
A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 286-48, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:
3 "(a) Whenever a motor vehicle subject to registration
4 under this part is sold as salvage or conveyed to an insurance
5 company, in the ordinary course of business or as the result of
6 a total loss insurance settlement where the insurance company
7 receives the certificates of registration and ownership, the
8 purchaser or, if an insurance company its authorized agent,
9 shall within ten days from the purchase, or the settlement of
10 the insurance loss, forward the motor vehicle's endorsed
11 certificate of ownership or other evidence of title, certificate
12 of registration, license plates, and an application for a
13 salvage certificate as provided for in section 286-44.5, to the
14 director of finance[-]; provided that:

15 (1) If the certificate of registration or one or both
16 license plates are lost, an affidavit, duly notarized
17 and signed by the party responsible for the compliance
18 of this section stating that the party has no



1 knowledge of the location of the certificate of
2 registration or the license plates, shall be filed
3 with the director of finance of the county having
4 jurisdiction over the vehicle. In any event the
5 certificate of ownership or other evidence of title
6 shall be forwarded to the director of finance[-]; and

7 (2) If the owner of the motor vehicle fails to provide or
8 assign the motor vehicle's endorsed certificate of
9 ownership to the insurance company within thirty days
10 after the payment or settlement of the claim pursuant
11 to this section, the insurance company shall, within
12 thirty days after the expiration of that thirty-day
13 period, forward an application for a salvage
14 certificate to the director of finance. The director
15 shall issue a salvage certificate to the insurance
16 company for the vehicle upon receipt of:

- 17 (A) The application;
- 18 (B) Proof of payment of the claim;
- 19 (C) Proof of notice sent to the registered owner by
20 certified mail requesting the properly endorsed
21 certificate of ownership or any documentation
22 necessary to effect the proper assignment of the



1 certificate of ownership for the motor vehicle;

2 and

3 (D) Proof that the notice was received or returned as
4 undeliverable.

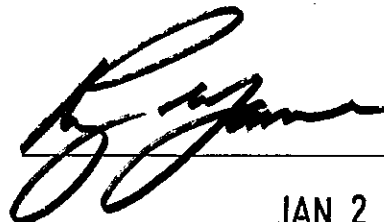
5 (b) Upon receipt of the certificate of ownership,
6 certificate of registration, license plates, and application for
7 a salvage certificate, the director of finance shall issue a
8 salvage certificate in the name of the purchaser or insurance
9 company. The director's issuance of the salvage certificate
10 shall extinguish all existing liens against the vehicle. The
11 insurance company shall relieve the director of finance of all
12 liability, civil or criminal, resulting from the issuance of the
13 salvage certificate to the insurance company."

14 SECTION 2. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 3. This Act shall take effect sixty days after its
17 approval.

18

INTRODUCED BY:



JAN 21 2014



H.B. NO. 2146

Report Title:

Salvaged Motor Vehicles; Salvage Certificate; Insurance

Description:

Adds provisions to allow for a salvage application to be submitted without the certificate of ownership.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

