopt rules to carry out the purposes stated in this section and shall expend the necessary funds from the director’s operating funds as may be necessary for these purposes; provided that the director of finance, if the director has ascertained as of the date of the application that the registered owner has not deposited or paid bail with respect to any summons or citation issued to the registered owner for stopping, standing, or parking in violation of traffic ordinances within the county, may require, as a condition precedent to the renewal, that the registered owner deposit or pay bail with respect to all such ~~summons~~ summonses or citations. The certificates of registration issued hereunder shall show, in addition to all information required under section 286-47, the serial number of the tag or emblem and shall be valid during the registration year only for which they are issued. The certificates of ownership need not be renewed annually but shall remain valid as to any interest shown therein until canceled by the director of finance as provided by law or replaced by new certificates of ownership as hereinafter provided.”

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved April 13, 2010.)