

ACT 64

S.B. NO. 1325

A Bill for an Act Relating to Motor Vehicle Registration.

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

SECTION 1. Section 286-2, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Aftermarket motorcycle frame” means a frame that is manufactured to replace the frame of a motorcycle that was certified by its manufacturer to be in

compliance with all applicable Federal Motor Vehicle Safety Standards as of the date of manufacture, or the frame of a homemade motorcycle that was manufactured not for profit by a person who built the motorcycle as a hobby.”

SECTION 2. Section 286-42, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The county director of finance shall examine and to the best of the director’s ability determine the genuineness and regularity of every registration and transfer of registration of a vehicle ~~[as in]~~ pursuant to this part ~~[provided, in order]~~ to ensure that every certificate issued for a vehicle ~~[shall contain]~~ contains true statements of the ownership ~~[thereof,]~~ of the vehicle and to prevent the registration of a vehicle by any person not entitled ~~[thereto, and the]~~ to the vehicle. The director of finance may require any applicant to furnish ~~[such]~~ information, in addition to that contained in the application, ~~[as may be]~~ that is necessary to satisfy the director of finance of the truth and regularity of the application. The director of finance may accept any county certificate of title issued for a vehicle as prima facie evidence of ownership for registration and transfer of registration. The director may issue vehicle identification numbers for reconstructed vehicles, special interest vehicles, or motorcycles~~[-which]~~ that do not have vehicle identification numbers if the director determines that the requirements of this section have been met.

The county director of finance may register a motorcycle with an ~~[after market]~~ aftermarket motorcycle frame, using the ~~[vehicle identification]~~ number of the frame as issued by the ~~[incomplete vehicle]~~ manufacturer of the frame~~[-]~~, the vehicle identification number on the certification label, or a vehicle identification number assigned by the director of finance. A bill of sale and ~~[Manufacturers]~~ Manufacturer’s Statement of Origin for the frame, engine, and transmission must be presented and retained as a part of the permanent county registration records. If a ~~[Manufacturers]~~ Manufacturer’s Statement of Origin is not available for the engine and transmission due to the use of a used or reconstructed engine, transmission, or both, then a bill of sale or other proof of ownership, satisfactory to the director of finance must be presented. Except for motorcycles that are built on an aftermarket motorcycle frame, special interest vehicles, and reconstructed vehicles, any motor vehicle or device that is not certified by the manufacturer to be in compliance with all applicable Federal Motor Vehicle Safety Standards as of the date of manufacturer shall not be registered.”

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

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

(Approved May 26, 2011.)