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# 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 this  
7 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 any provision of this chapter for  
11 which another penalty is not provided shall be fined:

12           (1) Not more than \$200 for a first conviction thereof;

13           (2) Not more than \$300 for conviction of a second offense  
14 committed within one year after the date of the first  
15 offense; and

16           (3) Not more than \$500 for conviction of a third or  
17 subsequent offense committed within one year after the  
18 date of the first offense;



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

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

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

8 (2) Be fined not more than \$300 or imprisoned not more  
9 than twenty days or both for conviction of a second  
10 offense committed within one year after the date of  
11 the first offense; and

12 (3) Be fined not more than \$500 or imprisoned not more  
13 than six months or both for conviction of a third or  
14 subsequent offense committed within one year after the  
15 date of the first offense.

16 (d) Every person who violates section 291C-72(a) or (d),  
17 shall be sentenced as follows without the possibility of  
18 probation or suspension of sentence:

19 (1) For a first conviction thereof, to a fine of not less  
20 than \$150 and revocation of license and privilege to  
21 operate a vehicle for a period not less than ninety  
22 days;

1        (2) For a conviction of a second offense, to a fine of not  
2        less than \$300 and revocation of license and privilege  
3        to operate a vehicle for a period not less than one-  
4        hundred and eighty days; and

5        (3) For a conviction of a third or subsequent offense  
6        committed within one year of the date of the second  
7        offense, to a fine of not less than \$1000, revocation  
8        of license and privilege to operate a vehicle for a  
9        period of one year, and thirty days imprisonment.

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

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

18        SECTION 2. This Act does not affect rights and duties that  
19 matured, penalties that were incurred, and proceedings that were  
20 begun, before its effective date.

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

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



HB 2422, SD1

**Report Title:**

Pedestrian Safety

**Description:**

Increases the penalties for motorists who violate Hawaii's crosswalk law. Effective on approval. (SD1)

