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# A BILL FOR AN ACT

RELATING TO UNADJUDICATED TRAFFIC FINES.

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

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4                           **"PART     .    TRANSMITTAL OF TRAFFIC FINES**

5   **AND FORFEITURES TO COUNTIES**

6           **§291C-A Definitions.** As used in this part, unless the  
7 context clearly requires otherwise:

8           "Traffic infractions" means the same as defined under  
9 section 291D-2.

10          "Uncontested traffic infraction" means a traffic infraction  
11 for which the person noticed under section 291D-5 does not  
12 contest the infraction. A person "does not contest" an  
13 infraction if, in accordance with section 291D-6(b)(1), the  
14 person admits the commission of the infraction without  
15 requesting a hearing to explain mitigating circumstances and  
16 pays or remits bail forfeiture by mail within thirty days.

17          **§291C-B Transmittal of fines from July 1, 2005.** (a)  
18 Beginning July 1, 2005, the state director of finance shall



1 transmit to each county, not more than thirty days after the end  
2 of each fiscal quarter, all the fines and forfeitures collected  
3 for uncontested traffic infractions committed in that county  
4 that are in excess of amounts required by the State to pay the  
5 administrative costs of the traffic violations bureau.

6 (b) This section shall not apply to:

7 (1) Fines and forfeitures for violations that occur on  
8 off-street parking facilities, parks, airports, and  
9 harbors that are subject to enforcement by the State;  
10 and

11 (2) Fines and forfeitures that are required by law to be  
12 paid into a special, revolving, or trust fund.

13 No county shall be entitled to any portion of the fines and  
14 forfeitures described in this subsection."

15 SECTION 2. Section 291C-171, Hawaii Revised Statutes, is  
16 amended by amending subsection (a) to read as follows:

17 "(a) All fines and forfeitures collected upon conviction  
18 or upon the forfeiture of bail of any person charged with a  
19 violation of any section or provision of the state traffic laws  
20 and all assessments collected relating to the commission of  
21 traffic infractions shall be paid to the director of finance of  
22 the State. The judiciary shall identify those fines paid for



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1 uncontested traffic infractions as defined in section 291C-A.  
2 The disposition of fines and forfeitures paid to the state  
3 director of finance shall be subject to section 291C-B."

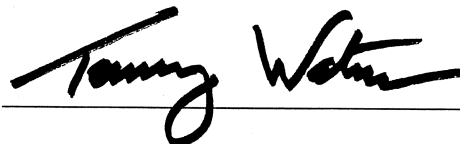
4 SECTION 3. In codifying the new sections added by section  
5 1 of this Act, the revisor of statutes shall substitute  
6 appropriate section numbers for the letters used in designating  
7 the new sections in this Act.

8 SECTION 4. New statutory material is underscored.

9 SECTION 5. This Act shall take effect on July 1, 2006.

10

INTRODUCED BY:



JAN 20 2006



HB 1954

**Report Title:**

Unadjudicated Traffic Fines

**Description:**

Transfers all fines and forfeitures collected for uncontested traffic infractions to the counties.

