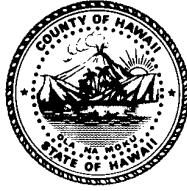


Mitchell D. Roth
Mayor

Deanna S. Sako
Managing Director



Ramzi I. Mansour
Director

Brenda D. Iokepa-Moses
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 • Hilo, Hawai'i 96720

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<http://www.hawaiicounty.gov/environmental-management/>

DERELICT/ABANDONED VEHICLE REMOVAL PROCEDURES

Outlined below are the procedures for the processing and handling of derelict/abandoned vehicles pursuant to Hawai'i Revised Statutes ("HRS") Chapter 290 and Hawaii County Code ("HCC") 20-07-01.

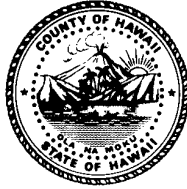
1. To report a derelict or abandoned vehicle, call Police Dispatch at 808-935-3311.

The Derelict/Abandoned Vehicle (DAV) Section cannot coordinate the removal of an abandoned vehicle until a police report is received.

2. A Police Officer locates the vehicle and attaches a notice advising the owner to remove the vehicle within twenty-four hours.
 - If the vehicle is moved on to private property or beyond a radius of one mile from its original location, within twenty-four hours, no further action is taken.
 - If the vehicle has not moved on to private property or beyond a radius of one mile from its original location within twenty-four hours of a notice being affixed, the vehicle will be classified as abandoned and is subject to removal.
3. Once the police report is approved by the supervising officer, the report is sent to the DAV Section. The DAV Section reviews the police report to ensure eligibility for towing under HRS 290-1 and HCC 20-07-01.

To check the status of a derelict or abandoned vehicle that has already been reported, please call the Hawaii Police Departments, Traffic Services Section at 808-961-2202 or 808-961-2227.

4. Once the police report is received, and the vehicle is inspected by the DAV Section, a request for tow will be made to have the vehicle removed within 72 hours.
5. If the vehicle is not at the location indicated on the police report when the DAV Section or towing service contractor arrives, the case is closed, and no further action is taken.



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Attachment: HRS 290-1

[PART I. VEHICLES ABANDONED ON PUBLIC AND PRIVATE PROPERTY GENERALLY]

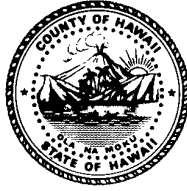
§290-1 Disposition by counties of certain abandoned vehicles. (a) The counties shall cause vehicles that have been abandoned to be taken into custody within ten business days of abandonment. For the purposes of this subsection, a vehicle is "abandoned" if it is defined to be abandoned by an ordinance of the county in which the vehicle is located; provided that the ordinance shall provide a minimum distance and timeframe in which a vehicle must be moved after the initial inspection in order to not be classified as being abandoned. If the vehicle has not moved the minimum distance within the specified timeframe as required by the county ordinance after the initial inspection, the agency designated to carry out the functions and requirements of this section shall provide notice that the vehicle must be moved the minimum distance within the specified timeframe or the vehicle shall be classified as abandoned and subject to removal as provided by this chapter. In the absence of such an ordinance, a vehicle is "abandoned" if it is left unattended for a continuous period of more than twenty-four hours and it is unlawfully parked on any public highway or other public property or private lands defined as a setback, shoulder, easement, or right of way that is adjacent to or part of a public highway. The mayors of the several counties may designate an agency within their counties to carry out the functions and requirements of this section. For the purposes of this subsection, "agency" means any office, department, or other governmental unit of the county.

(b) The Hawaii public housing authority may cause vehicles that have been abandoned on any public housing property owned, managed, or administered by the Hawaii public housing authority to be taken into custody and disposed of. For the purposes of this subsection, a vehicle is "abandoned" if it is left unattended for a continuous period of more than twenty-four hours after a notice is conspicuously posted on the vehicle that the vehicle is subject to disposal pursuant to this subsection.

(c) At the request of the landowner, a county may cause vehicles to be taken into custody and disposed of that have been abandoned on roads for which dedication to the State or county is pending. For purposes of this subsection, a vehicle is deemed abandoned if it is left unattended for a continuous period of more than twenty-four hours after a notice is conspicuously posted on the vehicle stating that the vehicle is subject to disposal pursuant to this subsection. [L 1949, c 194, pt of §1; RL 1955, pt of §138-32; am L 1967, c 267, pt of §1; HRS §290-1; am L 1984, c 261, §1; am L 1992, c 238, §1; am L 1997, c 350, §14; am L 2005, c 162, §1 and c 196, §26; am L 2006, c 180, §16; am L 2009, c 193, §§1, 4; am L 2018, c 48, §2; am L 2022, c 228, §2]

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Attachment HCC 20-07-01

Article 7. Disposal of Vehicles and Similar Materials.

Division 1. Abandoned and Derelict Vehicles.

Section 20-07-01. Disposition of abandoned or derelict vehicles. (a) No person shall leave, abandon, or place any wrecked or nonoperational automobile or construction equipment or part or portion of a wrecked or nonoperational automobile or construction equipment, or scrap iron, or other similar material, upon any part of a public highway, public property, or private property of another.

(b) The department shall take into custody and dispose of abandoned or derelict vehicles in accordance with chapter 290, Hawai'i Revised Statutes.

(c) The removal of abandoned or derelict vehicles shall be subject to the following: (1) The department shall only remove abandoned or derelict vehicles that are located on or within ten feet from the edge of any public or private road; (2) The department shall not remove abandoned or derelict vehicles from any area if the director determines that the area is unsafe for a tow truck to traverse; (3) A notice shall be affixed to an abandoned or derelict vehicle stating that the vehicle must be moved beyond a radius of one mile from its location within twenty-four hours of the notice being affixed; (4) If an abandoned or derelict vehicle has not moved beyond a radius of one mile from its location within twenty-four hours of a notice being affixed, the vehicle will be classified as abandoned and subject to removal; and (5) All decisions to tow shall be subject to the discretion of the director.

(d) The director shall develop and implement a public outreach program to educate residents, community associations, road corporations, tow companies, and the public about the disposition of abandoned or derelict vehicles including the procedures for reporting abandoned or derelict vehicles.

(e) The department shall adopt rules regarding the disposition of abandoned or derelict vehicles, that are in accord with chapter 290, Hawai'i Revised Statutes. (2022, ord 22-104, sec 2.) 2