

HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF HUMAN SERVICES

SUBTITLE 6 FAMILY AND ADULT SERVICES DIVISION

CHAPTER 654

HAWAII NO-FAULT INSURANCE

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Historical Note: This chapter is based substantially upon chapter 17-1091. [Eff 5/1/1981; R 7/19/82]

§17-654-1 Purpose. This chapter establishes the conditions under which free no-fault auto insurance shall be provided to eligible households. [Eff 7/19/82; comp 3/19/93 ] (Auth: HRS §346-14) (Imp: HRS §431:10C-407)

§17-654-2 Definitions. For the purpose of this chapter:

"Eligible household" means persons receiving financial assistance payments, or supplemental security income benefits.

"Hawaii joint underwriting plan servicing carriers" means insurance companies appointed by the insurance commissioner to provide no-fault auto insurance to eligible financial assistance or supplemental security income recipients.

"Registered owner" means any person in whose name the vehicle is registered.

"Valid driver's license" means a current license issued by the State or local office authorized to license individuals for the operation of motor vehicles.

"Vehicle" means any car, truck, or van which requires a driver's license to operate. [Eff 7/19/82; am and comp 3/19/93; am 8/1/94; am 1/17/08 ] (Auth: HRS §346-14) (Imp: HRS §431:10C-407)

§17-654-3 Eligibility for Hawaii no-fault auto insurance. An individual is eligible for Hawaii no-fault auto insurance at no cost if:

- (1) The individual is receiving public assistance benefits consisting of direct cash payments, is receiving benefits from the supplemental security income program under the Social Security Administration, or the individual received public assistance benefits in the form of medical services prior to July 1, 1994 and is still receiving the benefits through the department of human services;
- (2) The individual possesses a valid driver's license or is an unlicensed permanently disabled individual who is unable to operate the individual's own vehicle; and
- (3) The individual is the sole registered owner of the vehicle. [Eff 7/19/82; am 10/20/82; comp 3/19/93; am 8/1/94; am 1/17/08 ] (Auth: HRS §346-14) (Imp: HRS §431:10C-407)

§17-654-4 Other no-fault coverage. The individual shall exhaust all other paid no-fault coverage in effect before the individual may become eligible for Hawaii no-fault auto insurance at no cost. [Eff 7/19/82; comp 3/19/93 ] (Auth: HRS §346- 14) (Imp: HRS §431:10C-407)

§17-654-5 Certificate of eligibility. The eligible household shall mail or present a certificate

of eligibility form issued by the department to one of the insurance companies which is under the Hawaii joint underwriting plan servicing carriers to obtain benefits of a Hawaii no-fault auto insurance policy. [Eff 7/19/82; comp 3/19/93 ] (Auth: HRS §346-14) (Imp: HRS §431:10C-407)

§17-654-6 Vehicles to be insured. (a) One vehicle per eligible household shall be insured without cost.

(b) The department shall determine whether additional vehicles in the household may be insured if the vehicle is:

- (1) Used for employment; or
- (2) Needed for transportation to a medical facility at least twice a month. This need shall be substantiated by a doctor's written statement.

(c) The vehicle to be insured shall be used strictly for personal purposes, and not for commercial purposes. [Eff 7/19/82; am and comp 3/19/93 ] (Auth: HRS §346-14) (Imp: HRS §431:10C-407)

§17-654-7 Termination of Hawaii no-fault auto insurance. (a) The individual shall receive a written notice of prospective cancellation or nonrenewal not less than thirty calendar days prior to the effective date of the cancellation or nonrenewal. The insurer shall continue all motor vehicle insurance and optional additional coverages in force for thirty days following the mailing of the notice.

(b) The individual shall inform the Hawaii joint underwriting plan servicing carriers upon termination, for any reason, of eligibility for no-fault auto insurance at no cost. [Eff 7/19/82; am 9/29/86; am and comp 3/19/93; am 1/17/08 ] (auth: HRS §346-14) (Imp: HRS §431:10C-407)