

---

---

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

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

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

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

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

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

21          (1) For a first failure to comply, a fine of not less than  
22          \$150 and revocation of license and privilege to



1           operate a vehicle for a period not less than ninety  
2           days;

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

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

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

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

20           (g) The requirement to provide proof of financial  
21 responsibility pursuant to section 287-20 shall not apply to  
22 revocation under subsection (d), however, the court may set an



1 appropriate amount to be paid by the defendant as proof of  
2 financial responsibility for the reinstatement of the  
3 dependant's license and privilege to operate a vehicle."

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

6 "(a) Whenever a driver's license has been suspended or  
7 revoked:

8 (1) Pursuant to section 291E-65 or part III of chapter  
9 291E, except as provided in section 291E-41(f);

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

11 (3) In the case of minors, pursuant to part V of chapter  
12 571,

13 the license shall not at any time thereafter be issued to the  
14 person whose license has been suspended or revoked, nor shall  
15 the person thereafter operate a motor vehicle, unless and until  
16 the person has furnished and thereafter maintains proof of  
17 financial responsibility; provided that this section shall not  
18 apply to a license suspended pursuant to [~~section~~] sections  
19 291C-161(d), 291E-61(b)(1) or 291E-64(b)(1), any conviction of a  
20 moving violation, any administrative license suspension pursuant  
21 to chapter 291A, or the first conviction within a five-year



1 period for driving without a valid motor vehicle insurance  
2 policy.

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

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

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



**Report Title:**

Pedestrian Safety

**Description:**

Increases the penalties for motorists who violate Hawaii's crosswalk law. Effective on approval. (SD2)

