
A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. Section 291C-161, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§291C-161 Penalties.** (a) It is a violation for any
4 person to violate any of the provisions of this chapter except
5 as otherwise specified in [~~subsection~~] subsections (c) and (d)
6 [~~of this section~~] and unless the violation is by other law of
7 this State declared to be a felony, misdemeanor, or petty
8 misdemeanor.

9 (b) Except as provided in [~~subsection~~] subsections (c) and
10 (d) every person who [~~violates~~] fails to comply with any
11 provision of this chapter for which another penalty is not
12 provided shall be fined:

13 (1) Not more than \$200 for a first [~~conviction~~] failure to
14 comply thereof;

15 (2) Not more than \$300 for [~~conviction of~~] a second
16 [~~offense committed~~] failure to comply within one year
17 after the date of the first [~~offense~~] failure to
18 comply; and



1 (3) Not more than \$500 for [~~conviction of~~] a third or
2 subsequent [~~offense committed~~] failure to comply
3 within one year after the date of the first [~~offense~~]
4 failure to comply;

5 provided that upon a conviction for a violation of
6 section 291C-12, 291C-12.5, 291C-12.6, or 291C-95, the person
7 shall be sentenced in accordance with that section.

8 (c) Every person who violates section 291C-13 or 291C-18
9 shall:

10 (1) Be fined not more than \$200 or imprisoned not more
11 than ten days for a first conviction thereof;

12 (2) Be fined not more than \$300 [~~or~~], imprisoned not more
13 than twenty days, or both, for conviction of a second
14 offense committed within one year after the date of
15 the first offense; and

16 (3) Be fined not more than \$500 [~~or~~], imprisoned not more
17 than six months, or both, for conviction of a third or
18 subsequent offense committed within one year after the
19 date of the first offense.

20 (d) Every person who fails to comply with section
21 291C-72(a) or (d), shall be liable as follows:



1 (1) For a first failure to comply, a fine of not less than
2 \$150 and revocation of license and privilege to
3 operate a vehicle for a period not less than ninety
4 days;

5 (2) For a second failure to comply within one year of the
6 date of a first failure to comply, a fine of not less
7 than \$300 and revocation of license and privilege to
8 operate a vehicle for a period not less than
9 one-hundred and eighty days; and

10 (3) For a third or subsequent failure to comply within one
11 year of the date of the second failure to comply, a
12 fine of not less than \$1000, revocation of license and
13 privilege to operate a vehicle for a period of one
14 year, and thirty days imprisonment.

15 [~~(d)~~] (e) The court may assess a sum not to exceed \$50 for
16 the cost of issuing a penal summons upon any person who fails to
17 appear at the place within the time specified in the citation
18 issued to the person for any traffic violation.

19 [~~(e)~~] (f) The court may require a person who violates any
20 of the provisions of this chapter to attend a course of
21 instruction in driver retraining as deemed appropriate by the
22 court, in addition to any other penalties imposed.



1 (g) The requirement to provide proof of financial
2 responsibility pursuant to section 287-20 shall not apply to
3 revocation under subsection (d), however, the court may set an
4 appropriate amount to be paid by the defendant as proof of
5 financial responsibility for the reinstatement of the
6 defendant's license and privilege to operate a vehicle."

7 SECTION 2. Section 287-20, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) Whenever a driver's license has been suspended or
10 revoked:

11 (1) Pursuant to section 291E-65 or part III of chapter
12 291E, except as provided in section 291E-41(f);

13 (2) Upon a conviction of any offense pursuant to law; or

14 (3) In the case of minors, pursuant to part V of chapter
15 571,

16 the license shall not at any time thereafter be issued to the
17 person whose license has been suspended or revoked, nor shall
18 the person thereafter operate a motor vehicle, unless and until
19 the person has furnished and thereafter maintains proof of
20 financial responsibility; provided that this section shall not
21 apply to a license suspended pursuant to section 291C-161(d),
22 291E-61(b)(1), or 291E-64(b)(1), any conviction of a moving



1 violation, any administrative license suspension pursuant to
2 chapter 291A, or the first conviction within a five-year period
3 for driving without a valid motor vehicle insurance policy."

4 SECTION 3. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun, before its effective date.

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

9 SECTION 5. This Act shall take effect on January 1, 2007.



H.B.NO. 2422

Report Title:

Pedestrian Safety

Description:

Increases the penalties for motorists who violate Hawaii's crosswalk law. Effective on January 1, 2007. (HB2422 CD1)

