
A BILL FOR AN ACT

RELATING TO TRAFFIC FINES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that current and future
2 police officers must receive just compensation that recognizes
3 the services they provide to the state, often under dangerous
4 conditions that put their personal safety in jeopardy.
5 Potential recruits must have an incentive to become police
6 officers and fill existing vacancies in the department.
7 Existing police officers must receive a salary that recognizes
8 their service to the community and leaves no room for
9 recruitment by mainland police departments that offer higher
10 wages.

11 In recent years, police department recruiters from the
12 mainland have recruited a number of our finest officers,
13 convincing them to re-locate to the mainland, where the cost of
14 living is cheaper and law enforcement salaries are higher.
15 Mainland police recruiters say that they have been more
16 successful in recruiting officers in Hawaii than in any other
17 location, noting that Hawaii officers have proved to be well



1 trained. As of June 2002, all counties noted a significant
2 number of vacancies in their respective police departments.

3 In addition, in our post-September 11th society, emphasis on
4 homeland security has resulted in police departments nationwide
5 competing not only with each other for the most qualified
6 candidates, but also with federal agencies such as the Federal
7 Bureau of Investigation and the Transportation Security
8 Administration. In addition to the loss of police officers to
9 mainland jobs, some police officers in the state have left their
10 jobs to become federal air marshals or airport security officers
11 because of the considerably higher salaries and potentially less
12 stressful conditions in the federal positions.

13 The legislature also finds that the chief of police in each
14 county must be provided with a dedicated funding source to
15 ensure the successful recruitment and retention of quality
16 police officers. The legislature notes that on December 24,
17 2003, the Honolulu city council raised the annual motor vehicle
18 weight tax by sixty per cent to pay for police raises. But some
19 have said that it is unfair for vehicle owners to pay for police
20 raises when the police provide protection and services to all
21 Oahu residents.



1 The legislature further finds that a more logical and
2 balanced approach to offset the cost of providing law
3 enforcement would be to impose a surcharge on fines levied for
4 traffic violations or assessments collected for traffic
5 infractions, then distribute the revenues received to the police
6 department of the county in which the traffic violation or
7 infraction occurred. Not only would such a dedicated funding
8 source provide an equitable basis to fund police pay raises, but
9 it would assist the county police chiefs in recruiting and
10 retaining police officers.

11 The purpose of this Act is to impose a surcharge on fines
12 levied for traffic violations or assessments collected for
13 traffic infractions, from which the revenues will be distributed
14 to the police department of the county in which the traffic
15 violation or infraction occurred.

16 SECTION 2. Section 291C-171, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§291C-171 Disposition of fines and forfeitures**[+];
19 **surcharge; distribution to counties.** (a) All fines and
20 forfeitures collected upon conviction or upon the forfeiture of
21 bail of any person charged with a violation of any section or
22 provision of the state traffic laws and all assessments



1 collected relating to the commission of traffic infractions
2 shall be paid to the director of finance of the State.

3 (b) A surcharge equal to fifty per cent of the amount of
4 the fine shall be added to each fine levied for a violation of
5 any section or provision of the statewide traffic code and to
6 each assessment collected relating to the commission of traffic
7 infractions. The surcharge shall be added to the amount of the
8 fine or assessment and shall be paid to the director of finance.
9 The director of finance shall distribute the amount of the
10 surcharge to the police department of the county in which the
11 violation or infraction occurred, and the revenues shall be used
12 to help fund the salaries of police department personnel in the
13 respective county.

14 [~~(b)~~] (c) In addition to any monetary assessment imposed
15 for a traffic infraction, the court may impose penalties on all
16 outstanding traffic citations and judgments. The penalties
17 shall be established pursuant to rules approved by the supreme
18 court; provided that the amounts of the penalties shall be based
19 upon a graduated scale that increases in proportion to the
20 length of the delinquency. Any interest penalty imposed as
21 provided in this section may be waived by the court for good
22 cause. All penalties collected for such outstanding citations



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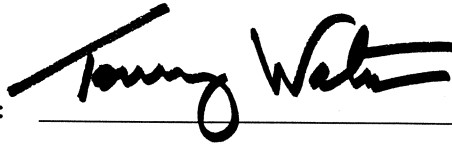
1 and judgments shall be paid to the director of finance of the
2 State."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

6

INTRODUCED BY: _____



JAN 20 2006



HB 1950

Report Title:

Traffic Fines; Counties

Description:

Imposes a surcharge on fines levied for traffic violations or assessments collected for traffic infractions. Requires the revenues collected to be distributed to the police department of the county in which the traffic violation or infraction occurred.

