

Definitions

Antique motor vehicle. Any motor vehicle, including a motorcycle or a motor scooter which produces not more than twelve horsepower, of the age of thirty-five years or more from the date of manufacture, that is of the original factory specification or restored to the original specifications in an unaltered or unreconstructed condition, operated or moved over the highway primarily for the purpose of historical exhibition or other similar purposes.

Collector. 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. A vehicle that is owned by a collector to furnish parts for the restoration or maintenance of a special interest vehicle.

Rebuilt vehicle. Any vehicle which has been declared a total loss by an insurer and has been rebuilt or repaired to operate on public highways. For the purpose of this definition, a vehicle is a total loss only if there is material damage to the vehicle's frame, unitized structure, or suspension system, and the projected cost of repairing the damage exceeds the market value of the vehicle at the time of the incident causing it to be declared a total loss.

Reconstructed vehicle. A vehicle that is registered to be operated on a public highway, and that is:

- (1) Assembled from new or used parts by a person other than a recognized manufacturer of new vehicles;
- (2) Modified to the extent that the identity of the vehicle's make, model, or type is obscured by material changes in its appearance; or
- (3) Modified by the removal, addition, alteration, or substitution of other than original replacement essential parts, including the vehicle's body, power train, steering system, suspension system, exhaust system, intake system, or bumper system; excluding ordinary body repair that does not change the exterior structure of the vehicle. The term does not include a special interest vehicle or a motorcycle.

Special interest vehicle. 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 1968; and a vehicle manufactured after 1967 to resemble a vehicle manufactured before 1968.

Street Rod Replica Vehicle. 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 1968; or
- (3) Components manufactured after 1967 to resemble a vehicle manufactured before 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. A vehicle that was:

- (1) Manufactured before 1968; or
- (2) Manufactured after 1967 to resemble a vehicle manufactured before 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.

Vehicle identification number. The unique series of letters and numerals assigned to a vehicle either by the vehicle manufacturer or incomplete vehicle manufacturer as required by federal law, or by the county director of finance to identify a reconstructed vehicle, special interest vehicle, or motorcycle.

Titling & Registration

From Hawaii Administrative Code:

RECONSTRUCTED VEHICLES

Only the City & County of Honolulu has a reconstructed vehicle inspection program. A vehicle is considered a reconstructed vehicle subject to the reconstructed vehicle inspection law if any of the following conditions exist.

1. The original engine is relocated in the vehicle or is replaced with an engine that is not an original replacement equipment part (OREP) engine.
2. The carburetor, fuel injection system, air intake system, intake manifolds, or fuel tank of the original system is replaced with other than OREP components.
3. The original transmission is relocated in the vehicle or is replaced with a transmission that is not OREP equipment.
4. The original rims are reverse mounted or the rims or tires are replaced with other than OREP rims or tires that are more than plus or minus one inch rim diameter or more than plus or minus two inches rim width.
5. The original suspension system components (springs, torsion bars, shock absorbers, sway bars, etc.) are:
 - (A) Replaced with other than OREP components; or
 - (B) Adjusted, or equipped with added components, to change the height of the vehicle frame, as measured from the axle to frame.
6. The original vehicle body is:
 - (A) Replaced with a body that is other than an OEM body;

 - (B) Modified by replacing the hood, fenders, doors, or other body assemblies with other than OREP components;
 - (C) Modified by the removal of significant portions of the hood, fenders, doors, or other body assemblies;
 - (D) Modified by changing the size of the windshield, or by changing the size of any window or window opening;
 - (E) Modified by changing the location of the driver's seating position within the vehicle which requires modification of the vehicle's floor pan; or
 - (F) Modified by additions to the hood, fenders, doors, or other body assemblies which significantly change the appearance or function of the body component.
7. The original vehicle frame, or any chassis structural assembly used as a frame is changed or modified in any manner.
8. An original axle, or assembly which functions as an axle is:
 - (A) Replaced with other than an OREP axle;
 - (B) Relocated to a different position with respect to the vehicle frame; or
 - (C) Modified to a different configuration or dimension.
9. Any original steering system component is:
 - (A) Replaced with other than an OREP component; or
 - (B) Modified or relocated in any manner.
10. The original headlamps, tail lamps, marker lamps, signal lamps, or exterior reflectors are:
 - (A) Replaced with other than OREP components; or
 - (B) Relocated in a manner that significantly changes the appearance of the vehicle.
11. Any original service brake system or parking brake system component is:
 - (A) Replaced with other than OREP components;
 - (B) Modified in any manner except for the installation of OEM or OREP manufactured for that vehicle; or
 - (C) Relocated in any manner.

Reconstructed Vehicle Permit Required (Line 31)

Fail if:

- ▶ If vehicle lacks required recon permit and sticker.

REGISTRATION (Line 22)

Registration Certificate

- ▶ Vehicle description & VIN must match the vehicle
- ▶ License plate numbers & decal on vehicle must match the registration certificate.

Hawaii Insurance Identification Card (Line 32)

- ▶ Insurance must be in effect at the time of inspection

VIN must be in agreement with:

- ▶ Registration and vehicle
- ▶ Insurance card VIN for vehicle

Plates

- ▶ Vehicles must have two plates
- ▶ Plates must be secure and legible
- ▶ Plates must be least 12 inches above the ground.

If the vehicle passed the registration inspection but failed one of the other criteria, do not sign the form or affix a sticker. Put your inspector number in the right-hand boxes (the boxes on the left are used when a different inspector passes a vehicle that failed earlier) and give the blue copy of the form to the driver so he or she will know what items need to be corrected in order for the vehicle to pass inspection. (Since some boxes include more than one criterion, some explanation may be necessary to ensure that the owner understands the defects that exist). When he or she returns, check the items that failed the first inspection. If they pass, indicate that the failed items are corrected. If another inspector failed the vehicle and you are now passing it, put your inspector number in the boxes on the left side of the form, sign the form in the signature box and affix the stickers. If you failed the vehicle and your number is in the boxes on the right side of the form, do not fill in the Inspector Number boxes on the left side of the form. Leave them blank until the vehicle passes.

If the vehicle failed the registration inspection, sign the blue copy outside of the signature box, put your inspector number in the "Inspector Number" boxes located on the right-hand side of the form and give it to the driver. Having your signature outside of the box helps the motor vehicle registration clerks check the validity of the form. When the defect is corrected, indicate it in the pointed box at the top section of the form, and sign in the box. If a different inspector at the station completes the inspection, that inspector signs in the box and places his or her inspector's number in the left-hand boxes.

MICHIE'S HAWAII REVISED STATUTES ANNOTATED

© 2016 Matthew Bender & Company, Inc.

a member of the LexisNexis Group.

All rights reserved.

*** THIS DOCUMENT IS CURRENT FOR 2016 LEGISLATION ACTS 1 THROUGH 150 ***

*** ANNOTATIONS CURRENT THROUGH APRIL 1, 2016. ***

DIVISION 1. Government
TITLE 17 Motor And Other Vehicles
Chapter 286 Highway Safety
PART II. Inspection of Vehicles

Hawaii Code

HRS § 286-26.5 (2016)

§ 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 1968; or
- (3) Components manufactured after 1967 to resemble a vehicle manufactured before 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 1968; or
- (2) Manufactured after 1967 to resemble a vehicle manufactured before 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 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 1967 to resemble a vehicle manufactured before 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 1967 to resemble a vehicle manufactured before 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 1967 to resemble a vehicle manufactured before 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;
- (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) Bumpers, hoods, door handles, and fenders shall be optional equipment on **street rod vehicles and street rod replica vehicles**; and

(4) Bumpers, hoods, door handles, and fenders shall be optional equipment on vehicles manufactured before 1968, and on vehicles manufactured after 1967 to resemble a vehicle manufactured before 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 1968 or components manufactured after 1967 to resemble a vehicle manufactured before 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 1968 or components manufactured after 1967 to resemble a vehicle manufactured before 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.

HISTORY: L 1997, c 246, § 2; am L 2004, c 126, § 2

MICHIE'S HAWAII REVISED STATUTES ANNOTATED

© 2016 Matthew Bender & Company, Inc.

a member of the LexisNexis Group.

All rights reserved.

*** THIS DOCUMENT IS CURRENT FOR 2016 LEGISLATION ACTS 1 THROUGH 150 ***

*** ANNOTATIONS CURRENT THROUGH APRIL 1, 2016. ***

DIVISION 1. GOVERNMENT

TITLE 14 Taxation

CHAPTER 249 County Vehicular Taxes

VEHICLE WEIGHT TAX

Hawaii Code

HRS § 249-2 (2016)

§ 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 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 a vehicle is transported to another county after the payment of the tax, no additional tax shall be imposed on the vehicle for the remaining period of the year for which the tax has been paid.

HISTORY: RL 1935, pt of § 2157; am L 1937, c 214, § 1; RL 1945, § 5705; am L 1951, c 162, § 1; RL 1955, § 130-2; am L 1963, c 97, § 2; am L 1965, c 266, § 1; am L 1966, c 49, § 2; am L 1967, c 137, § 2; HRS § 249-2; am L 2010, c 20, § 1, effective April 13, 2010.

Hawaii Code

HRS § 249-9 (2016)

§ 249-9. Number plates; purchase.

(a) The number plates hereinabove referred to shall be used upon all vehicles for which a tax has been paid pursuant to sections 249-1 to 249-13. All such plates shall:

(1) Bear the word "Hawaii" along the upper portion of the plate and the words "Aloha State" along the lower portion of the plate;

(2) Have a distinct contrast between the color of the plate and the numerals and letters thereon; and

(3) Be of such shape, size, and color, and with such arrangements of letters and numbers as may, subject to sections 249-1 to 249-13, be determined by the directors of finance of each county through majority consent.

The numerals on all such plates shall be not less than three inches in height and the strokes thereof not less than three-eighths inch in width, except in the case of motorcycles, in which case the numerals shall not be less than one inch in height and the strokes thereof not less than one-eighth inch in width.

The director of finance of the city and county of Honolulu shall contract annually on behalf of the counties for the purchase of all number plates, tags, or emblems required. The council of each county shall appropriate and cause to be paid over to the party with whom the director of finance of the city and county of Honolulu shall contract, or to the director of finance of the city and county of Honolulu as the director may direct, such sum or sums as the director of finance of the city and county of Honolulu shall determine to be the county's proportionate share of the expense of such contract and the charges connected therewith. The contract shall be made by the director of finance of the city and county of Honolulu as agent of the several counties, and the proportionate liability of each county shall be stated in the contract. Notwithstanding any other provision of the law, the contract shall constitute a valid obligation of each county for its proportionate share.

(b) The number plates for members of the Congress of the United States from the State shall designate their office and be of the type and color authorized for motor vehicles in the State; provided that the number on the plates of the United States senator and the United States representative shall be assigned in terms of seniority of service with the senator or representative having the greater length of service having the number "1" and consecutively thereafter for the others. The director of finance of the city and county of Honolulu shall, in the director's procurement of the number plates on behalf of the counties, contract for the number plates of the members of Congress and all expenses connected therewith shall be paid by the respective members of Congress.

(c) Notwithstanding any other provision of the law, any **antique** motor **vehicle** shall be issued a special number plate for a fee of \$10 which plate shall be permanent and valid for use on such vehicles so long as the vehicle is in existence in lieu of the uniform state number plates. The director of finance may discard and allow for new applications of inactive special number plates that have not been assigned or registered during the preceding three years. In addition to the payment of any other fee required by law, applicable to **antique** motor **vehicles**, the owner of any such vehicle shall pay the fee for the issuance of the special number plate. The registration numerals and special number **plates** assigned to **antique** motor **vehicles**

shall be labeled "**Horseless Carriage**" and "Permanent" and shall run in a separate numerical series, commencing with **Horseless Carriage** No. 1.

HISTORY: RL 1935, pt of § 2157; am L 1937, c 214, § 1, subs 6; RL 1945, § 5710; am L 1947, c 33, § 1; am L 1951, c 162, § 4; RL 1955, § 130-9; am L Sp 1959 2d, c 1, § 9; am L 1961, c 11, § 1; am L 1967, c 137, § 3; HRS § 2499; am L 1982, c 237, § 2; am imp L 1984, c 90, § 1; am L 1990, c 132, § 2; am L 1997, c 326, § 2; am L 1999, c 208, § 1

DIVISION 1. GOVERNMENT

TITLE 14 Taxation

CHAPTER 249 County Vehicular Taxes

VEHICLE WEIGHT TAX

Hawaii Code

HRS § 249-10 (2016)

§ 249-10. Delinquent penalties; seizure and sale for tax.

(a) Any tax imposed by sections 249-1 to 249-13 for any year and not paid when due, shall become delinquent and a penalty shall be added to, and become part of, the delinquent tax. The amount of the delinquency penalty shall be established by the county's legislative body. If the date that the tax is due is a Saturday, Sunday, or legal holiday, the tax shall become delinquent at the end of the next day that is not a Saturday, Sunday, or legal holiday. The director of finance may require the payment of any delinquent tax and penalty as a condition precedent to the registration, renewal, or transfer of ownership of such vehicle. Any vehicle not having the number plates required by sections 249-1 to 249-13, or any vehicle upon which taxes are delinquent as provided in this section, may be seized, wherever found, by the director of finance or by any police officer, and held for a period of ten days, during which time the vehicle shall be subject to redemption by its owner by payment of the taxes due, together with the delinquent penalties and the cost of storage and other charges incident to the seizure of the vehicle. The director of finance, chief of police, or any police officer shall be deemed to have seized and taken possession of any vehicle, after having securely sealed it where located and posted a notice upon the vehicle, setting forth the fact that it has been seized for taxes and warning all other persons from molesting it under penalty provided by section 249-11.

(b) All vehicles seized and sealed shall remain at the place of seizure or at any other place that the director of finance may direct, at the expense and risk of the owner. If the owner of the vehicle fails to redeem it within ten days after seizure, the vehicle may be sold by the director of finance at public auction to the highest bidder for cash, after giving ten days public notice in the county and by posting notices in at least three public places in the district where the vehicle was seized; provided that the requirements of public auction may be waived when the appraised value of any vehicle is less than \$250 as determined by the director of finance or authorized representative, in which case the vehicle may be disposed of in the same manner as when a vehicle is put up for public auction and for which no bid is received. The amount realized at the sale, less the amount of the tax and penalty due, together with all costs incurred in giving public notice, storing, and selling the vehicle and all other charges incident to the seizure and sale, shall be paid to the owner of the vehicle. If no claim for the surplus is filed with the director of finance within sixty days from the date of the sale, the surplus shall be paid into the county treasury as a government realization and all claim to that sum shall thereafter be forever barred.

(c) The owner of any **antique** motor **vehicle** shall be exempt from the tax and delinquent penalty imposed under this chapter for the entire period of nonuse; provided that the owner of the **antique** motor **vehicle** shall first present to the director of finance a signed and sworn certificate attesting to the **antique** motor **vehicle's** period of nonuse.

HISTORY: RL 1935, pt of § 2157; am L 1937, c 214, § 1, subs 7; RL 1945, § 5711; am L 1951, c 162, § 5; RL 1955, § 130-10; HRS § 249-10; am L 1982, c 295, § 1; am L 1989, c 158, § 2; am L 1993, c 151, § 1; am L 1995, c 164, § 1; am L 1998, c 2, § 71

MICHIE'S HAWAII REVISED STATUTES ANNOTATED

© 2016 Matthew Bender & Company, Inc.

a member of the LexisNexis Group.

All rights reserved.

*** THIS DOCUMENT IS CURRENT FOR 2016 LEGISLATION ACTS 1 THROUGH 150 ***

*** ANNOTATIONS CURRENT THROUGH APRIL 1, 2016. ***

DIVISION 1. GOVERNMENT

TITLE 14 Taxation

CHAPTER 249 County Vehicular Taxes

OTHER LEVIES

Hawaii Code

HRS § 249-31 (2016)

§ 249-31. State registration fee.

(a) All vehicles and motor vehicles in the State as defined in section 249-1, including antique motor vehicles, except as otherwise provided in sections 249-4, 249-6, and 249-31.5, shall be subject to a \$45 annual vehicle registration fee. The fee shall be paid each year together with all other taxes and fees levied by this chapter 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.

(b) From each annual motor vehicle registration fee, the director shall deposit \$40 into the state highway fund and \$5 into the emergency medical services special fund.

HISTORY: L 1976, c 188, pt of § 3; am L 1978, c 159, § 2; am L 1981, c 50, § 2; am L 1985, c 239, § 2; am L 1991, c 263, § 12; am L 2004, c 158, § 3; am L 2005, c 22, § 7; am L 2010, c 20, § 2, effective April 13, 2010; am L 2011, c 162, § 1, effective July 1, 2011; am L 2015, c 128, § 2, effective June 19, 2015.

Hawaii Code

HRS § 249-33 (2016)

§ 249-33. State vehicle weight tax, exemptions.

(a) All vehicles and motor vehicles in the State as defined in section 249-1, including **antique** motor **vehicles**, except as otherwise provided in sections 249-3 to 249-6, in addition to all other fees and taxes levied by this chapter, shall be subject to an annual state vehicle weight tax. The tax shall be levied by the county director of finance at the rate of .75 cents a pound according to the net weight of each vehicle as the "net weight" is defined in section 249-1 up to and including four thousand pounds net weight; vehicles over four thousand pounds and up to and including seven thousand pounds net weight shall be taxed at the rate of 1.00 cent a pound; vehicles over seven thousand pounds and up to and including ten thousand pounds net weight shall be taxed at the rate of 1.25 cents a pound; vehicles over ten thousand pounds net weight shall be taxed at a flat rate of \$150.

(b) The tax shall become due and payable in each year together with all other taxes and fees levied by this chapter 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.

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.

(c) The exemptions provided by sections 249-3 to 249-6 shall apply to this section. The provisions for refunds, and taxes for fraction of years for vehicles removed from or brought into the State and for junked vehicles, contained in sections 249-3 and 249-5 shall apply to the tax levied by this section.

(d) If it is shown to the satisfaction of the department of transportation of the State, based upon proper records and from such other evidence as the department of transportation may require, that any vehicle with a net vehicle weight of six thousand pounds or over is used for agricultural purposes the owner thereof may obtain a refund of all taxes thereon imposed by this section. The department of transportation shall prescribe rules to administer such refunds.

(e) The counties shall be reimbursed the incremental costs incurred in the collection and administration of taxes and fees imposed under section 249-31 and this section; the amount of reimbursement shall be determined by the director of transportation.

HISTORY: L 1977, c 195, § 1; am L 1978, c 159, § 3; am L 1981, c 50, § 3; am L 1985, c 239, § 3; am L 1991, c 263, §§ 13, 14; am L 2016, c 20, § 3, effective April 13, 2016.

DIVISION 1. Government
TITLE 17 Motor And Other Vehicles
Chapter 286 Highway Safety
PART III. Registration of Vehicles

Goto the Hawaii Code Archive Directory

HRS § 286-41 (2010)

§ 286-41. Application for registration; full faith and credit to current certificates; this part not applicable to certain equipment.

(a) Every owner of a motor vehicle which is to be operated upon the public highways shall, for each vehicle owned, except as herein otherwise provided and except as provided in section 286-42(c), apply to the director of finance of the county where the vehicle is to be operated, for the registration thereof. If a vehicle is moved to another county and is to be operated upon the public highways of that county, the existing certificate of registration shall be valid until its expiration date, at which time the owner shall apply to the director of finance of the county in which the vehicle is then located for the registration of the vehicle, whether or not the owner is domiciled in the county or the owner's principal place of business is in that county, except that this provision shall not apply to vehicles which are temporarily transferred to another county for a period of not more than three months.

(b) Application for the registration of a vehicle shall be made upon the appropriate form furnished by the director of finance and shall contain the name, occupation, and address of the owner and legal owner; and, if the applicant is a member of the United States naval or military forces, the applicant shall give the organization and station. All applications shall also contain a description of the vehicle, including the name of the maker, the type of fuel for the use of which it is adapted (e.g., gasoline, diesel oil, liquefied petroleum gas), the serial or motor number, and the date first sold by the manufacturer or dealer, and such further description of the vehicle as is called for in the form, and such other information as may be required by the director of finance, to establish legal ownership. A person applying for initial registration of a neighborhood electric vehicle shall certify in writing that a notice of the operational restrictions applying to the vehicle as provided in section 291C-134 are contained on a permanent notice attached to or painted on the vehicle in a location that is in clear view of the driver.

(c) If the vehicle to be registered is specially constructed, reconstructed, or rebuilt; is a special interest vehicle; or is an imported vehicle, this fact shall be stated in the application and upon the registration of the special interest motor vehicle and imported motor vehicle, which has been registered until that time in any other state or county, and the owner shall surrender to the director of finance the certificates of registration or other evidence of such form of registration as may be in the applicant's possession or control. The director of finance shall grant full faith and credit to the currently valid certificates of title and registration describing the vehicle, the ownership thereof, and any liens noted thereon, issued by any title state or county in which the vehicle was last registered. The acceptance by the director of finance of a certificate of title or of registration issued by another state or county, as provided in this subsection, in the absence of knowledge that the certificate is forged, fraudulent, or void, shall be a sufficient determination of the genuineness and regularity of the certificate and of the truth of the recitals therein, and no liability shall be incurred by any officer or employee of the director of finance by reason of so accepting the certificate.

(d) The owner of every motor vehicle of the current, previous, and subsequent year model bought out-of-state, subsequently brought into the State, and subject to the use tax under chapter 238 shall provide with the application for registration proof of payment of the use tax pursuant to requirements established by the department of taxation. No registration certificate shall be issued without proof of payment of the use tax.

(e) Notwithstanding any other law to the contrary, the director of finance of the county in which the application for registration is sought shall not require proof of insurance as a condition to satisfy the requirements of this part. This subsection shall apply only to the initial registration of any motor vehicle.

- (f) The provisions of this part requiring the registration of motor vehicles shall not apply to:
- (1) Special mobile equipment;
 - (2) Implements of husbandry temporarily drawn, moved, or otherwise propelled upon the public highways; and
 - (3) Aircraft servicing vehicles which are being used exclusively on lands set aside to the department of transportation for airport purposes.

HISTORY: L 1929, c 197, § 1; RL 1935, § 2665; RL 1945, § 7336; am L 1951, c 168, § 1(b), (c); am L 1953, c 69, § 1; am L 1955, c 165, § 1; RL 1955, § 160-2; HRS § 286-41; am imp L 1984, c 90, § 1 and am L 1984, c 276, § 5; am L 1986, c 33, § 2 and c 50, § 2; am L 1987, c 171, § 1; am L 1997, c 246, § 5; am L 1999, c 262, pt of § 2; am L 2002, c 225, § 2; am L 2003, c 3, § 9; am L 2015, c 47, § 2, effective July 1, 2015.

DIVISION 1. Government
TITLE 17 Motor And Other Vehicles
Chapter 286 Highway Safety
PART III. Registration of Vehicles

Hawaii Code

HRS § 286-42 (2016)

§ 286-42. County finance director's duties.

(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 pursuant to this part to ensure that every certificate issued for a vehicle contains true statements of the ownership of the vehicle and to prevent the registration of a vehicle by any person not entitled to the vehicle. The director of finance may require any applicant to furnish information, in addition to that contained in the application, 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 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 aftermarket motorcycle frame, using the number of the frame as issued by the 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 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 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.

(b) For the purpose of registering standard makes and body types of new passenger motor vehicles the director of finance may accept the certificate of any licensed motor vehicle dealer certifying to the weight and identification of such vehicle. The director of finance of any county may accept the certificate of the director of finance of any other county as to weight and identification of any such vehicle.

(c) The director of finance may enter into a contract with car dealerships and motor vehicle rental companies for the registration of new and used motor vehicles consistent with any statute, ordinance, or provision of any applicable collective bargaining agreement. The director of finance may adopt rules pursuant to chapter 91 as may be necessary for the application, bonding, and procedural requirements of the contractor.

(d) In the event the director of finance is not satisfied as to the ownership of any vehicle sought to be registered, unless the applicant presents satisfactory evidence to the director of finance of the applicant's ownership of the vehicle and as to any liens thereon, the director of finance may accept from the applicant a bond in such form as may be determined by the director of finance in an amount equal to the retail value of the vehicle. The bond and the deposit thereof shall be conditioned to protect the director of finance and any subsequent purchaser of the vehicle or person acquiring any lien thereon or the successor in interest of any such person against any loss or damage on account of any defect in or undisclosed encumbrance upon the right, title, and interest of the applicant in and to the vehicle. Any such interested person shall have a right of action to recover on any such bond for any breach of the conditions for which the same was deposited. The aggregate liability of the surety to all such persons shall in no event exceed the amount of the bond and interest thereon, plus a reasonable attorney's fee to be allowed by the court incurred to procure the recovery under the bond. The bond shall (unless suit has been instituted thereon) be returned and surrendered at the end of three years.

(e) The county finance director, upon being notified by the designated county department that a vehicle is a special interest vehicle or that a vehicle has been inspected and approved as a reconstructed vehicle,

shall cause that fact to be shown upon the registration and title certificates for that vehicle.

HISTORY: L 1929, c 197, § 2; RL 1945, § 7337; am L 1949, c 162, § 1; am L 1953, c 69, § 2; RL 1955, § 160-3; am L Sp 1959 2d, c 1, § 16; HRS § 286-42; am L 1977, c 77, § 3; am imp L 1984, c 90, § 1 and am L 1984, c 276, § 6; am L 1992, c 135, § 1; am L 1995, c 164, § 2; am L 1996, c 108, § 1; am L 1997, c 246, § 6; am L 2002, c 255, § 3; am L 2011, c 64, § 2, effective May 26, 2011; am L 2015, c 47, § 3, effective July 1, 2015.

DIVISION 1. Government
TITLE 17 Motor And Other Vehicles
Chapter 286 Highway Safety
PART IV. Safety Equipment

Hawaii Code

HRS § 286-85 (2016)

§ 286-85. Reconstructed vehicles, approval required.

- (a) No person shall operate a **reconstructed vehicle** upon a public highway unless it has been inspected and certified by the designated county agency as meeting the specifications and requirements established in rules and regulations adopted by the state director of transportation.
- (b) This section shall not apply to any vehicle which is subject to the rules and regulations of the public utilities commission governing safety of operation and equipment.
- (c) Each county through its chief executive officer, shall designate a county department, whose responsibilities shall include the inspection of **reconstructed vehicles** and the issuance of permits to operate **reconstructed vehicles** pursuant to standards established by the state director of transportation.
- (d) The state director of transportation shall adopt rules pursuant to chapter 91, establishing the fees an inspector may charge for the inspection of a **reconstructed vehicle**.
- (e) The department designated pursuant to subsection (c) shall identify to the county director of finance every vehicle that has been inspected and approved as a **reconstructed vehicle**.
- (f) This section shall not apply to any privately owned **reconstructed vehicle** in a county with a population of less than 500,000.

HISTORY: L 1977, c 77, § 2; am L Sp 1977 1st, c 20, § 12; am L 1986, c 122, § 1

DIVISION 2. BUSINESS
TITLE 24 Insurance
CHAPTER 431 Insurance Code
Article 10C. Motor Vehicle Insurance
PART I. General Provisions

Hawaii Code

HRS § 431:10C-104 (2016)

§ 431:10C-104. Conditions of operation and registration of motor vehicles.

(a) Except as provided in section 431:10C-105, no person shall operate or use a motor vehicle upon any public street, road, or highway of this State at any time unless such motor vehicle is insured at all times under a motor vehicle insurance policy.

(b) Every owner of a motor vehicle used or operated at any time upon any public street, road, or highway of this State shall obtain a motor vehicle insurance policy upon such vehicle which provides the coverage required by this article and shall maintain the motor vehicle insurance policy at all times for the entire motor vehicle registration period.

(c) Any person who violates the provisions of this section shall be subject to the provisions of section 431:10C-117(a).

(d) The provisions of this article shall not apply to any vehicle owned by or registered in the name of any agency of the federal government, or to any **antique motor vehicle** as defined in section 249-1.

HISTORY: L 1987, c 347, pt of § 2; am L 1989, c 195, § 31; am L 1996, c 56, § 2; am L 1997, c 251, § 14

DIVISION 1. Government
TITLE 17 Motor And Other Vehicles
Chapter 286 Highway Safety
PART III. Registration of Vehicles

Goto the Hawaii Code Archive Directory

HRS § 286-48 (2016)

§ 286-48. Certificates of ownership of salvaged motor vehicles.

(a) Whenever a motor vehicle subject to registration under this part is sold as salvage or conveyed to an insurance company, in the ordinary course of business or as the result of a total loss insurance settlement where the insurance company receives the certificates of registration and ownership, the purchaser or, if an insurance company its authorized agent, shall within ten days from the purchase, or the settlement of the insurance loss, forward the motor vehicle's endorsed certificate of ownership or other evidence of title, certificate of registration, license plates, and an application for a salvage certificate as provided for in section 286-44.5, to the director of finance. If the certificate of registration or one or both license plates are lost, an affidavit, duly notarized and signed by the party responsible for the compliance of this section stating that the party has no knowledge of the location of the certificate of registration or the license plates, shall be filed with the director of finance of the county having jurisdiction over the vehicle. In any event the certificate of ownership or other evidence of title shall be forwarded to the director of finance.

(b) Upon receipt of the certificate of ownership, certificate of registration, license plates, and application for a salvage certificate, the director of finance shall issue a salvage certificate in the name of the purchaser or insurance company.

(c) Upon resale of the salvage vehicle, the seller or, if the seller is an insurance company, its authorized agent shall transfer the salvage certificate and issue a bill of sale to the purchaser which shall be on a form prescribed by the director of finance. The seller shall notify the purchaser, in writing, of the requirements of this chapter regarding the recertification of salvage vehicles. The seller shall sell the salvage vehicle only to a person licensed pursuant to chapter 437B, sections 289-4, or 445-232, or any person who executes an affidavit which states whether or not the salvage vehicle would be used to construct a **rebuilt vehicle** as defined in section 286-2 and that if the salvage **vehicle is to be rebuilt**, the purchaser will register the **rebuilt vehicle** as required by this chapter.

(d) In the event the salvage **vehicle is rebuilt** so as to be capable of again operating on the highways of this State, the motor vehicle shall not be licensed for such operation, nor shall the ownership thereof be transferred until there is submitted to the director of finance:

(1) The prescribed bill of sale;

(2) An appropriate application for registration of the **rebuilt** or restored motor **vehicle** along with the salvage certificate and a certificate of inspection signed by the registered or certified motor vehicle repair dealer who is bonded as required by section 437B-26, and who **rebuilt** the **vehicle**, attesting that the original recognized vehicle manufacturer's established repair procedures or specifications and allowable tolerances for the particular model and year were utilized and adhered to; and

(3) Any other document and fee required by the director of finance.

The counties may, by ordinance, establish the fee to be charged for the inspection of **rebuilt** motor **vehicles**.

(e) Whenever a certificate of registration and certificate of ownership is issued for a motor vehicle with respect to which a salvage certificate has been previously issued, the new certificates shall conform to the requirements of section 286-47 and:

(1) Bear the words "**Rebuilt Vehicle**"; and

(2) Appear in such a manner as to distinguish them from the certificate of registration and certificate of ownership for motor **vehicles** other than **rebuilt** or restored motor **vehicles**.

(f) In the event a total loss insurance settlement between an insurance company and its insured or a claimant for property damage caused by its insured results in the retention of the salvage vehicle by the insured or claimant, as the case may be, then in such event, the insurance company or its authorized agent shall notify, within ten days from the date of settlement, the director of finance of such retention by its insured or claimant, as the case may be, and shall notify its insured, or claimant as the case may be, in writing, of the requirements of this chapter regarding the recertification of salvage vehicles. The notification shall be on a form prescribed by the director of finance.

HISTORY: L 1967, c 178, § 2; HRS § 286-48; am L 1969, c 194, § 1; am imp L 1984, c 90, § 1 and am L 1984, c 276, § 7; am L 1986, c 74, § 2; am L 1987, c 51, § 1; am L 1988, c 315, § 1

MICHIE'S HAWAII REVISED STATUTES ANNOTATED

© 2016 Matthew Bender & Company, Inc.

a member of the LexisNexis Group.

All rights reserved.

*** THIS DOCUMENT IS CURRENT FOR 2016 LEGISLATION ACTS 1 THROUGH 150 ***

*** ANNOTATIONS CURRENT THROUGH APRIL 1, 2016. ***

DIVISION 1. Government
TITLE 17 Motor And Other Vehicles
Chapter 286 Highway Safety
PART II. Inspection of Vehicles

Hawaii Code

HRS § 286-26 (2016)

§ 286-26. Certificates of inspection.

(a) The following vehicles shall be certified as provided in subsection (e) once every year:

- (1) Trucks, truck-tractors, semitrailers, and pole trailers having a gross vehicle weight rating of more than 10,000 pounds;
- (2) Buses;
- (3) Rental or U-drive motor vehicles two years of age or older; and
- (4) Taxicabs.

Ambulances shall be certified as provided in subsection (e) once every six months.

(b) All other vehicles, including motorcycles, trailers, semitrailers, and pole trailers having a gross vehicle weight rating of 10,000 pounds or less, and antique motor vehicles as defined in section 249-1, except those in subsections (c) and (d), shall be certified as provided in subsection (e) every twelve months; provided that any vehicle to which this subsection applies shall not require inspection within two years of the date on which the vehicle was first sold.

(c) Any vehicle that has been involved in an accident shall be certified as provided in subsection (e) before it is operated again if:

- (1) It is determined by a police officer or an insurer that the vehicle's equipment has been damaged so as to render the vehicle unsafe; or
- (2) It is rebuilt or restored.

(d) Every vehicle shall be certified prior to the issuance of a temporary or permanent registration by the director of finance and prior to the transfer of any registration; provided that this requirement shall not apply to a subsequent transfer of registration in a vehicle that carries a current certificate of inspection.

(e) Upon application for a certificate of inspection to be issued for a vehicle, an inspection as prescribed by the director under subsection (g) shall be conducted on the vehicle, and if the vehicle is found to be in a safe operating condition, a certificate of inspection shall be issued upon payment of a fee to be determined by the director. The certificate shall state the effective date, the termination date, the name of the issuing insurance carrier, and the policy number of the motor vehicle insurance identification card for the inspected motor vehicle as specified by section 431:10C-107 or state the information contained in the proof of insurance card as specified by section 431:10G-106. A sticker, authorized by the director, shall be affixed to the vehicle at the time a certificate of inspection is issued. An inspection sticker which has been lost, stolen, or destroyed shall be replaced without reinspection by the inspection station that issued the original inspection sticker upon presentation of the vehicle's current certificate of inspection; provided that the current certificate of inspection and inspection sticker shall not have expired at the time the replacement is requested. The director shall adopt rules to determine the fee for replacement of lost, stolen, or destroyed inspection stickers.

(f) The operator of an official inspection station shall pay, from the fee in subsection (e), an amount to be determined by rules adopted pursuant to chapter 91 to the director of transportation. This amount shall be expended only for administration and enforcement of the periodic motor vehicle inspection program. The funds collected pursuant to this subsection shall be deposited into the highway special fund.

(g) The director of transportation shall adopt necessary rules for the administration of inspections and the issuance of certificates of inspection.

(h) This section shall not apply to:

(1) Any motor vehicle which is covered by part XI, governing safety of motor carrier vehicle operation and equipment; provided that the rules adopted pursuant to part IA impose standards of inspection at least as strict as those imposed under subsection (g) and that certification is required at least as often as provided in subsections (a), (b), (c), and (d); and

(2) Aircraft servicing vehicles that are being used exclusively on lands set aside to the department of transportation for airport purposes.

(i) As part of the inspection required by this section, the owner of the vehicle to be inspected shall produce and display the motor vehicle insurance identification card for the inspected motor vehicle required by section 431:10C-107 or the proof of insurance card required by section 431:10G-106. If no

card is displayed, then the sticker authorized by the director shall not be affixed to the vehicle and the certificate of inspection shall not be issued.

HISTORY: L 1967, c 214, pt of § 2; HRS § 286-26; am L 1969, c 128, § 1(3); am L 1970, c 73, § 1(c); am L 1974, c 98, § 2; am L Sp 1977 1st, c 20, § 11; am L 1978, c 91, § 9; am L 1982, c 13, §§ 1, 2; am L 1984, c 276, § 4; am L 1986, c 33, § 1 and c 239, § 1; am L 1987, c 222, § 1; am L 1988, c 253, § 1; am L 1989, c 326, § 1; am L 1990, c 34, § 14; am L 1992, c 170, § 1; am L 1992, c 242, § 1; am L 1997, c 251, §§ 5, 6; am L 2002, c 138, § 1; am L 2016, c 200, § 11(1), 11(2), effective January 1, 2017

Equipment Exemptions

From Hawaii Revised Statutes Annotated:

*** THIS DOCUMENT IS CURRENT FOR 2016 LEGISLATION ACTS 1 THROUGH 150 ***
*** ANNOTATIONS CURRENT THROUGH APRIL 1, 2016. ***

DIVISION 1. Government
TITLE 17 Motor And Other Vehicles
CHAPTER 291 Traffic Violations
PART II. Equipment

Goto the Hawaii Code Archive Directory

HRS § 291-31 (2016)

§ 291-31. Tail lights on vehicles, motorcycles and motor scooters.

(a) From thirty minutes after sunset to thirty minutes before sunrise, at any time while a vehicle, other than a bicycle, motorcycle or motor scooter, is operated on any public highway, there shall be displayed at

the rear thereof at least two tail lights, spaced as far apart as practicable, which shall display red lights visible not less than two hundred feet from the rear thereof; provided that **vehicles manufactured prior** to 1968 originally equipped with a single tail light assembly need only display a single tail light; and where a registration number plate is required by law to be carried on the rear thereof, the same shall be illuminated by a white light in such manner that the registration number thereon can be plainly distinguished at a distance of not less than fifty feet from the rear thereof.

(b) From thirty minutes after sunset to thirty minutes before sunrise, at any time while a motorcycle or motor scooter is operated on any public highway, there shall be displayed at the rear thereof, a tail light which shall display a red light visible not less than two hundred feet from the rear thereof; and if a registration number plate is required by law to be carried on the rear of the motorcycle or motor scooter, the same shall be illuminated by a white light in such manner that the registration number thereon can be plainly distinguished at a distance of not less than fifty feet from the rear thereof.

HISTORY: RL 1945, pt of § 11707; RL 1955, § 311-13; HRS § 291-31; am L 1984, c 125, § 1

Emissions Exemptions

Hawaii does not operate a vehicle emissions testing program.