

DEPARTMENT OF CUSTOMER SERVICES
City & County of Honolulu
Division of Motor Vehicles, Licensing, and Permits
Motor Vehicle Control Section

TO: MOTOR VEHICLE CONTROL SECTION STAFF

SUBJECT: SUPPLEMENTAL GENERAL PROCEDURES FOR THE PROCESSING OF
ABANDONED AND DISTRICT TOWED VEHICLE(S) THAT ARE REGISTERED
TO ACTIVE-DUTY SERVICEMEMBER

In an effort to comply with the Servicemembers Civil Relief Act (SCRA), effective immediately, all staff shall review and comply with the following procedures shall be followed when processing towed abandoned vehicles (AV) when the registered owner (R.O.) is an active duty servicemember.

A. Required Compliance - Training.

1. MVC shall ensure all staff members must complete the city's SCRA training video and comply with the provisions outlined below and on supplemental procedure handouts.
2. MVC shall ensure all new hires complete the city's SCRA training video and complies with the provisions outlined herein within thirty (30) days from their date of hire.
3. MVC shall keep records of the certification of compliance of each staff member who completed the SCRA training. All certifications of compliance shall be kept on file and readily available for inspection.

B. Required Compliance - Procedures.

All MVC staff members should be familiar with and apply the following:

- a. the Supplemental Procedures for the Investigation of Abandoned Vehicle Complaint(s) Involving Vehicles Registered to Active-Duty Servicemembers, form MVC-SCRA-1 (rev. 05/17/18);
- b. the Supplemental Procedures for Processing HPD District Towed Vehicles Reported as Unclaimed and Registered to Active-Duty Servicemembers, form MVC-SCRA-3 (rev. 05/17/18); and
- c. the Supplemental Procedures for the Investigation of Abandoned Vehicle Complaint(s) Involving Vehicles Registered to Active-Duty Servicemembers, form MVC-SCRA-4 (rev. 5/17/18).

DEPARTMENT OF CUSTOMER SERVICES
City & County of Honolulu
Division of Motor Vehicles, Licensing, and Permits
Motor Vehicle Control Section

TO: MOTOR VEHICLE CONTROL SECTION STAFF

SUBJECT: SUPPLEMENTAL OFFICE PROCEDURES FOR PROCESSING **HPD DISTRICT TOWED** VEHICLES REPORTED AS UNCLAIMED AND REGISTERED TO AN ACTIVE-DUTY SERVICEMEMBER

In an effort to comply with the Servicemembers Civil Relief Act (SCRA), effective immediately, the following procedures shall be followed when processing a vehicle(s) reportedly towed by the HPD District Tow contractor and is registered to an active duty servicemember.

A. Reporting of HPD District Tows.

1. The tow contractor shall report all HPD directed towed vehicle(s) that remain unclaimed 24 hours after the time of tow. This report shall be submitted to MVC on the Unclaimed Vehicle Report form (Exhibit A).
2. If a vehicle was previously reported as unclaimed and is subsequently claimed, the tow contractor should identify the vehicle on a Claimed Vehicle Report form (Exhibit B) and submit the report to MVC within 24 hours of the vehicle being claimed.

B. Processing of Vehicles on Unclaimed Vehicle Reports from Tow Contractor.

1. Upon receipt of the Unclaimed Vehicle Report, the MVC Senior Clerk Typists shall log vehicle information into the MVC District Tow database.
2. If research indicates the R.O. may be an active-duty servicemember, (i.e.: Exempt 9 or N, military base address, other):
 - a. Indicate such in the record comment box.
 - b. The vehicle information record shall be transferred to the SCRA pending file in the database.
3. The Inspector II will contact MVR and request additional R.O. information from forms:
 - a. CS-L(MVR) 50 (Rev. 1/20/18) U.S. Military Non-Resident Certificate (Exhibit C) or,
 - b. CS-L(MVR) 50A (Rev. 7/2017) U.S. Military Resident Certificate & Hawaii National Guard / Reserves Certificate (Exhibit D), whichever applicable.

SCRA Supplemental Procedures for Processing Unclaimed District Tow Vehicles (cont.)

4. The acquired information may be used to conduct further attempts to contact the R.O. or to confirm their present military status via the SCRA locator portal at <https://scra.dmdc.osd.mil/scra/#/single-record>.

C. Generating the Unclaimed Vehicle in Custody letter.

1. Ensure the correct letter format is utilized.
2. In an envelope, enclose a copy of the Notification of Unclaimed Vehicle in Custody letter, informational letter, along with form CS-L(MVC) 251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits E: 1 - 4), to be sent certified mail.
3. Upon returned receipt of the completed, signed and dated form, the vehicle shall be scheduled for auction.

D. Contacting Servicemember R.O.s Regarding Vehicles in Custody

1. The Inspector II shall direct attempts to contact the R.O. utilizing the available information acquired by the Inspector II from MVR. If contact is made, the R.O. will be apprised of the situation and notified to claim their vehicle.
2. If contact is established and the R.O. has no interest in the vehicle and requires assistance to dispose of the vehicle and is on the island:
 - a. Confirm the R.O.'s active-duty military status, and if confirmed, direct the R.O. to the weblink to complete form CS-L(MVC)251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits E: 1 - 4) and to return the completed form to MVR; or
 - b. If the R.O. prefers to junk the vehicle, obtain the R.O.'s current contact information and instruct the R.O. to take the title, registration and license plates to the nearest Satellite City Hall to complete the necessary documents to junk and the City will dispose of the vehicle at no charge.
 - c. Upon MVC's receipt of the junking affidavit, a copy of the vehicle information records and affidavit shall be forwarded to the Inspector I to process as a derelict and to arrange for disposal.
3. If contact is established and the R.O. has no interest in the vehicle and requires assistance to dispose of the vehicle but is not on the island:
 - a. Confirm the R.O.'s active-duty military status, and if confirmed, direct the R.O. to the weblink to complete form CS-L(MVC) 251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits E: 1 - 4) and to return the completed form to MVR; or
 - b. If the R.O. prefers to junk the vehicle, obtain the R.O.'s current contact information and email or mail a copy of form CS-L(MVR) 202 (Rev. 5/99), titled Statement of

SCRA Supplemental Procedures for Processing Unclaimed District Tow Vehicles (cont.)

Fact Relating to Junking of Vehicle (Exhibit F) to the R.O. The R.O. may also be referred to the on-line form section on the City's website to complete <http://www.honolulu.gov/rep/site/csd/onlineforms/cslmvr202.pdf> and return to MVC.

- c. Upon receipt of the completed form, along with the signed / dated title and registration, the Inspector II will assist the R.O. by completing the junking transaction at MVR, then a copy of the vehicle information records and affidavit shall be forwarded to the Inspector I to process as a derelict and to arrange for disposal.
4. If contact is not established with the R.O., the Inspector II, after being informed, will arrange to send an email to the R.O. using the email address(es) from the CS-L(MVR)50 or CS-L(MVR)50A. The email should advise the R.O. that the vehicle is in custody, and request a response as to whether the R.O. wants to claim the vehicle, either in person or by power of attorney, or execute a waiver of interest in the vehicle. Form CS-L(MVC) 251 (1/2018), titled Waiver of Rights under SCRA, (Exhibits C:1-2) should be included in the email
5. If it is established the R.O. has given away or sold the vehicle and claims no interest in the vehicle, but (1) has no documentary proof of sale or transfer, or (2) failed to file a Notice of Transfer of the title (Exhibit G) with MVR:
 - a. The Inspector II shall forward a copy of the informational letter and form CS-L(MVC)251 (4/2017), (Exhibit E 2-4), Waiver of Rights Under SCRA, via e-mail or mail or may refer the R.O. to the on-line form section on the City's website: http://www.honolulu.gov/rep/site/csd/onlineforms/csd_servicemembervehiclewaiver.pdf
 - b. Upon receipt of the completed, signed and dated waiver form, the vehicle shall be scheduled for disposal via auction.

E. Monthly Auction List

When generating the current month's auction inventory list, all vehicles identified as possibly being registered to an active-duty servicemember shall be continuously moved to the following month's pending auction list until such time an executed Waiver of Rights under SCRA, a junking affidavit executed by the R.O. or a court order is received.

Further research and attempts shall be conducted until it can be established that the City may lawfully dispose of subject vehicle.

**HOLD - Recovered vehicle has not been released by HPD or COR
INICI AIMED - The following Towed vehicles have not been released**

UNCLAIMED VEHICLE REPORT

UNCLAIMED - The following Towed vehicles have not been claimed by the Registered Owner or representative

[illegible]

**TOW COMPANY
STORAGE LOT**

DATE SUBMITTED
CONTRACTOR REI

Exhibit B

Exhibit B

Exhibit B

Exhibit B

DEPARTMENT OF CUSTOMER SERVICES
Division of Motor Vehicle, Licensing & Permits
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

U.S. MILITARY NON-RESIDENT CERTIFICATE

In accordance with the Servicemembers Civil Relief Act (50 U.S.C. § 3901), I hereby certify that I am ☐ a member ☐ the spouse who claims the same legal residence of a member of the U.S. Armed Forces on active duty in the State of Hawaii; that I am a legal resident of the State of _____; and that I am the owner of the motor vehicle described below for which application for registration is being made in the City and County of Honolulu, State of Hawaii. I realize that upon discharge or retirement from active duty, or change of duty station, I am no longer exempt from motor vehicle weight taxes, must immediately re-register my car, and pay the appropriate taxes. Failure to re-register my vehicle within 30 days will result in the assessment of penalties. To preserve my SCRA rights, I agree to keep my contact information current with the DMVLP for as long as I am the titled owner of this vehicle.

DESCRIPTION OF VEHICLE:

License Plate No. _____ Vehicle Identification No. _____
Make: _____ Model: _____ Year _____ State That Issued License _____

SERVICEMEMBER INFORMATION (Required):

Rank and Name: _____ U.S. Department No. _____
Service Branch and Unit: _____ State of Branch _____
Military Base _____ Social Security Number _____
Hawaii/Local mailing address _____
Permanent Out-of-State address _____
Personal Email: _____ Military (if email): _____
Cell Phone No. (____) _____ D Cell Phone No. (____) _____
Emergency Contact: _____ Emergency Phone No. (____) _____

Servicemember Signature _____ Date _____

Print Name of Spouse (IF APPLICABLE) _____ Signature (IF APPLICABLE) _____ Date _____

CERTIFICATION
(This certification is valid for 30 days)

This is to certify that the _____ of the above-mentioned service personnel corresponds to the information provided above.

Date Printed Name of Commanding/Personnel Officer, Rank, Branch of Service Signature

NOTICE: The Division of Motor Vehicle, Licensing & Permits ("DMVLP") collects personal information that is relevant and necessary for driver licensing, and vehicle registration, taxation or disposal, in accordance with the Real ID Act of 2005, (P.L. 109-13, Div. B), Servicemembers Civil Relief Act (50 U.S.C. § 3901, et seq.), Chapter 286 of the Hawaii Revised Statutes ("HRS"), and Chapters 19-122 & 19-122.5 of the Hawaii Administrative Rules. Information is maintained by DMVLP pursuant to the Driver's Privacy Protection Act, 18 U.S.C. § 2721-2725, Section 7 of the federal Privacy Act (P.L. 93-579), HRS Chapters 286 and 487J, and the Personal Information Protection Act. Pursuant to Section 7 of the federal Privacy Act and the Acts listed above, this information may be released to government agencies for government purposes.

DEPARTMENT OF CUSTOMER SERVICES
Division of Motor Vehicle, Licensing & Permits
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

**U.S. MILITARY HAWAII RESIDENT CERTIFICATE &
HAWAII NATIONAL GUARD/RESERVES CERTIFICATE**

In accordance with the Servicemembers Civil Relief Act (50 U.S.C. § 3901), I hereby certify that I am a member of the U.S. Armed Forces assigned to a unit in the State of Hawaii. I further certify that I am the owner of the motor vehicle described below for which application for registration is being made in the City and County of Honolulu, State of Hawaii. I realize that upon discharge or retirement, I am no longer exempt from motor vehicle weight taxes and must immediately re-register my car, and pay appropriate taxes. Failure to re-register my vehicle within 30 days will result in the assessment of penalties. To preserve my SCRA rights, I agree to keep my contact information current with the DMV as long as I am titled owner of this vehicle.

DESCRIPTION OF VEHICLE:

License Plate No. _____ Vehicle Identification No. _____
Make: _____ Model: _____ Year: _____

SERVICEMEMBER INFORMATION (Required)

Rank and Name: _____ Id. No. _____

Check Box: ☐ Active Duty Hawaii ☐ National Guard ☐ Reserves

Service Branch and Unit: _____ Date of Birth: _____

Military Base _____ Security Number _____

Hawaii/Local mailing address _____

Personal Email: _____ Military (mil) email: _____

Cell Phone No. (_____) Duty Phone No. (_____) _____

Emergency Contact: _____ Emergency Phone No. (_____) _____

Servicemember Signature _____ Date _____

CERTIFICATION

(This certification is valid for 30 days)

This is to certify that the above mentioned service personnel corresponds to the information provided above.

Date

Printed Name of Commanding/Personnel Officer, Rank, Branch of Service

Signature

NOTICE: The Division of Motor Vehicle, Licensing & Permits ("DMVLP") collects personal information that is relevant and necessary for driver licensing, and vehicle registration, taxation or disposal, in accordance with the Real ID Act of 2005, (P.L. 109-13, Div. B), Servicemembers Civil Relief Act (50 U.S.C. § 3901, et seq.), Chapter 286 of the Hawaii Revised Statutes ("HRS"), and Chapters 19-122 & 19-122.5 of the Hawaii Administrative Rules. Information is maintained by DMVLP pursuant to the Driver's Privacy Protection Act, 18 U.S.C. § 2721-2725, Section 7 of the federal Privacy Act (P.L. 93-579), HRS Chapters 286 and 487J, and the Personal Information Protection Act. Pursuant to Section 7 of the federal Privacy Act, this information may be released to government agencies for government purposes.

Exhibit D

DEPARTMENT OF CUSTOMER SERVICES
CITY AND COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
MOTOR VEHICLE CONTROL SECTION
P.O. BOX 30350
HONOLULU, HAWAII 96120-0350
INTERNET: www.honolulu.gov

KIRK CALDWELL
MAYOR

SHERI T. KAJIWARA
DIRECTOR

(DATE)

NOTIFICATION OF UNCLAIMED VEHICLE IN CUSTODY

TO: RECIPIENT
ADDRESS LINE
1 ADDRESS
LINE 2

COPY SENT TO LEGAL OWNER

REPORT: #20__ - ____

In accordance with Section 15-13.10 of the Revised Ordinances of Honolulu, as the registered owner you are hereby notified that the following described vehicle was taken into custody by the Honolulu Police Department:

TOW DATE: DATE & TIME

VIOLATION: _____

DESCRIPTION OF VEHICLE:

LICENSE PLATE NO: XXXX
SERIAL NO. (VIN): XXXX
MAKE: XXXX
TYPE: XXXX
REMOVED FROM: _____

For information on location and tow charges, please call:

NAME _____ ADDRESS _____ PHONE: _____

Non-Servicemembers: In the event this vehicle remains unclaimed for a continuous period of 20 (twenty) days after the mailing of this notice, the Director of Customer Service is authorized to dispose of it at public auction. You are entitled to reclaim the vehicle at any time prior to such auction upon payment of all applicable costs and expenses. You will be required to present ownership to the above towing contractor when claiming the vehicle.

Servicemembers: In the event this vehicle remains unclaimed for a continuous period of 60 (sixty) days after the mailing of this notice, the Director of Customer Service may begin court proceedings against you to dispose of it at public auction. You are entitled to reclaim the vehicle at any time prior to such auction upon payment of all applicable costs and expenses. If you are unable to personally reclaim the vehicle, you can complete a power of attorney and designate a representative to claim the vehicle on your behalf. If you do not intend to reclaim the vehicle, you can complete an SCRA waiver of rights form, which can be found at http://www.honolulu.gov/rep/site/csd/onlineforms/csd_servicemembervehiclewaiver.pdf, and the vehicle will be disposed of by the City and County of Honolulu at no cost to you.

If you have any questions, please contact the Motor Vehicle Control Section at 733-2530.

Sincerely,

Steven Wong
Supervising Motor Vehicle Control Inspector

DEPARTMENT OF CUSTOMER SERVICES
CITY AND COUNTY OF HONOLULU
MISSION MEMORIAL BUILDING
550 SOUTH KING STREET, HONOLULU, HAWAII 96813
TELEPHONE: (808) 768-3392 FAX: (808) 768-3750
<http://www.honolulu.gov>

KIRK CALDWELL
MAYOR



SHERI T. KAJIWARA
DIRECTOR

RANDY M. LEONG
DEPUTY DIRECTOR

Dear United States Military Servicemember:

The City and County of Honolulu has identified your motor vehicle as being abandoned on a public street or constituted a traffic violation, and is currently in the custody of our towing contractor. If you wish to claim your vehicle, please contact the Department of Customer Services at (808) 768-2530 or email at mvc@honolulu.gov.

If you do not want the vehicle, the following are enclosed for completion.

- Notice Affecting Military Servicemembers
- Waiver of Rights Under Servicemember Civil Relief Act (SCRA)

On Page 1, please read and check the box to indicate your understanding of the notice.

On Page 2, please read, fill-in the information, and sign the bottom of the page to waive your SCRA rights to the vehicle.

Please mail the original to Motor Vehicle Control Section, P.O. Box 30350, Honolulu, Hawaii 96820 or email to mvc@honolulu.gov.

Please return the completed forms within 20 days of this letter. Should you have any questions, call Motor Vehicle Control at (808) 768-2530.

Sincerely,

A handwritten signature in black ink that reads "Randy M. Leong". The signature is fluid and cursive, with a long horizontal stroke at the end.

Randy M. Leong
Deputy Director
Department of Customer Services

IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS

WAIVER OF RIGHTS AND PROTECTIONS AFFORDED UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

The City and County of Honolulu ("City") has in its custody the following described motor vehicle, which is registered in your name:

Make:	Model:
Year:	VIN:

The motor vehicle was towed because it was either abandoned on the City's public street or constituted a traffic code violation, and you or your authorized representative did not claim the vehicle in response to notice to you by certified mail and notice by publication.

If you wish to claim your vehicle, please contact the Department of Customer Services at (808) 768-2530 or mvc@honolulu.gov.

If you do not want the vehicle, the City is requesting that you execute the attached waiver so that the City may dispose of the vehicle. It is a waiver of rights and protections that may be applicable to you and your dependents pursuant to the Servicemembers Civil Relief Act, 50 U.S.C. §3901, et seq. (the "SCRA"). The SCRA provides military personnel and their dependents with a wide range of legal and financial protections. Among other benefits and protections, the SCRA restricts the foreclosure or enforcement of a lien on the property or effects of a servicemember during any period of military service and 90 days thereafter without court-ordered permission.

If you choose to sign the waiver, the City will have the option to auction or scrap the vehicle.

Before waiving these important statutory rights, you should consult an attorney regarding how best to exercise your rights or whether it is in your interest to waive these rights under the conditions offered by the City. For more information, you may consider:

- **CONSULTING AN ATTORNEY:** To fully understand your rights under the law, and before waiving your rights, you should consult an attorney.
- **JAG/LEGAL ASSISTANCE:** Servicemembers and their dependents with questions about the SCRA may contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/contentlocator.php>
- **MILITARY ONESOURCE:** "Military OneSource" is the U.S. Department of Defense's information resource. Go to www.militaryonesource.com.

☐ I have read and understood this **IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS**.

PLEASE RETURN A COPY OF THIS NOTICE WITH THE WAIVER OF RIGHTS TO:
Department of Customer Services, City and County of Honolulu, Division of Motor Vehicle, Licensing and Permits, Motor Vehicle Control Section, P.O. Box 30350, Honolulu Hawaii 96820, or to mvc@honolulu.gov.

**WAIVER OF RIGHTS UNDER
SERVICEMEMBERS CIVIL RELIEF ACT**

**Please read the attached IMPORTANT NOTICE AFFECTING MILITARY
SERVICEMEMBERS before executing this waiver**

I, _____, am/was a servicemember with
(name)
the _____,
(branch/unit of military)

and I am aware that I have protections available to me under the Servicemembers Civil Relief Act ("SCRA"). This includes, but is not limited to, legal rights relating to the foreclosure or enforcement of a lien on the property or effects of a servicemember during any period of military service and 90 days thereafter without court-ordered permission.

☐ I am the registered owner of the following described motor vehicle:

Make:	Model:
Year:	VIN:

☐ I am not the owner of the motor vehicle described above.

By signing this waiver, I acknowledge and agree that:

- I have read and understood the attached **IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS**.
- I am waiving the SCRA protections related to the property listed above, including any protections against the sale or disposal of the motor vehicle, and agree to the application of any proceeds from the sale towards any fees and expenses related to the sale.
- This waiver applies to any form of proceeding or transaction through which someone else receives ownership and/or possession of the motor vehicle, or any part thereof, or its disposal. By signing this waiver, I am voluntarily surrendering ownership, title, interest and rights to the motor vehicle, and its disposition, whether by public sale, destruction or otherwise.
- This waiver does not affect any loan or debt that I may owe on the motor vehicle to a third party, or any citation issued by any law enforcement agency, or any fees, costs or fines associated with said citation.
- In exchange for waiving my SCRA rights with respect to this property, the City agrees to waive the recovery of any fees and costs relating to the towing, storage, sale or disposal of my motor vehicle against me.
- This waiver is made voluntarily, without coercion, duress or compulsion. I understand the terms of this waiver of rights, and acknowledge I was advised to consult with an attorney regarding this waiver of rights and the protections afforded by the SCRA.

Dated: _____, 20____

By: _____

(print name)

City and County of Honolulu
Department of Customer Services
Division of Motor Vehicles and Licensing

STATEMENT OF FACTS RELATING TO JUNKING OF VEHICLE
(Submit original and 1 copy)

I, the undersigned owner of the motor vehicle described as:

LICENSE NO.: _____ V.I.N.: _____

MAKE: _____ BODY TYPE: _____ YEAR MODEL: _____ COLOR: _____

registered in the City and County of Honolulu; hereby certify that said vehicle has been **JUNKED** and is presently located at the following street address:

(ADDRESS, YARD, GARAGE, NUMBERED PARKING STALL, ETC.)

and that said vehicle is incapable of safe operation for use on the public highway and/or has no resale value except as a source of parts or scrap only. I UNDERSTAND THAT BY JUNKING THIS VEHICLE, THE VEHICLE SHALL NEVER AGAIN BE TITLED OR REGISTERED.

Accordingly, the last issued **CERTIFICATE OF TITLE** which has been properly endorsed is herewith surrendered for cancellation. (The Certificate of Title must be endorsed by all registered owner(s) and lienholder, if applicable, and odometer reading completed. If the last issued license plates are not surrendered, the owner is responsible to ensure its destruction).

PRINTED NAME OF REGISTERED OWNER

X

SIGNATURE OF REGISTERED OWNER OR, IF COMPANY, AUTHORIZED PERSON

(If the vehicle is being surrendered to the City and you are requesting removal by the City, please read and complete the REQUEST REMOVAL OF A JUNKED VEHICLE below)

REQUEST REMOVAL OF A JUNKED VEHICLE

The undersigned owner of the above described vehicle located at the address noted in the **STATEMENT OF FACTS RELATING TO JUNKING OF VEHICLE** section above, hereby requests that the City and County of Honolulu remove said vehicle which has been junked.

I understand that the following conditions must exist before the City will remove my vehicle:

1. There will be no debris or rubbish in the vehicle;
2. The vehicle must be easily accessible for the tow truck to remove;
3. The vehicle must have at least **two inflated tires**, either front or rear, depending on which end is accessible to the tow truck; and
4. The vehicle is parked on property owned by the applicant or legally parked on a public street or property.

I understand that if the vehicle is parked illegally on a public street or property, or if parked on private property **NOT** owned by the applicant and without written permission by the owner, the City will not remove said vehicle.

I agree to place the NOTICE form, CS-L(MVC) 50, in my vehicle so that it will be visible from outside to inform any agency that the vehicle has been turned over to the City for removal.

Lastly, I understand that a Motor Vehicle Control inspector will inspect the vehicle to insure that it meets the above stated conditions; the inspector will initiate a report with the control number written on the vehicle to identify it for removal by the derelict vehicle contractor within six weeks; and if any additional information is required, I will call the Motor Vehicle Control Section at 733-2530.

PRINTED NAME OF OWNER

OWNER'S SIGNATURE

ADDRESS OF OWNER

HOME TELEPHONE NUMBER

BUSINESS TELEPHONE NUMBER

Exhibit F

NOTICE OF TRANSFER

Notification must be made on this official form within TEN DAYS from the date of transfer or sale. Penalty for failure to comply is a fine up to \$100.00. Deliver properly endorsed Certificate of Title and validated Certificate of Registration to new buyer or owner.

DESCRIPTION OF MOTOR VEHICLE _____ LICENSE PLATE NUMBER _____

MAKE _____ TYPE _____ DATE OF TRANSFER _____
(MONTH, DAY, YEAR)

VEHICLE IDENTIFICATION NUMBER _____

You are hereby notified that I (we), the undersigned owner(s) of the motor vehicle described above, sold or transferred my (our) interest in said motor vehicle to a new owner.

TYPE OR PRINT NAME OF NEW OWNER _____

TYPE OR PRINT ADDRESS OF NEW OWNER _____
(STREET, CITY, STATE, ZIP CODE)

TYPE OR PRINT NAME OF SELLER(S) _____

SIGNATURE OF TRANSFEROR(S) OR SELLER(S)

TYPE OR PRINT ADDRESS OF TRANSFEROR(S) OR SELLER(S) _____
(STREET)

(CITY, STATE, ZIP CODE)

MAIL COMPLETED NOTICE TO:

DIVISION OF MOTOR VEHICLE,
LICENSING AND PERMITS
P.O. BOX 30330, HONOLULU, HAWAII 96820-0330

CS-L(MVR) 53 (REV. 9/99)

IMPORTANT NOTICE

You are required by law (Section 286-52, Hawaii Revised Statutes) to immediately notify the Division of Motor Vehicle, Licensing and Permits when you sell or otherwise dispose of a vehicle. This form is provided for use in reporting the sale or transfer to the Division and does not constitute application for transfer of ownership.

YOUR LIABILITY FOR THE VEHICLE WILL NOT BE RELEASED IF YOU SUBMIT ILLEGIBLE OR INCOMPLETE INFORMATION.

TO REMOVE YOUR NAME FROM THE DIVISION'S RECORD, THE NEW BUYER MUST APPLY FOR TRANSFER USING THE ENDORSED CERTIFICATE OF TITLE AND VALIDATED CERTIFICATE OF REGISTRATION RECEIVED FROM YOU.

When the information contained on this form is recorded by the Division of Motor Vehicle, Licensing and Permits (see WARNING below), liability for parking and/or traffic violations and civil litigation resulting from operation after the date of sale becomes the responsibility of the subsequent purchaser(s).

INSTRUCTIONS FOR COMPLETING THIS FORM

WARNING: ANY INCOMPLETE, INACCURATE OR ILLEGIBLE INFORMATION WILL PREVENT THE RECORDING OF THE INFORMATION CONTAINED IN THE NOTICE AND RESULT IN NONCOMPLIANCE WITH THE LAW.

1. This form is for registered owner transfers only. Do not submit for lienholder (legal owner) transfers.
2. Enter your license plate number in the space at the upper right area of the form.
3. Enter MAKE of vehicle (Chevrolet, Ford, etc.) and TYPE of vehicle (2DSD, 4DSD, etc.)
4. Enter vehicle identification number.
5. Enter date (month, day, year) you sold or transferred the described vehicle.
6. TYPE or PRINT new owner's name and complete address on the appropriate line.
7. TYPE or PRINT your name(s) as seller(s) on the appropriate line.
8. SIGN your name immediately below the printed name of seller(s) line.
9. Enter your complete address below your signature.

Exhibit G

DEPARTMENT OF CUSTOMER SERVICES
City & County of Honolulu
Division of Motor Vehicles, Licensing, and Permits
Motor Vehicle Control Section

TO: MOTOR VEHICLE CONTROL SECTION STAFF

SUBJECT: SUPPLEMENTAL OFFICE PROCEDURES FOR PROCESSING ABANDONED VEHICLE COMPLAINT(S) INVOLVING VEHICLES REGISTERED TO ACTIVE-DUTY SERVICEMEMBERS

In an effort to comply with the Servicemembers Civil Relief Act (SCRA), effective immediately, Senior Clerk Typists will utilize the following procedures when a vehicle, reportedly towed by the tow contractor because of complaints of alleged abandonment, is registered to an active duty servicemember.

A. Processing of Abandoned Vehicles Complaints.

1. All complaints shall be received and logged into the MVC - AV database in accordance with standard operating procedures: phone, letter, internet, DART, RISR or other.
2. Upon receipt of information identifying the vehicle's license number and/or VIN, research the vehicle's registration record to determine if the vehicle has an Exempt 9 or N code, or the R.O.'s address is a military base address. If research indicates the R.O. may be an active-duty servicemember,
 - a. Indicate that the R.O. may be an active-duty servicemember in the comment section of the MVC-AV database.
 - b. Indicate and highlight the R.O.'s possible active-duty status on the inspector's worksheet.
3. If an investigation concludes with the subject vehicle being towed as abandoned and remains unclaimed more than 24 hours from the time of tow, the tow contractor will report subject vehicle to MVC on the Unclaimed Vehicle Report form (Exhibit A).
4. If a vehicle was previously reported as unclaimed and is subsequently claimed, the tow contractor should identify the vehicle on a Claimed Vehicle Report form (Exhibit B) and submit the report to MVC within 24 hours of the vehicle being claimed.

B. Processing unclaimed towed vehicles reported by the tow contractor.

1. Upon receipt of the Unclaimed Vehicle Report, the MVC Senior Clerk Typists shall update the vehicle(s)' database record.

SCRA Supplemental Procedures for Processing Abandoned Vehicles Complaints (cont.)

2. The Inspector II will contact MVR and request additional R.O. information from the following forms, whichever applicable:
 - a. CS-L(MVR) 50 (Rev. 1/20/18), titled U.S. Military Non-Resident Certificate (Exhibit C), or
 - b. CS-L(MVR) 50A (Rev. 7/2017), titled U.S. Military Resident Certificate & Hawaii National Guard / Reserves Certificate (Exhibit D).
3. The acquired information will be used to contact the R.O. or to confirm their present military status via the SCRA locator portal.

C. Generating the Unclaimed Vehicle in Custody letter.

1. When generating the Unclaimed Vehicle in Custody letter, ensure the correct letter format is utilized.
2. In an envelope, enclose a copy of the Notification of Unclaimed Vehicle in Custody letter, informational letter, along with form CS-L(MVC) 251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits E: 1 - 4), to be sent certified mail.
3. Upon returned receipt of the completed, signed and dated form, the vehicle shall be scheduled for auction.

D. Contacting Servicemember R.O.s Regarding Vehicles in Custody

1. The Inspector I shall make attempts to contact the R.O. utilizing the available information supplied by the Inspector II from MVR. If contact is made, the R.O. will be apprised of the situation and notified to claim their vehicle.
2. If contact is established and the R.O. has no interest in the vehicle and requires assistance to dispose of the vehicle and is on the island:
 - a. Confirm the R.O.'s active-duty military status, and if confirmed, direct the R.O. to the weblink to complete form CS-L(MVC)251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits E: 1 - 4) and to return the completed form to MVR; or
 - b. If the R.O. prefers to junk the vehicle, obtain the R.O.'s current contact information and instruct the R.O. to take the title, registration and license plates to the nearest Satellite City Hall to complete the necessary documents to junk and the City will dispose of the vehicle at no charge.

SCRA Supplemental Procedures for Processing Abandoned Vehicles Complaints (cont.)

- c. Upon MVC's receipt of the junking affidavit, a copy of the vehicle information records and affidavit shall be forwarded to the Inspector I to process as a derelict and to arrange for disposal.
3. If contact is established and the R.O. has no interest in the vehicle and requires assistance to dispose of the vehicle but is not on the island:
 - a. Confirm the R.O.'s active-duty military status, and if confirmed, direct the R.O. to the weblink to complete form CS-L(MVC)251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits E: 1 - 4) and to return the completed form to MVR; or
 - b. If the R.O. prefers to junk the vehicle, obtain the R.O.'s current contact information and email or mail a copy of form CS-L(MVR) 202 (Rev. 5/99), titled Statement of Fact Relating to Junking of Vehicle (Exhibit F) to the R.O. The R.O. may also be referred to the on-line form section on the City's website to complete <http://www.honolulu.gov/rep/site/csd/onlineforms/cslmvr202.pdf> and return to MVC.
 - c. Upon receipt of the completed form, along with the signed / dated title and registration, the Inspector II will assist the R.O. by completing the junking transaction at MVR, then a copy of the vehicle information records and affidavit shall be forwarded to the Inspector I to process as a derelict and to arrange for disposal.
4. If contact is not established with the R.O., the Inspector II, after being informed, will arrange to send an email to the R.O. using the email address(es) from the CS-L(MVR)50 or CS-L(MVR)50A. The email should advise the R.O. that the vehicle is in custody, and request a response as to whether the R.O. wants to claim the vehicle, either in person or by power of attorney, or execute a waiver of interest in the vehicle. Form CS-L(MVC) 251 (1/2018), titled Waiver of Rights under SCRA, (Exhibits C:1-2) should be included in the email.
5. If it is established the R.O. has given away or sold the vehicle and claims no interest in the vehicle, but (1) has no documentary proof of sale or transfer, or, (2) failed to file a Notice of Transfer of Title (Exhibit G) with MVR:
 - a. The Inspector II shall forward a copy of the informational letter and form CS-L(MVC)251 (4/2017), (Exhibit E 2-4), Waiver of Rights Under SCRA, via e-mail or mail or may refer the R.O. to the on-line form section on the City's website: http://www.honolulu.gov/rep/site/csd/onlineforms/csd_servicemembervehiclewaiver.pdf
 - b. Upon receipt of the completed, signed and dated waiver form, the vehicle shall be scheduled for disposal via auction.

D. Monthly Auction List

When generating the current month's auction inventory list, all vehicles identified as possibly being registered to an active-duty servicemember shall be continuously moved to the following

SCRA Supplemental Procedures for Processing Abandoned Vehicles Complaints (cont.)

month's pending auction list until such time an executed Waiver of Rights under SCRA, a junking affidavit executed by the R.O. or a court order is received.

Further research and attempts shall be conducted until it can be established that the City may lawfully dispose of subject vehicle.

Exhibit B

Exhibit B

Exhibit B

Exhibit B

DEPARTMENT OF CUSTOMER SERVICES
Division of Motor Vehicle, Licensing & Permits
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
U.S. MILITARY NON-RESIDENT CERTIFICATE

In accordance with the Servicemembers Civil Relief Act (50 U.S.C. § 3901), I hereby certify that I am ☐ a member ☐ the spouse who claims the same legal residence of a member of the U.S. Armed Forces on active duty in the State of Hawaii; that I am a legal resident of the State of _____; and that I am the owner of the motor vehicle described below for which application for registration is being made in the City and County of Honolulu, State of Hawaii. I realize that upon discharge or retirement from active duty, or change of duty station, I am no longer exempt from motor vehicle weight taxes, must immediately re-register my car, and pay the appropriate taxes. Failure to re-register my vehicle within 30 days will result in the assessment of penalties. To preserve my SCRA rights, I agree to keep contact information current with the DMVLP for as long as I am the titled owner of this vehicle.

DESCRIPTION OF VEHICLE:

License Plate No. _____ Vehicle Identification No. _____
Make: _____ Model: _____ Year _____ State That Issued License _____

SERVICEMEMBER INFORMATION (Required):

Rank and Name: _____ U.S. Department No. _____
Service Branch and Unit: _____ Type of Branch _____
Military Base _____ Social Security Number _____
Hawaii/Local mailing address _____
Permanent Out-of-State address _____
Personal Email: _____ Military (if email): _____
Cell Phone No. (____) _____ D Cell Phone No. (____) _____
Emergency Contact: _____ Emergency Phone No. (____) _____

Servicemember Signature _____ Date _____

Print Name of Spouse (IF APPLICABLE) _____ Signature (IF APPLICABLE) _____ Date _____

CERTIFICATION
(This certification is valid for 30 days)

This is to certify that _____ of the above-mentioned service personnel corresponds to the information provided above.

Date Printed Name of Commanding/Personnel Officer, Rank, Branch of Service Signature

NOTICE: The Division of Motor Vehicle, Licensing & Permits ("DMVLP") collects personal information that is relevant and necessary for driver licensing, and vehicle registration, taxation or disposal, in accordance with the Real ID Act of 2005, (P.L. 109-13, Div. B), Servicemembers Civil Relief Act (50 U.S.C. § 3901, et seq.), Chapter 286 of the Hawaii Revised Statutes ("HRS"), and Chapters 19-122 & 19-122.5 of the Hawaii Administrative Rules. Information is maintained by DMVLP pursuant to the Driver's Privacy Protection Act, 18 U.S.C. § 2721-2725, Section 7 of the federal Privacy Act (P.L. 93-579), HRS Chapters 286 and 487J, and the Personal Information Protection Act. Pursuant to Section 7 of the federal Privacy Act and the Acts listed above, this information may be released to government agencies for government purposes.

DEPARTMENT OF CUSTOMER SERVICES
Division of Motor Vehicle, Licensing & Permits
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

**U.S. MILITARY HAWAII RESIDENT CERTIFICATE &
HAWAII NATIONAL GUARD/RESERVES CERTIFICATE**

In accordance with the Servicemembers Civil Relief Act (50 U.S.C. § 3901), I hereby certify that I am a member of the U.S. Armed Forces assigned to a unit in the State of Hawaii. I further certify that I am the owner of the motor vehicle described below for which application for registration is being made in the City and County of Honolulu, State of Hawaii. I realize that upon discharge or retirement, I am no longer exempt from motor vehicle weight taxes and must immediately re-register my car, and pay appropriate taxes. Failure to re-register my vehicle within 30 days will result in the assessment of penalties. To preserve my SCRA rights, I agree to keep my contact information current with the DMV as long as I am titled owner of this vehicle.

DESCRIPTION OF VEHICLE:

License Plate No. _____ Vehicle Identification No. _____
Make: _____ Model: _____ Year: _____

SERVICEMEMBER INFORMATION (Required)

Rank and Name: _____ Id. No. _____
Check Box: ☐ Active Duty Hawaii ☐ National Guard ☐ Reserves
Service Branch and Unit: _____ Date of Birth: _____
Military Base _____ Security Number _____
Hawaii/Local mailing address _____
Personal Email: _____ (mil) email: _____
Cell Phone No. (_____) _____ Duty Phone No. (_____) _____
Emergency Contact: _____ Emergency Phone No. (_____) _____
Service Signature _____ Date _____

CERTIFICATION

(This certification is valid for 30 days)

This is to certify that the above mentioned service personnel corresponds to the information provided above.

Date

Printed Name of Commanding/Personnel Officer, Rank, Branch of Service

Signature

NOTICE: The Division of Motor Vehicle, Licensing & Permits ("DMVLP") collects personal information that is relevant and necessary for driver licensing, and vehicle registration, taxation or disposal, in accordance with the Real ID Act of 2005, (P.L. 109-13, Div. B), Servicemembers Civil Relief Act (50 U.S.C. § 3901, et seq.), Chapter 286 of the Hawaii Revised Statutes ("HRS"), and Chapters 19-122 & 19-122.5 of the Hawaii Administrative Rules. Information is maintained by DMVLP pursuant to the Driver's Privacy Protection Act, 18 U.S.C. § 2721-2725, Section 7 of the federal Privacy Act (P.L. 93-579), HRS Chapters 286 and 487J, and the Personal Information Protection Act. Pursuant to Section 7 of the federal Privacy Act, this information may be released to government agencies for government purposes.

Exhibit D

DEPARTMENT OF CUSTOMER SERVICES
CITY AND COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
MOTOR VEHICLE CONTROL SECTION
P.O. BOX 30350
HONOLULU, HAWAII 96120-0350
INTERNET: www.honolulu.gov

KIRK CALDWELL
MAYOR

SHERI T. KAJIWARA
DIRECTOR

(DATE)

NOTIFICATION OF ABANDONED VEHICLE IN CUSTODY

TO: RECIPIENT
ADDRESS LINE
1 ADDRESS
LINE 2

COPY SENT TO LEGAL OWNER

REPORT: #20 ____ - _____

In accordance with Section 290-1, Hawaii Revised Statutes, as the registered and/or legal owner you are hereby notified that the following described vehicle was taken into custody by the Department of Customer Service.

TOW DATE: DATE & TIME

DESCRIPTION OF VEHICLE:

LICENSE PLATE NO: XXXX

VIOLATION: ABANDONED

SERIAL NO. (VIN): XXXX

MAKE: XXXX

TYPE: XXXX

REMOVED FROM: (ADDRESS OF VEHICLE REMOVAL)

NAME _____ For information on location and tow charges, please call:
ADDRESS _____ PHONE: _____

Non-Servicemembers: In the event this vehicle remains unclaimed for a continuous period of 10 (ten) days after the mailing of this notice, the Director of Customer Service is authorized to dispose of it at the public auction. You are entitled to reclaim the vehicle at any time prior to such auction upon payment of all applicable costs and expenses. You will be required to present ownership to the above towing contractor when claiming the vehicle.

Servicemembers: In the event this vehicle remains unclaimed for a continuous period of 60 (sixty) days after the mailing of this notice, the Director of Customer Service may begin court proceedings against you to dispose of it at public auction. You are entitled to reclaim the vehicle at any time prior to such auction upon payment of all applicable costs and expenses. If you are unable to personally reclaim the vehicle, you can complete a power of attorney and designate a representative to claim the vehicle on your behalf. If you do not intend to reclaim the vehicle, you can complete an SCRA waiver of rights form, which can be found at http://www.honolulu.gov/rep/site/csd/onlineforms/csd_servicemembervehiclewaiver.pdf, and the vehicle will be disposed of by the City and County of Honolulu at no cost to you.

If you have any questions, please contact the Motor Vehicle Control Section at 733-2530.

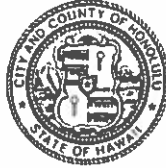
Sincerely,

Steven Wong
Supervising Motor Vehicle Control Inspector

DEPARTMENT OF CUSTOMER SERVICES
CITY AND COUNTY OF HONOLULU

MISSION MEMORIAL BUILDING
550 SOUTH KING STREET, HONOLULU, HAWAII 96813
TELEPHONE: (808) 768-3392 FAX: (808) 768-3750
<http://www.honolulu.gov>

KIRK CALDWELL
MAYOR



SHERI T. KAJIWARA
DIRECTOR

RANDY M. LEONG
DEPUTY DIRECTOR

Dear United States Military Servicemember:

The City and County of Honolulu has identified your motor vehicle as being abandoned on a public street or constituted a traffic violation, and is currently in the custody of our towing contractor. If you wish to claim your vehicle, please contact the Department of Customer Services at (808) 768-2530 or email at mvc@honolulu.gov.

If you do not want the vehicle, the following are enclosed for completion.

- Notice Affecting Military Servicemembers
- Waiver of Rights Under Servicemember Civil Relief Act (SCRA)

On Page 1, please read and check the box to indicate your understanding of the notice.

On Page 2, please read, fill-in the information, and sign the bottom of the page to waive your SCRA rights to the vehicle.

Please mail the original to Motor Vehicle Control Section, P.O. Box 30350, Honolulu, Hawaii 96820 or email to mvc@honolulu.gov.

Please return the completed forms within 20 days of this letter. Should you have any questions, call Motor Vehicle Control at (808) 768-2530.

Sincerely,

A handwritten signature in black ink that reads "Randy M. Leong". The signature is fluid and cursive, with a long horizontal stroke at the end.

Randy M. Leong
Deputy Director
Department of Customer Services

IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS

WAIVER OF RIGHTS AND PROTECTIONS AFFORDED UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

The City and County of Honolulu ("City") has in its custody the following described motor vehicle, which is registered in your name:

Make:	Model:
Year:	VIN:

The motor vehicle was towed because it was either abandoned on the City's public street or constituted a traffic code violation, and you or your authorized representative did not claim the vehicle in response to notice to you by certified mail and notice by publication.

If you wish to claim your vehicle, please contact the Department of Customer Services at (808) 768-2530 or mvc@honolulu.gov.

If you do not want the vehicle, the City is requesting that you execute the attached waiver so that the City may dispose of the vehicle. It is a waiver of rights and protections that may be applicable to you and your dependents pursuant to the Servicemembers Civil Relief Act, 50 U.S.C. §3901, et seq. (the "SCRA"). The SCRA provides military personnel and their dependents with a wide range of legal and financial protections. Among other benefits and protections, the SCRA restricts the foreclosure or enforcement of a lien on the property or effects of a servicemember during any period of military service and 90 days thereafter without court-ordered permission.

If you choose to sign the waiver, the City will have the option to auction or scrap the vehicle.

Before waiving these important statutory rights, you should consult an attorney regarding how best to exercise your rights or whether it is in your interest to waive these rights under the conditions offered by the City. For more information, you may consider:

- **CONSULTING AN ATTORNEY:** To fully understand your rights under the law, and before waiving your rights, you should consult an attorney.
- **JAG/LEGAL ASSISTANCE:** Servicemembers and their dependents with questions about the SCRA may contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/contentlocator.php>
- **MILITARY ONESOURCE:** "Military OneSource" is the U.S. Department of Defense's information resource. Go to www.militaryonesource.com.

☐ I have read and understood this **IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS.**

PLEASE RETURN A COPY OF THIS NOTICE WITH THE WAIVER OF RIGHTS TO:
Department of Customer Services, City and County of Honolulu, Division of Motor Vehicle, Licensing and Permits, Motor Vehicle Control Section, P.O. Box 30350, Honolulu Hawaii 96820, or to mvc@honolulu.gov.

**WAIVER OF RIGHTS UNDER
SERVICEMEMBERS CIVIL RELIEF ACT**

**Please read the attached IMPORTANT NOTICE AFFECTING MILITARY
SERVICEMEMBERS before executing this waiver**

I, _____, am/was a servicemember with
(name)
the _____,
(branch/unit of military)

and I am aware that I have protections available to me under the Servicemembers Civil Relief Act ("SCRA"). This includes, but is not limited to, legal rights relating to the foreclosure or enforcement of a lien on the property or effects of a servicemember during any period of military service and 90 days thereafter without court-ordered permission.

☐ I am the registered owner of the following described motor vehicle:

Make:	Model:
Year:	VIN:

☐ I am not the owner of the motor vehicle described above.

By signing this waiver, I acknowledge and agree that:

- I have read and understood the attached **IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS**.
- I am waiving the SCRA protections related to the property listed above, including any protections against the sale or disposal of the motor vehicle, and agree to the application of any proceeds from the sale towards any fees and expenses related to the sale.
- This waiver applies to any form of proceeding or transaction through which someone else receives ownership and/or possession of the motor vehicle, or any part thereof, or its disposal. By signing this waiver, I am voluntarily surrendering ownership, title, interest and rights to the motor vehicle, and its disposition, whether by public sale, destruction or otherwise.
- This waiver does not affect any loan or debt that I may owe on the motor vehicle to a third party, or any citation issued by any law enforcement agency, or any fees, costs or fines associated with said citation.
- In exchange for waiving my SCRA rights with respect to this property, the City agrees to waive the recovery of any fees and costs relating to the towing, storage, sale or disposal of my motor vehicle against me.
- This waiver is made voluntarily, without coercion, duress or compulsion. I understand the terms of this waiver of rights, and acknowledge I was advised to consult with an attorney regarding this waiver of rights and the protections afforded by the SCRA.

Dated: _____, 20 _____

By: _____

(print name)

City and County of Honolulu
Department of Customer Services
Division of Motor Vehicles and Licensing

STATEMENT OF FACTS RELATING TO JUNKING OF VEHICLE
(Submit original and 1 copy)

I, the undersigned owner of the motor vehicle described as:

LICENSE NO.: _____ V.I.N.: _____

MAKE: _____ BODY TYPE: _____ YEAR MODEL: _____ COLOR: _____

registered in the City and County of Honolulu; hereby certify that said vehicle has been **JUNKED** and is presently located at the following street address:

(ADDRESS, YARD, GARAGE, NUMBERED PARKING STALL, ETC.)

and that said vehicle is incapable of safe operation for use on the public highway and/or has no resale value except as a source of parts or scrap only. I UNDERSTAND THAT BY JUNKING THIS VEHICLE, THE VEHICLE SHALL NEVER AGAIN BE TITLED OR REGISTERED.

Accordingly, the last issued **CERTIFICATE OF TITLE** which has been properly endorsed is herewith surrendered for cancellation. (The Certificate of Title must be endorsed by all registered owner(s) and lienholder, if applicable, and odometer reading completed. If the last issued license plates are not surrendered, the owner is responsible to ensure its destruction).

PRINTED NAME OF REGISTERED OWNER

X

SIGNATURE OF REGISTERED OWNER OR, IF COMPANY, AUTHORIZED PERSON

(If the vehicle is being surrendered to the City and you are requesting removal by the City, please read and complete the REQUEST REMOVAL OF A JUNKED VEHICLE below)

REQUEST REMOVAL OF A JUNKED VEHICLE

The undersigned owner of the above described vehicle located at the address noted in the **STATEMENT OF FACTS RELATING TO JUNKING OF VEHICLE** section above, hereby requests that the City and County of Honolulu remove said vehicle which has been junked.

I understand that the following conditions must exist before the City will remove my vehicle:

1. There will be no debris or rubbish in the vehicle;
2. The vehicle must be easily accessible for the tow truck to remove;
3. The vehicle must have at least **two inflated tires**, either front or rear, depending on which end is accessible to the tow truck; and
4. The vehicle is parked on property owned by the applicant or legally parked on a public street or property.

I understand that if the vehicle is parked illegally on a public street or property, or if parked on private property **NOT** owned by the applicant and without written permission by the owner, the City will not remove said vehicle.

I agree to place the NOTICE form, CS-L(MVC) 50, in my vehicle so that it will be visible from outside to inform any agency that the vehicle has been turned over to the City for removal.

Lastly, I understand that a Motor Vehicle Control inspector will inspect the vehicle to insure that it meets the above stated conditions; the inspector will initiate a report with the control number written on the vehicle to identify it for removal by the derelict vehicle contractor within six weeks; and if any additional information is required, I will call the Motor Vehicle Control Section at 733-2530.

PRINTED NAME OF OWNER

OWNER'S SIGNATURE

ADDRESS OF OWNER

HOME TELEPHONE NUMBER

BUSINESS TELEPHONE NUMBER

NOTICE OF TRANSFER

Notification must be made on this official form within TEN DAYS from the date of transfer or sale. Penalty for failure to comply is a fine up to \$100.00. Deliver properly endorsed Certificate of Title and validated Certificate of Registration to new buyer or owner.

DESCRIPTION OF MOTOR VEHICLE

LICENSE PLATE NUMBER _____

MAKE _____ TYPE _____ DATE OF TRANSFER _____
(MONTH, DAY, YEAR)

VEHICLE IDENTIFICATION NUMBER _____

You are hereby notified that I (we), the undersigned owner(s) of the motor vehicle described above, sold or transferred my (our) interest in said motor vehicle to a new owner.

TYPE OR PRINT NAME OF NEW OWNER _____

TYPE OR PRINT ADDRESS OF NEW OWNER _____
(STREET, CITY, STATE, ZIP CODE)

TYPE OR PRINT NAME OF SELLER(S) _____

SIGNATURE OF TRANSFEROR(S) OR SELLER(S)

TYPE OR PRINT ADDRESS OF TRANSFEROR(S) OR SELLER(S) _____
(STREET)

(CITY, STATE, ZIP CODE)

MAIL COMPLETED NOTICE TO:

DIVISION OF MOTOR VEHICLE,
LICENSING AND PERMITS
P.O. BOX 30330, HONOLULU, HAWAII 96820-0330

CS-L(MVR) 53 (REV. 9/99)

IMPORTANT NOTICE

You are required by law (Section 286-52, Hawaii Revised Statutes) to immediately notify the Division of Motor Vehicle, Licensing and Permits when you sell or otherwise dispose of a vehicle. This form is provided for use in reporting the sale or transfer to the Division and does not constitute application for transfer of ownership.

YOUR LIABILITY FOR THE VEHICLE WILL NOT BE RELEASED IF YOU SUBMIT ILLEGIBLE OR INCOMPLETE INFORMATION.

TO REMOVE YOUR NAME FROM THE DIVISION'S RECORD, THE NEW BUYER MUST APPLY FOR TRANSFER USING THE ENDORSED CERTIFICATE OF TITLE AND VALIDATED CERTIFICATE OF REGISTRATION RECEIVED FROM YOU.

When the information contained on this form is recorded by the Division of Motor Vehicle, Licensing and Permits (see WARNING below), liability for parking and/or traffic violations and civil litigation resulting from operation after the date of sale becomes the responsibility of the subsequent purchaser(s).

INSTRUCTIONS FOR COMPLETING THIS FORM

WARNING: ANY INCOMPLETE, INACCURATE OR ILLEGIBLE INFORMATION WILL PREVENT THE RECORDING OF THE INFORMATION CONTAINED IN THE NOTICE AND RESULT IN NONCOMPLIANCE WITH THE LAW.

1. This form is for registered owner transfers only. Do not submit for lienholder (legal owner) transfers.
2. Enter your license plate number in the space at the upper right area of the form.
3. Enter MAKE of vehicle (Chevrolet, Ford, etc.) and TYPE of vehicle (2DSD, 4DSD, etc.)
4. Enter vehicle identification number.
5. Enter date (month, day, year) you sold or transferred the described vehicle.
6. TYPE or PRINT new owner's name and complete address on the appropriate line.
7. TYPE or PRINT your name(s) as seller(s) on the appropriate line.
8. SIGN your name immediately below the printed name of seller(s) line.
9. Enter your complete address below your signature.

Exhibit G

DEPARTMENT OF CUSTOMER SERVICES
City & County of Honolulu
Division of Motor Vehicles, Licensing, and Permits
Motor Vehicle Control Section

TO: MOTOR VEHICLE CONTROL SECTION – AV INSPECTORS

SUBJECT: SUPPLEMENTAL PROCEDURES FOR THE INVESTIGATION OF **ABANDONED VEHICLE** COMPLAINT(S) INVOLVING VEHICLES REGISTERED TO ACTIVE-DUTY SERVICEMEMBERS

In an effort to comply with the Servicemembers Civil Relief Act (SCRA), effective immediately, the following procedures shall be followed when investigating alleged abandoned vehicle (AV) complaints and the vehicle registration information indicates the R.O. may be an active duty servicemember.

A. Investigation of AV Complaints.

1. The MVC Inspector I must:
 - a. Investigate all complaints in accordance with standard operating procedures.
 - b. Request supplemental contact information from MVC Inspector II.
2. The MVC Inspector II shall contact MVR via e-mail, and
 - a. Request contact information supplied (i.e., phone number, address, e-mail address, other), the social security number and date of birth on the following forms:
 - (1) CS-L(MVR)50 (Rev. 01/20/18), U.S Military Non-resident Certificate (for registration tax exemption) (Exhibit A), or
 - (2) CS-L(MVR)50A (Rev. 01/20/18), U.S Military Resident Certificate & Hawaii National Guard / Reserves Certificate, whichever is applicable (Exhibit B),
 - b. If either the CS-L(MVR)50 or CS-L(MVR)50A has the social security number and/or date of birth of the R.O.(s), the R.O.'s name, social security number and date of birth will be run through the SCRA locator portal to verify active-duty status at <https://scra.dmdc.osd.mil/scra/#/single-record>. (Active-duty status includes the 90 days after end of military service.) The R.O.'s active-duty or out-of-service status must be noted in the comment box of the registration record.
 - c. Supply the MVC Inspector I with the contact information, but not the social security number and date of birth.

B. Contacting Servicemember R.O.s Regarding Vehicles in Custody

1. The MVC Inspector I shall make attempts to contact the R.O. utilizing the available information from the MVC Inspector II. If contact is made, the MVC Inspector I will apprise the R.O. of the situation and request the R.O. to move the vehicle.

- a. If contact is established and the R.O. has no interest in the vehicle and requires assistance to dispose of the vehicle and is on the island:

- (1) Confirm the R.O.'s active-duty military status, and if confirmed, direct the R.O. to the weblink to complete form CS-L(MVC)251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits C:1-2) and to return the completed form to MVR; or
 - (2) If the R.O. prefers to junk the vehicle, obtain the R.O.'s current contact information and instruct the R.O. to take the title, registration and license plates to the nearest Satellite City Hall to complete the necessary documents to junk and the City will dispose of the vehicle at no charge.

Upon MVC receipt of the junking affidavit, a copy of the vehicle information records and affidavit shall be forwarded to the Inspector I to process as a derelict and to arrange for disposal.

- b. If contact is established and the R.O. has no interest in the vehicle and requires assistance to dispose of the vehicle, but is not on the island:

- (1) Confirm the R.O.'s active-duty military status, and if confirmed, direct the R.O. to the weblink to complete form CS-L(MVC) 251 (1/2018), titled Waiver of Rights Under SCRA, (Exhibits C:1-2) and to return the completed form to MVR; or
 - (2) If the R.O. prefers to junk the vehicle, obtain the R.O.'s current contact information and email or mail a copy of form CS-L(MVR) 202 (Rev. 5/99), titled Statement of Fact Relating to Junking of Vehicle (Exhibit D) to the R.O. The R.O. can also be referred to the on-line form, <http://www.honolulu.gov/rep/site/csd/onlineforms/cslmvr202.pdf> on the City's website to complete and return to MVC.

Upon receipt of the completed form, along with the signed and dated title and registration, the Inspector II will assist the R.O. by completing the junking transaction at MVR, then a copy of the vehicle information records and affidavit shall be forwarded to the Inspector I to process as a derelict and to arrange for disposal.

- c. If contact is not established with the R.O., Inspector I will notify Inspector II that contact was not established. The Inspector II, after being informed, will arrange to

SCRA Supplemental Procedures for Investigating Abandoned Vehicles Complaints - AV INSPECTORS
(cont.)

send an email to the R.O. using the email address(es) from the CS-L(MVR)50 or CS-L(MVR)50A. The email should advise the R.O. that the vehicle is in custody, and request a response as to whether the R.O. wants to claim the vehicle, either in person or by power of attorney, or execute a waiver of interest in the vehicle. Form CS-L(MVC) 251 (1/2018), titled Waiver of Rights under SCRA, (Exhibits C:1-2) should be included in the email.

- d. If it is established the R.O. has sold the vehicle, claims no interest in the vehicle, but (1) has no documentary proof of sale or transfer, or (2) failed to file a Notice of Transfer of Title with MVR:
 - (1) The MVC Inspector II shall forward a copy of the informational letter CS-L (MVC)251 (011/2018) (Exhibit E) and form CS-L(MVC)251 (04/2017), Waiver of Rights Under SCRA (Exhibit C 1-2), via e-mail or mail. The MVC Inspector II may refer the R.O. to the City's website, http://www.honolulu.gov/rep/site/csd/onlineforms/csd_servicemembervehiclewaiver.pdf to complete the on-line form.
 - (2) Upon receipt of the completed, signed and dated waiver form, the vehicle shall be scheduled for disposal via auction.

C. Document Record.

If the investigation concludes with the vehicle being declared abandoned and the information indicates the R.O. may be an active-duty servicemember, the MVC Inspector I shall:

1. Make this notation in the tow request comments box, prior to submitting to tow contractor.
2. Submit the complaint report and copy of the tow request to the MVC Inspector II for review and approval.

DEPARTMENT OF CUSTOMER SERVICES
Division of Motor Vehicle, Licensing & Permits
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

U.S. MILITARY NON-RESIDENT CERTIFICATE

In accordance with the Servicemembers Civil Relief Act (50 U.S.C. § 3901), I hereby certify that I am ☐ a member ☐ the spouse who claims the same legal residence of a member of the U.S. Armed Forces on active duty in the State of Hawaii; that I am a legal resident of the State of _____; and that I am the owner of the motor vehicle described below for which application for registration is being made in the City and County of Honolulu, State of Hawaii. I realize that upon discharge or retirement from active duty, or change of duty station, I am no longer exempt from motor vehicle weight taxes, must immediately re-register my car, and pay the appropriate taxes. Failure to re-register my vehicle within 30 days will result in the assessment of penalties. To preserve my SCRA rights, I agree to keep contact information current with the DMVLP for as long as I am the titled owner of this vehicle.

DESCRIPTION OF VEHICLE:

License Plate No. _____ Vehicle Identification No. _____
Make: _____ Model: _____ Year _____ State That Issued License _____

SERVICEMEMBER INFORMATION (Required):

Rank and Name: _____ U.S. Department No. _____
Service Branch and Unit: _____ State of Birth: _____
Military Base _____ Social Security Number _____
Hawaii/Local mailing address _____
Permanent Out-of-State address _____
Personal Email: _____ Military (if email): _____
Cell Phone No. (____) _____ D. Phone No. (____) _____
Emergency Contact: _____ Emergency Phone No. (____) _____
Servicemember Signature _____ Date _____

Print Name of Spouse (IF APPLICABLE) _____ Signature (IF APPLICABLE) _____ Date _____

CERTIFICATION

(This certification is valid for 30 days)

This is to certify that _____ of the above-mentioned service personnel corresponds to the information provided above.

Date Printed Name of Commanding/Personnel Officer, Rank, Branch of Service Signature

NOTICE: The Division of Motor Vehicle, Licensing & Permits ("DMVLP") collects personal information that is relevant and necessary for driver licensing, and vehicle registration, taxation or disposal, in accordance with the Real ID Act of 2005, (P.L. 109-13, Div. B), Servicemembers Civil Relief Act (50 U.S.C. § 3901, et seq.), Chapter 286 of the Hawaii Revised Statutes ("HRS"), and Chapters 19-122 & 19-122.5 of the Hawaii Administrative Rules. Information is maintained by DMVLP pursuant to the Driver's Privacy Protection Act, 18 U.S.C. § 2721-2725, Section 7 of the federal Privacy Act (P.L. 93-579), HRS Chapters 286 and 487J, and the Personal Information Protection Act. Pursuant to Section 7 of the federal Privacy Act and the Acts listed above, this information may be released to government agencies for government purposes.

CS-L(MVR)50 (Rev. 1/2018)

Exhibit A

DEPARTMENT OF CUSTOMER SERVICES
Division of Motor Vehicle, Licensing & Permits
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

**U.S. MILITARY HAWAII RESIDENT CERTIFICATE &
HAWAII NATIONAL GUARD/RESERVES CERTIFICATE**

In accordance with the Servicemembers Civil Relief Act (50 U.S.C. § 3901), I hereby certify that I am a member of the U.S. Armed Forces assigned to a unit in the State of Hawaii. I further certify that I am the owner of the motor vehicle described below for which application for registration is being made in the City and County of Honolulu, State of Hawaii. I realize that upon discharge or retirement, I am no longer exempt from motor vehicle weight taxes and must immediately re-register my car, and pay appropriate taxes. Failure to re-register my vehicle within 30 days will result in the assessment of penalties. To preserve my SCRA rights, I agree to keep my contact information current with the DMV as long as I am titled owner of this vehicle.

DESCRIPTION OF VEHICLE:

License Plate No. _____ Vehicle Identification No. _____
Make: _____ Model: _____ Year: _____

SERVICEMEMBER INFORMATION (Required)

Rank and Name: _____ Id. No. _____
Check Box: ☐ Active Duty Hawaii ☐ National Guard ☐ Reserves
Service Branch and Unit: _____ Date of Birth: _____
Military Base _____ Security Number _____
Hawaii/Local mailing address _____
Personal Email: _____ (mil) email: _____
Cell Phone No. (_____) _____ Duty Phone No. (_____) _____
Emergency Contact: _____ Emergency Phone No. (_____) _____
Signature _____ Date _____

CERTIFICATION

(This certification is valid for 30 days)

This is to certify that the above mentioned service personnel corresponds to the information provided above.

Date

Printed Name of Commanding/Personnel Officer, Rank, Branch of Service

Signature

NOTICE: The Division of Motor Vehicle, Licensing & Permits ("DMVLP") collects personal information that is relevant and necessary for driver licensing, and vehicle registration, taxation or disposal, in accordance with the Real ID Act of 2005, (P.L. 109-13, Div. B), Servicemembers Civil Relief Act (50 U.S.C. § 3901, et seq.), Chapter 286 of the Hawaii Revised Statutes ("HRS"), and Chapters 19-122 & 19-122.5 of the Hawaii Administrative Rules. Information is maintained by DMVLP pursuant to the Driver's Privacy Protection Act, 18 U.S.C. § 2721-2725, Section 7 of the federal Privacy Act (P.L. 93-579), HRS Chapters 286 and 487J, and the Personal Information Protection Act. Pursuant to Section 7 of the federal Privacy Act, this information may be released to government agencies for government purposes.

Exhibit B

IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS

WAIVER OF RIGHTS AND PROTECTIONS AFFORDED UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

The City and County of Honolulu ("City") has in its custody the following described motor vehicle, which is registered in your name:

Make:	Model:
Year:	VIN:

The motor vehicle was towed because it was either abandoned on the City's public street or constituted a traffic code violation, and you or your authorized representative did not claim the vehicle in response to notice to you by certified mail and notice by publication.

If you wish to claim your vehicle, please contact the Department of Customer Services at (808) 768-2530 or mvc@honolulu.gov.

If you do not want the vehicle, the City is requesting that you execute the attached waiver so that the City may dispose of the vehicle. It is a waiver of rights and protections that may be applicable to you and your dependents pursuant to the Servicemembers Civil Relief Act, 50 U.S.C. §3901, et seq. (the "SCRA"). The SCRA provides military personnel and their dependents with a wide range of legal and financial protections. Among other benefits and protections, the SCRA restricts the foreclosure or enforcement of a lien on the property or effects of a servicemember during any period of military service and 90 days thereafter without court-ordered permission.

If you choose to sign the waiver, the City will have the option to auction or scrap the vehicle.

Before waiving these important statutory rights, you should consult an attorney regarding how best to exercise your rights or whether it is in your interest to waive these rights under the conditions offered by the City. For more information, you may consider:

- **CONSULTING AN ATTORNEY:** To fully understand your rights under the law, and before waiving your rights, you should consult an attorney.
- **JAG/LEGAL ASSISTANCE:** Servicemembers and their dependents with questions about the SCRA may contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/contentlocator.php>
- **MILITARY ONESOURCE:** "Military OneSource" is the U.S. Department of Defense's information resource. Go to www.militaryonesource.com.

☐ I have read and understood this **IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS.**

PLEASE RETURN A COPY OF THIS NOTICE WITH THE WAIVER OF RIGHTS TO:
Department of Customer Services, City and County of Honolulu, Division of Motor Vehicle, Licensing and Permits, Motor Vehicle Control Section, P.O. Box 30350, Honolulu Hawaii 96820, or to mvc@honolulu.gov.

Exhibit C 1

Please read the attached IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS before executing this waiver

and I am aware that I have protections available to me under the Servicemembers Civil Relief Act ("SCRA"). This includes, but is not limited to, legal rights relating to the foreclosure or enforcement of a lien on the property or effects of a servicemember during any period of military service and 90 days thereafter without court-ordered permission.

Make:	Model:
Year:	VIN:

By signing this waiver, I acknowledge and agree that:

- Dated: _____, 20____

(print name)

City and County of Honolulu
Department of Customer Services
Division of Motor Vehicles and Licensing

STATEMENT OF FACTS RELATING TO JUNKING OF VEHICLE
(Submit original and 1 copy)

I, the undersigned owner of the motor vehicle described as:

LICENSE NO.: _____ V.I.N.: _____

MAKE: _____ BODY TYPE: _____ YEAR MODEL: _____ COLOR: _____

registered in the City and County of Honolulu; hereby certify that said vehicle has been **JUNKED** and is presently located at the following street address:

(ADDRESS, YARD, GARAGE, NUMBERED PARKING STALL, ETC.)

and that said vehicle is incapable of safe operation for use on the public highway and/or has no resale value except as a source of parts or scrap only. I UNDERSTAND THAT BY JUNKING THIS VEHICLE, THE VEHICLE SHALL NEVER AGAIN BE TITLED OR REGISTERED.

Accordingly, the last issued **CERTIFICATE OF TITLE** which has been properly endorsed is herewith surrendered for cancellation. (The Certificate of Title must be endorsed by all registered owner(s) and lienholder, if applicable, and odometer reading completed. If the last issued license plates are not surrendered, the owner is responsible to ensure its destruction).

PRINTED NAME OF REGISTERED OWNER

X

SIGNATURE OF REGISTERED OWNER OR, IF COMPANY, AUTHORIZED PERSON

(If the vehicle is being surrendered to the City and you are requesting removal by the City, please read and complete the REQUEST REMOVAL OF A JUNKED VEHICLE below)

REQUEST REMOVAL OF A JUNKED VEHICLE

The undersigned owner of the above described vehicle located at the address noted in the **STATEMENT OF FACTS RELATING TO JUNKING OF VEHICLE** section above, hereby requests that the City and County of Honolulu remove said vehicle which has been junked.

I understand that the following conditions must exist before the City will remove my vehicle:

1. There will be no debris or rubbish in the vehicle;
2. The vehicle must be easily accessible for the tow truck to remove;
3. The vehicle must have at least **two inflated tires**, either front or rear, depending on which end is accessible to the tow truck; and
4. The vehicle is parked on property owned by the applicant or legally parked on a public street or property.

I understand that if the vehicle is parked illegally on a public street or property, or if parked on private property **NOT** owned by the applicant and without written permission by the owner, the City will not remove said vehicle.

I agree to place the NOTICE form, CS-L(MVC) 50, in my vehicle so that it will be visible from outside to inform any agency that the vehicle has been turned over to the City for removal.

Lastly, I understand that a Motor Vehicle Control inspector will inspect the vehicle to insure that it meets the above stated conditions; the inspector will initiate a report with the control number written on the vehicle to identify it for removal by the derelict vehicle contractor within six weeks; and if any additional information is required, I will call the Motor Vehicle Control Section at 733-2530.

PRINTED NAME OF OWNER

OWNER'S SIGNATURE

ADDRESS OF OWNER

HOME TELEPHONE NUMBER

BUSINESS TELEPHONE NUMBER

Exhibit D