
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.**

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

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

16 **§291C-B Transmittal of fines from July 1, 2006 through**
17 **June 30, 2007.**

18 From July 1, 2006 through June 30, 2007, the state director
19 of finance shall transmit to each county, not more than thirty
20 days after the end of each fiscal quarter, 50 per cent of all



1 the fines and forfeitures collected for uncontested traffic
2 infractions committed in that county, which are in excess of
3 amounts required by the State to pay the administrative costs of
4 the Traffic Violations Bureau.

5 (a) This section shall not apply to:

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

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

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

14 **§291C-C Transmittal of fines from July 1, 2007.**

15 From July 1, 2007, the state director of finance shall
16 transmit to each county, not more than thirty days after the end
17 of each fiscal quarter, all the fines and forfeitures collected
18 for uncontested traffic infractions committed in that county,
19 which are in excess of amounts required by the State to pay the
20 administrative costs of the Traffic Violations Bureau.

21 (a) This section shall not apply to:

22 (1) Fines and forfeitures for violation that occur on
23 state off-street parking facilities, parks, airports

1 and harbors that are subject to enforcement by the
2 State; and

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

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

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

9 "(a) All fines and forfeitures collected upon conviction
10 or upon the forfeiture of bail of any person charged with a
11 violation of any section or provision of the state traffic laws
12 and all assessments collected relating to the commission of
13 traffic infractions shall be paid to the director of finance of
14 the State. The judiciary shall identify those uncontested fines
15 as defined in section 291C-A. The disposition of fines and
16 forfeitures paid to the state director of finance shall be
17 subject to sections 291C-B and 291C-C."

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on July 1, 2006.

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INTRODUCED BY:

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JAN 20 2006

HB 2033

Report Title:

Unadjudicated Traffic Fines

Description:

Transfers in two phases, all fines and forfeitures collected for uncontested traffic infractions to the counties.

