

PART 3

RULES AND REGULATIONS PERTAINING TO
USED MOTOR VEHICLE PARTS AND ACCESSORIES
PURSUANT TO ACT 277, SLH 1967

RULE 3.01 DEFINITIONS:

(a) Motor Vehicle Part or Accessory - A major part of accessory, such as, a body shell, transmission, engine, bucket seat, radio, stereo or mag wheel.

RULE 3.02 KIND OF BUSINESS FOR WHICH LICENSE REQUIRED

(a) Purchasing or selling used motor vehicle parts or accessories; or

(b) Engaging in the business of wrecking, salvaging, or dismantling motor vehicles for the purpose of reselling the parts or accessories thereof; or

(c) Rebuilding wrecked or dismantled vehicles for the purpose of resale.

RULE 3.03 APPLICATION FOR LICENSE

Any person who wishes to obtain a license shall make application therefor by completing an application form (Appendix A) available at the Treasury Division of the Department of Finance. The application must be accompanied by a police abstract of criminal record for the applicant, each partner or joint venturer, each corporate officer and director, and each employee.

RULE 3.04 RENEWAL OF LICENSE

(a) Prior to the expiration of a license and in lieu of an application for renewal of a license, a licensee may submit a verified certificate showing that no proceeding is pending for the suspension or revocation of his license and that there has been no change, or no change with specified exceptions, since the last filing of an application with respect to:

- (1) Owners, partners, officers or directors;
- (2) Location of offices, or principal place of business.

(b) An application form (Appendix A) may be used to renew an existing license. Renewal application must be filed on or before June 30 of each year.

RULE 3.05 LICENSE FEE

A license fee of \$10.00 for engaging in each kind of business must accompany the application for new license or renewal of an existing license.

RULE 3.06 TERM OF LICENSE

Every license shall be effective on July 1 or upon approval thereafter and shall expire on June 30 next following the date of issuance, unless sooner terminated, suspended or revoked.

RULE 3.07 CHANGE IN PERSONNEL

(a) In an individual proprietorship, the sale or transfer of the business covered by the license shall automatically terminate the license. The buyer or transferee of the business must file an application for a new license.

(b) Whenever a person not covered by a police abstract of criminal record on file with the Director of Finance is to become an officer, director, partner or employee of a licensee, the licensee, prior to such event, shall submit a police abstract of criminal record covering such person.

RULE 3.08 RECORDS TO BE KEPT BY LICENSEE

(a) Master Record. The Licensee shall make a record in duplicate on loose-leaf pages obtainable from the Director of Finance of all acquisitions, consignments, sales and exchanges of wrecked, salvaged or rebuilt motor vehicles, or used motor vehicle parts or accessories without regard to whether or not consideration was involved. In addition, such record shall include all consideration, including anything of value, paid or agreed to be paid to or by any person for each wrecked, salvaged, or rebuilt motor vehicle, or each used motor vehicle part or accessory purchased, sold, consigned to be sold, or exchanged. The original of the record shall be maintained in a loose-leaf book and kept for three years. All loose-leaf pages in said book shall be numbered in numerical order. Within ten days after the close of a month, the duplicate copy of the record of all transactions in the month shall be sent to the Kauai Police Department, Detective Division. The loose-leaf pages in said book shall be consecutively numbered and shall contain columns with the following headings:

(1) Identification or Stock Number. Enter licensee's identification or stock number.

(2) Date of Purchase. Date of acquisition by licensee.

(3) Description. Enter manufacturer's serial number as part of description whenever the part and/or accessory bears such number as well as the make (such as Ford, Chevrolet, etc.), kind of part or accessory. In case of wrecked, salvaged, or dismantled motor vehicle, the make, type, year, model and serial number shall be entered for this purpose.

(4) Purchased From. Enter name, address and driver's license number of the person from whom the wrecked, salvaged, or rebuilt motor vehicle, or used motor vehicle part or accessory was acquired.

(5) Purchase Price. Enter the consideration, including anything of value, paid or to be paid for the wrecked, salvaged, or rebuilt motor vehicle, used motor vehicle part or accessory.

(6) Sale Price. The consideration received by the licensee for the item sold.

(7) Date of Sale. Date the item was sold by the licensee.

(8) Name and Address of Purchaser. Enter name and address of the purchaser of the used motor vehicle part or accessory or the rebuilt motor vehicle.

(9) Commission Paid To. Enter name and address of any person to whom any money, commission, or anything of value, or to whom the same is due and owing, in connection with the sale or purchase of any wrecked, salvaged, or rebuilt motor vehicle, or used part or accessory.

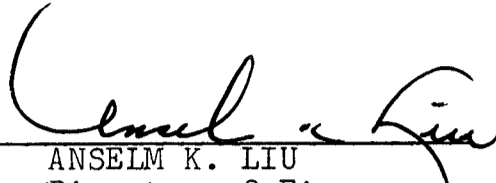
(b) Supplemental Report. Whenever an item is sold after the month in which it was acquired, the licensee shall prepare a supplemental report in duplicate on the form obtainable from the Director of Finance covering the sale. The item sold shall be identified in the supplemental report forms by its identification or stock number and the page number of the original record covering its acquisition. The original of a supplemental report shall be maintained in a loose-leaf book and kept for three years. The duplicate copy of the supplemental report shall be sent to the Kauai Police Department, Detective Division, within ten days after the close of the month in which the item was sold.

RULE 3.09 OTHER REQUIREMENTS OF LICENSEE

(a) Except where a motor vehicle was the subject of a total loss insurance settlement, the licensee shall, upon acquiring a registered motor vehicle, with or without consideration, for wrecking, salvaging or dismantling, forward the said motor vehicle's endorsed certificate of ownership, certificate of registration and license plates to the Director of Finance together with a notification on a form furnished by the Director of Finance within ten days from the acquisition. Where a motor vehicle was the subject of a total loss insurance settlement, the licensee upon acquiring the same shall note this fact in the record relating to the acquisition. If the motor vehicle had no certificate of registration or license plate or plates at the time of its acquisition, then the licensee shall submit a statement showing in detail the efforts made to obtain the certificate of registration or license plate or plates.

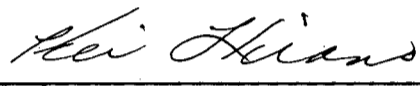
(b) In the event the wrecked or salvaged motor vehicle is rebuilt or restored for use upon the public highways, the licensee shall furnish the purchaser with a notarized bill of sale, certificate of safety inspection and application for registration of said rebuilt or restored motor

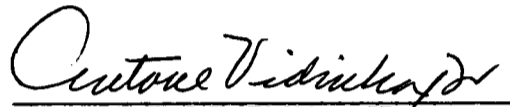
vehicle for presentation to the Director of Finance.


ANSELM K. LIU
Director of Finance

Approved as to form
and legality.

Approved this 29th day of
April 1971.


KEI HIRANO
County Attorney

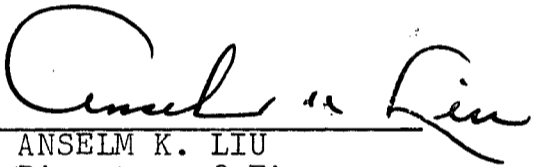

ANTONE VIDINHA, JR.
Mayor, County of Kauai

CERTIFICATION

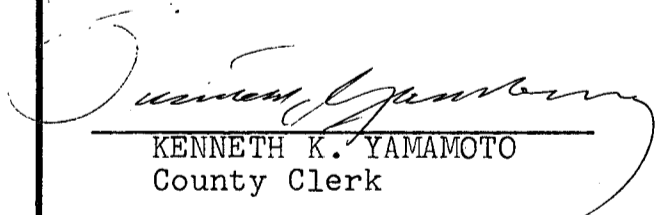
The undersigned, Director of Finance, County of Kauai, does hereby certify:

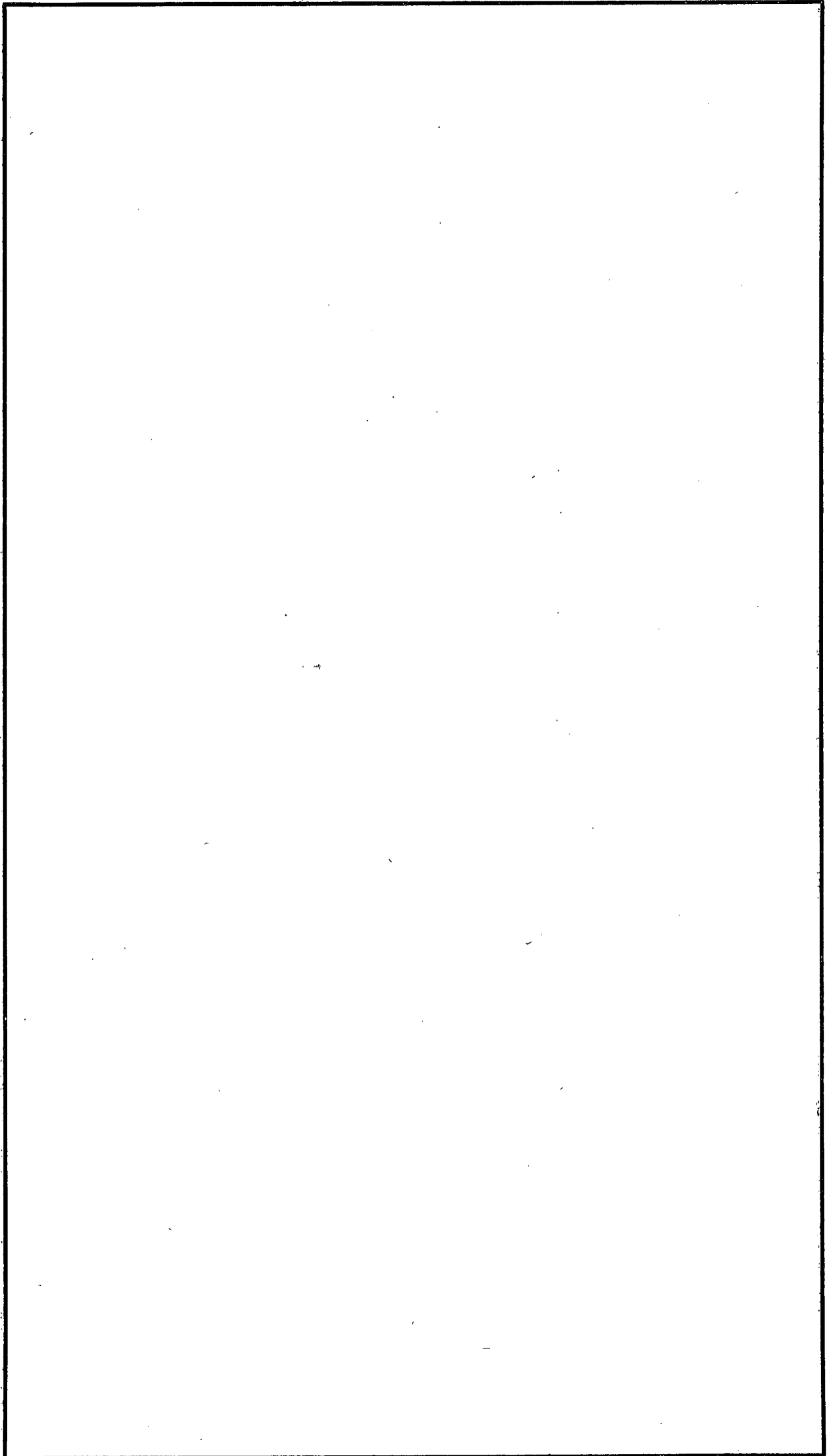
1. That the foregoing is a full, true and correct copy of the Rules and Regulations of the Director of Finance of the County of Kauai, State of Hawaii, which were adopted on April 28, 1971.

2. That notice of public hearing on the foregoing Rules and Regulations, which notice included a statement of the substance of the proposed rules and regulations, was published in the Garden Island on April 5, 1971.


ANSELM K. LIU
Director of Finance

Received this 4th day of
May, 1971.


KENNETH K. YAMAMOTO
County Clerk



PETITION FOR ADOPTION, AMENDMENT OR REPEAL OF
RULES AND REGULATIONS OF
DIRECTOR OF FINANCE

Date _____

TO: Director of Finance, County of Kauai

- 1. Name of petitioners and nature of each petitioner's interest.

Petitioner (Name, address and telephone) INTEREST

- 2. We desire to have (Section _____ of the rules repealed or amended to read) (a new rule added to read:

- 3. The proposal shall be adopted for the following reasons:

- 4. Additional information.

- 5. Signature of each petitioner.

PETITION FOR DECLARATORY RULING

TO: Director of Finance
County of Kauai
Lihue, Hawaii 96766

Date _____

- 1. Name of petitioners and nature of each petitioner's interest.

Petitioner (Name, address and telephone) INTEREST

- 2. We desire to have a declaratory order as to the applicability of (State law, ordinance, or order of the Director of Finance of the County of Kauai) to the following situations:

2a. The declaratory order desired should read:

- 3. Authorities and arguments in support of the requested declaratory order are:

- 4. Signature of each petitioner.

For Office Use Only
Received:

Date _____
Time _____
Clerk _____
Fee _____

REQUEST FOR SPECIAL NUMBER PLATE

DIRECTOR OF FINANCE
COUNTY OF KAUAI

Dear Sir:

The undersigned respectfully requests that the following letters and/or the combination of letters and numerals be used as my choice for a pair of special number plates for display on a motor vehicle registered to the undersigned.

* L or N	L or N	L or N	L or N	L or N	L or N

Fill spaces with the letters and/or numerals of your choice. (Please note that you are limited to the use of 6 letters, or numerals or a combination of both letters and numerals.)

The fee of \$100.00 is herewith submitted. I understand that said fee will be refunded to me in the event this special number plate request is duplicated by a prior request or it is deemed by the Director of Finance that the arrangement of letters and numerals of my choice results in a legend which is obscene or misleading in that the public may be reasonably but falsely induced to believe that the vehicle to which the special plates are to be attached is of a special or unique character entitling it to privileges or rights not accorded the general public in its use of our public streets and highways, or that the occupants of said vehicles may possess or be authorized to exercise powers, privileges and rights to which they are in fact and in law not entitled.

Date: _____

Applicant's Signature

*Letter or Numeral of your choice.

Please Submit in Duplicate

Department of Finance
Treasury Division
County of Kauai
P. O. Box 111
Lihue, Hawaii 96766

New License, or

Renewal

APPLICATION FOR LICENSE(S) TO DEAL IN USED MOTOR VEHICLE PARTS OR USED MOTOR VEHICLE ACCESSORIES: TO ENGAGE IN THE BUSINESS OF WRECKING, SALVAGING, OR DISMANTLING MOTOR VEHICLES: TO REBUILD MOTOR VEHICLES: FOR THE YEAR ENDING JUNE 30, 19__

To the Director of Finance, County of Kauai, State of Hawaii

In accordance with Chapter 289, Hawaii Revised Statute, and the Rules and Regulations of the Director of Finance, County of Kauai, the undersigned hereby applies for a license to engage in the business of (mark applicable box or boxes):

Purchasing or selling used motor vehicle parts or accessories License fee: \$10.00

Wrecking, salvaging, or dismantling motor vehicles for the purpose of reselling the parts or accessories License fee: \$10.00

Rebuilding wrecked or dismantled vehicles for the purpose of resale License fee: \$10.00

1. Name of applicant _____

2. Name under which the business is conducted _____

3. Principal place of business _____

Business Phone No. _____

4. Address of each place of business other than principal place of business _____

5. Name, residence address, and date and place of birth of applicant. (If partnership or joint venture, list name, residence address, and date and place of birth of each partner or joint venturer. If a corporation, list name, residence address, and date and place of birth of each of its officers and directors.)

14. (Use this space to explain answer to questions asked above. Attach additional sheet if more space is required.)

Each person named in Item 5 and 6 must request the Police Department to furnish the Director of Finance, Treasury Division, with an abstract of criminal record.

I (WE) _____ do solemnly swear that the statements contained in the foregoing application are true and correct and I, as an individual or as an officer of the corporation, or we, as members of the partnership or joint venture, have authority to sign this application and to make the statements contained herein on behalf of the applicant.

Subscribed and sworn to before me this _____ day of _____, 19____

Notary Public, Third Judicial Circuit, State of Hawaii

My Commission Expires _____