



## VEHICLE TRANSFER FREQUENTLY ASKED QUESTIONS

### 1. What is “ACT 109”?

ACT 109 amended HRS §286-52 and clarifies that proof that a transferor has filed the required Notice of Transfer form, will serve as a complete defense against any action brought against the transferor for an act or omission, civil or criminal, arising out of the use, operation, or abandonment of the vehicle by another person.

This means when a transferor sells a vehicle and files the Notice of Transfer with the Department of Motor Vehicles (DMV) within the required 10-day period, they are released from liability for any future matters related to the vehicle (such as tickets, accidents, or registration).

### 2. Who Qualifies to file under ACT 109?

There are two (2) types of **Transferors** that qualify under ACT 109.

- A **DEALER** - upon transferring a motor vehicle whether by sale, lease, or otherwise, shall immediately give notice of the transfer to the DMV upon the official form provided by the director of finance. Each notice shall contain the date of the transfer, the names and addresses of the transferor and transferee, and a description of the vehicle as may be called for in the official form.
- A **PRIVATE SELLER** - upon transferring a motor vehicle whether by sale, lease, or otherwise, shall within ten (10) days give notice of the transfer to the DMV upon the official form provided by the director of finance. Each notice shall contain the date of the transfer, the names and addresses of the transferor and transferee, and a description of the vehicle as may be called for in the official form.

### 3. What do I need to show to prove that the Notice of Transfer was filed?

To prove compliance with the court, the transferor will need to:

1. **Obtain a certified copy** of the Notice of Transfer from the DMV.
2. **Present the certified document** to the court as evidence that the transfer was properly filed.

This process will ensure the seller is not held responsible for matters **after** the transfer date.

**4. Where do I obtain a Certified Copy of the Notice of Transfer?**

The transferor (private seller or dealer) can go to any Department of Motor Vehicle (DMV) that is in their respective county and request a **Certified Copy of the Notice of Transfer**.

**O‘ahu Locations:** <https://www.honolulu.gov/csd/services-and-locations/>

**Maui, Lāna‘i, Moloka‘i Locations:** <https://www.mauicounty.gov/2125/DMV-Wait-Times>

**Kaua‘i Locations:** <https://www.kauai.gov/Government/Departments-Agencies/Finance/Drivers-Licensing-and-Motor-Vehicles>

**Hawai‘i (Big Island) Locations:** <https://www.vrl.hawaiiicounty.gov/other-services/office-locations>

**5. Is there a cost to obtain a Certified Copy of the Notice of Transfer?**

Please see your respective DMV for any cost to obtain a Certified Copy of the Notice of Transfer.

**6. I received a citation(s) for a vehicle I sold. How do I contest the citation(s)?**

To contest the citation(s), the transferor will need to obtain a Certified Copy of the Notice of Transfer form from their respective DMV office in your respective county. Upon receiving a Certified Copy of the Notice of Transfer form, the transferor will attach the certified copy of the Notice of Transfer form along with a written statement to court either by mail or in person.

If the transferor is requesting a hearing, the transferor will show the court the Certified Copy of the Notice of Transfer form on their given court date.

If you have multiple citations, please list them on a separate sheet and attach the list with the Motion (Form 1) and the Certified Copy of the Notice of Transfer form.

**7. I received a Default Judgment(s) for a vehicle I sold. How do I contest the Default Judgment(s)?**

To contest citation(s) that have gone into default judgment, the transferor will need to obtain a Certified Copy of the Notice of Transfer form from the DMV in your respective county. Upon receiving the Certified Copy of the Notice of Transfer form, the transferor will attach the Certified Copy of the Notice of Transfer form along with the Motion (Form 1) provided to the court. Once completed the transferor will need to provide both forms to the court that the citation(s) were issued under.

If you have multiple citations, please list them on a separate sheet and attach the list with

the Motion (Form 1) and the Certified Copy of the Notice of Transfer form. You may add any attachments you feel will help to assist your case.

**8. Does successfully contesting a citation or default judgment absolve the transferor from liability for any subsequent citations or defaults?**

**No.** The responsibility to dispute future citations or defaults does **not carry over automatically**, the **transferor** will need to follow the same steps outlined in sections **#5** or **#6** to contest any new citations or default judgments.

**9. Court Locations**

Please see [Judiciary | District Court Contact Information](#) for your respective court locations.

Defendant's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

IN THE DISTRICT COURT OF THE \_\_\_\_\_ CIRCUIT

\_\_\_\_\_ DIVISION

STATE OF HAWAI'I

STATE OF HAWAI'I ) Case No. \_\_\_\_\_

) Lic. No. \_\_\_\_\_

)

vs. )

)

\_\_\_\_\_, )

Defendant. )

\_\_\_\_\_ )

EX PARTE MOTION SUBMITTING  
PROOF OF TRANSFER OF  
VEHICLE, REQUEST TO SET ASIDE  
DEFAULT JUDGMENT AND  
WAIVE APPEARANCE BOND

EX PARTE MOTION SUBMITTING PROOF OF TRANSFER  
OF VEHICLE, REQUEST TO SET ASIDE DEFAULT JUDGMENT  
AND WAIVE APPEARANCE BOND

Pursuant to Hawai'i Revised Statutes § 286-52, please check the applicable box below:

I own/represent a dealer which previously owned the vehicle listed on the citation. On (date) \_\_\_\_\_ I sold/leased the vehicle and immediately submitted the attached **certified** copy of the notice of transfer to the Department of Motor Vehicle on (date) \_\_\_\_\_. I request based on the proof provided the default judgment be set aside and any appearance bond required be waived.

I previously owned the vehicle listed on the citation. On (date) \_\_\_\_\_ I sold/leased the vehicle and within ten (10) days submitted the attached **certified** copy of the notice of transfer to the Department of Motor Vehicle on (date) \_\_\_\_\_. I request based on the proof provided the default judgment be set aside and any appearance bond required be waived.

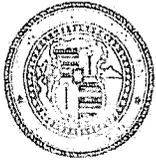
Dated: \_\_\_\_\_ (city), Hawai'i, \_\_\_\_\_, \_\_\_\_\_ (date and year).

**DECLARATION**

**I DECLARE UNDER PENALTY OF PERJURY THAT WHAT I HAVE STATED IS TRUE AND CORRECT.**

\_\_\_\_\_  
Defendant

Certified Copy of the Notice of Transfer for the City and County of Honolulu



CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF CUSTOMER SERVICES - DIVISION OF MOTOR VEHICLES



NOTICE OF TRANSFER

JAN - 8 2026

JAN - 8 2026

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 NO. \_\_\_\_\_

Make \_\_\_\_\_ Type MPVH Date of Transfer 6 8 2022  
MONTH DAY YEAR

Vehicle Identification No. \_\_\_\_\_

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 Honolulu STATE HI ZIP CODE 96815

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 98258

**SAMPLE**

The undersigned legal Custodian of Records does hereby certify under seal and attest that the representations herein are correct and the record to which the seal is affixed is a correct and complete copy of the official public record in the custody of the Motor Vehicle Registration Branch, Division of Motor Vehicle, Licensing and Permits, Department of Customer Services, City & County of Honolulu, a public agency of the City & County of Honolulu. I am familiar with the record-keeping system of this agency. This official public record sets forth the activities of this agency that are authorized by law to be recorded.



JAN 13 2026

Motor Vehicle Registration Branch  
Division of Motor Vehicle, Licensing and Permits  
Department of Customer Services  
City & County of Honolulu  
(808) 768-4325

Certified Copy of the Notice of Transfer for Maui County

SELLER REQUIRED TO SUBMIT THIS FORM TO THE DEPARTMENT WITHIN 10 DAYS OF SALE. FINE \$100.00.

Do

APR 17 2000  
NOTICE OF TRANSFER

LICENSE NUMBER

MAKE TYPE  
VEHICLE IDENTIFICATION NUMBER

DATE OF TRANSFER

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.

PRINT NAME OF NEW OWNER

PRINT ADDRESS OF NEW OWNER

CITY STATE ZIP CODE

SIGNATURE OF TRANSFEROR(S) OR SELLER(S)

ADDRESS OF TRANSFEROR(S) OR SELLER(S)

DETACH BEFORE GIVING TITLE TO NEW OWNER

SAMPLE

THIS CERTIFIES THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE DIVISION OF MOTOR VEHICLES & LICENSING OFFICE, COUNTY OF MAUI

SIGNATURE

DATE



Certified Copy of the Notice of Transfer for Kauai County

NOTICE OF TRANSFER

DESCRIPTION OF MOTOR VEHICLE License No. \_\_\_\_\_

Make: \_\_\_\_\_ Type: \_\_\_\_\_

Serial Number: \_\_\_\_\_ Date of Transfer: \_\_\_\_\_

TO: DEPARTMENT OF FINANCE  
TREASURY DIVISION (MVR)  
4444 RICE ST., STE 466  
LIHUE, KAUAI, HAWAII 96766

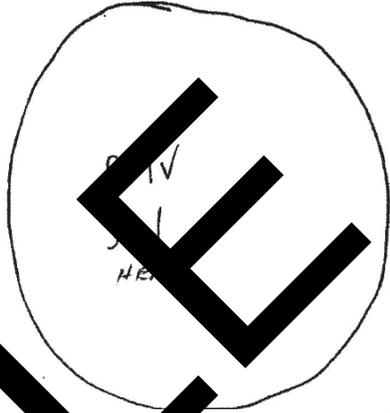
You are hereby notified that I (we), the undersigned owner(s) of the motor vehicle described above, sold or transferred my (our) interest in said motor vehicle to a new owner.

Name of New Owner: \_\_\_\_\_

Address of New Owner: \_\_\_\_\_

Signature(s) of Transferor(s) or Seller(s) \_\_\_\_\_

Address of Transferor(s) or Seller(s) \_\_\_\_\_



NOTICE OF TRANSFER

DESCRIPTION OF MOTOR VEHICLE LICENSE NUMBER \_\_\_\_\_

MAKE \_\_\_\_\_ TYPE \_\_\_\_\_

SERIAL NUMBER \_\_\_\_\_ DATE OF TRANSFER \_\_\_\_\_

TO: DEPARTMENT OF FINANCE  
TREASURY DIVISION (MVR)  
4444 RICE ST., STE 466  
LIHUE, KAUAI, HAWAII 96766

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.

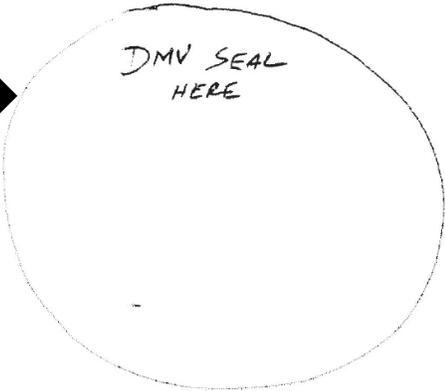
NAME OF NEW OWNER: \_\_\_\_\_

ADDRESS OF NEW OWNER: \_\_\_\_\_

SIGNATURE(S) OF TRANSFEROR(S) OR SELLER(S) \_\_\_\_\_

ADDRESS OF TRANSFEROR(S) OR SELLER(S) \_\_\_\_\_

IAN 05 2026 KIA



SAMPLE

SELLER RECEIVES THIS FORM FROM THE DEPARTMENT WITHIN 10 DAYS OF SALE. FINE \$100.00.

NOTICE OF TRANSFER

LICENSE NUMBER \_\_\_\_\_

MAKE \_\_\_\_\_ DATE OF TRANSFER 3/15/25

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.

PRINT NAME OF NEW OWNER \_\_\_\_\_

PRINT ADDRESS OF NEW OWNER \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

SIGNATURE OF TRANSFEROR(S) OR SELLER(S) \_\_\_\_\_

ADDRESS OF TRANSFEROR(S) OR SELLER(S) \_\_\_\_\_

DETACH BEFORE GIVING TITLE TO NEW OWNER DF-L-53

COUNTY OF KAUAI  
Department of Finance  
Department of Motor Vehicles & Licensing  
4444 Rice Street, Suite 466  
Lihue, HI 96766

Certified Copy of the Notice of Transfer for Hawaii County

SELLER REQUIRED TO SUBMIT THIS FORM TO THE DEPARTMENT WITHIN 10 DAYS OF SALE. FINE \$100.00.

3U3U  
FEB 7 4 2025

**NOTICE OF TRANSFER** LICENSE NUMBER

MAKE CADY TYPE 2000-SLUG  
VEHICLE IDENTIFICATION NUMBER [REDACTED] DATE OF TRANSFER 02-21-2025

YOU ARE HEREBY NOTIFIED THAT (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.

PRINT NAME OF NEW OWNER [REDACTED]  
PRINT ADDRESS OF NEW OWNER [REDACTED]  
CITY [REDACTED] STATE [REDACTED] ZIP CODE [REDACTED]  
SIGNATURE OF TRANSFEROR(S) OR SELLER(S) [REDACTED]  
ADDRESS OF TRANSFEROR(S) OR SELLER(S) [REDACTED]

DETACH BEFORE GIVING TITLE TO NEW OWNER DM-1-03

**SAMPLE**