
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



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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

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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

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Description:

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

