

HONOLULU POLICE DEPARTMENT

POLICY LAW ENFORCEMENT OPERATIONS

October 22, 2019

Policy Number 4.28

MOTOR VEHICLES WITH DEFACED SERIAL NUMBERS

POLICY

When an officer determines that a serial number of a motor vehicle has been altered, erased, removed, or defaced in any way, the officer shall seize the vehicle.

PROCEDURE

I. AUTHORIZATION

Under Section 286-44, Hawaii Revised Statutes (HRS), it is unlawful for any person to possess a motor vehicle, a motor block, or any part thereof, knowing that the motor number, serial number, or manufacturer's number placed on same by the manufacturer for the purpose of identification has been changed, altered, erased, or mutilated for the purpose of changing its identity. All such motor vehicles, motor blocks, or parts shall be forfeited to the county where found.

Section 286-2, HRS, defines "motor vehicle" to mean every vehicle which is self-propelled and every vehicle that is propelled by electric power but is not operated upon rails, but excludes a moped.

II. PROCEDURE

The seizing officer shall:

- A. Notify the Communications Division of the description and location of the vehicle. Communications Division personnel shall notify Records and Identification Division personnel when the vehicle is towed to the designated location in the district;
- B. Prepare an incident report and an evidence report; and

- C. Prepare transfer of custody information in the records management system prior to bringing the vehicle to its final destination.

III. IDENTIFICATION OF VEHICLE

The Auto Theft Detail, Criminal Investigation Division, will assign a detective to attempt to identify the defaced vehicle by its confidential identification number. The detective can request assistance by submitting an SIS Work Request, HPD-207 form, to the Scientific Investigation Section for acid etching of the numbers that have been ground or filed off.

IV. DISPOSITION OF VEHICLE

- A. If the vehicle is identified, the element making the identification shall notify the owner and have the vehicle returned. Both the registered owner and the legal owner shall be notified when the two are different.
- B. If the auto theft detective is unable to identify the vehicle, the detective shall notify evidence control personnel of the Records and Identification Division by submitting a follow-up report and an Evidence Disposition, HPD-230 form. A copy of the follow-up report shall be left with the defaced vehicle.

V. PARTIALLY DEFACED VEHICLES

- A. When a vehicle is only partially defaced and the defaced parts cannot be identified, those parts shall be kept as evidence.

(For example, the serial number plate on the body of the vehicle is missing, but the numbers on the frame and the engine are intact.)

1. The Records and Identification Division shall arrange to have the vehicle disassembled.
2. All disassemblies shall be performed under the direction and supervision of Records and Identification Division personnel or other police personnel designated by the Records and

3. The officer or employee supervising the disassembly shall submit a follow-up report and the Disposition of Defaced Vehicle and/or Parts, HPD-116 form.
- B. Undefaced parts of the vehicle should be returned to the owner or, if the owner is not known, to the last person legally in possession of them.
1. The individual to whom undefaced parts are returned must sign the property receipt for the parts.
 2. When undefaced parts are not claimed promptly, the Records and Identification Division shall notify the owner or last possessor by registered letter that he or she has 90 days in which to retrieve the parts. If the parts have not been claimed within 90 days of the mailing date of the letter, the Records and Identification Division may have them sold at auction or destroyed.
- C. Whenever there is an ownership dispute, the property shall be retained by the Records and Identification Division until a disposition is determined by the Department of the Corporation Counsel.
- D. Defaced parts that cannot be identified shall not be released to anyone. The Records and Identification Division shall have such parts destroyed or auctioned as scrap after the Auto Theft Detail, Criminal Investigation Division, has determined that they cannot be identified.

VI. FOLLOW-UP REPORT

The auto theft detective shall submit a follow-up report documenting the disposition of the vehicle. A copy of this report shall be forwarded to the evidence control personnel of the Records and Identification Division to document the disposition of the vehicle and all parts in defaced motor vehicle cases.

A handwritten signature in black ink that reads "Susan Ballard". The signature is written in a cursive, flowing style.

SUSAN BALLARD
Chief of Police

Post on bulletin
board for one week

Policy first issued
October 12, 2001