
A BILL FOR AN ACT

RELATING TO TRAFFIC VIOLATIONS.

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

1 SECTION 1. The legislature finds that the development of
2 an electronic citation system for traffic and other types of
3 violations would significantly enhance public safety and law
4 enforcement services. An increasing number of law enforcement
5 agencies throughout the nation are implementing electronic
6 citation systems. For the city and county of Honolulu, the cost
7 of implementing an electronic system comprised of hardware,
8 software, and programming to capture, manage, and share citation
9 data has been estimated at \$1,500,000.

10 The legislature also finds that an electronic citation
11 system that allows the counties and the judiciary to share
12 information on traffic violations would provide timely
13 information for law enforcement agencies and make available
14 information on a real-time basis for investigations.

15 The purpose of this Act is to provide a source of funding
16 for the establishment and maintenance of an electronic citation
17 system through an administrative fee of \$4 per citation issued
18 for violations of the statewide traffic code.



1 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§291C-A Traffic violation administrative fee. Effective
5 July 1, 2009, an administrative fee of \$4 shall be assessed on
6 each citation issued for a violation of chapter 291C; provided
7 that owners of U-drive vehicles shall only be responsible for
8 administrative fees of their renters or lessees as provided for
9 in section 291D-3.5. Revenue from the administrative fee shall
10 fund the establishment and maintenance of an electronic citation
11 system. All revenue collected pursuant to this section shall be
12 deposited into the electronic citation system special fund
13 established in section 291C-B.

14 §291C-B Electronic citation system special fund. (a)
15 There is established in the state treasury a special fund to be
16 known as the electronic citation system special fund to be
17 administered by the department of budget and finance. Any funds
18 appropriated by the legislature for the electronic citation
19 system, administrative fees assessed under section 291C-A, and
20 interest accrued on moneys deposited in the fund shall become a
21 part of the fund. Moneys in the fund or disbursed from the fund



1 pursuant to subsection (b) shall be expended to establish an
2 electronic citation system.

3 (b) Administrative fees deposited in the fund pursuant to
4 section 291C-A shall be shared equally by the judiciary and the
5 county police department that issued the citation. Effective
6 July 1, 2009, the director of finance shall transmit not more
7 than thirty days after the end of each fiscal quarter, fifty per
8 cent of the administrative fee assessed on each citation to:

9 (1) The county police department that issued the citation;
10 and

11 (2) The judiciary computer special fund established under
12 section 601-3.7."

13 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§36-27 Transfers from special funds for central service**
16 **expenses.** Except as provided in this section, and
17 notwithstanding any other law to the contrary, from time to
18 time, the director of finance, for the purpose of defraying the
19 prorated estimate of central service expenses of government in
20 relation to all special funds, except the:

21 (1) Special out-of-school time instructional program fund
22 under section 302A-1310;



- 1 (2) School cafeteria special funds of the department of
2 education;
- 3 (3) Special funds of the University of Hawaii;
- 4 (4) State educational facilities improvement special fund;
- 5 (5) Convention center enterprise special fund under
6 section 201B-8;
- 7 (6) Special funds established by section 206E-6;
- 8 (7) Housing loan program revenue bond special fund;
- 9 (8) Housing project bond special fund;
- 10 (9) Aloha Tower fund created by section 206J-17;
- 11 (10) Funds of the employees' retirement system created by
12 section 88-109;
- 13 (11) Unemployment compensation fund established under
14 section 383-121;
- 15 (12) Hawaii hurricane relief fund established under chapter
16 431P;
- 17 (13) Hawaii health systems corporation special funds and
18 the subaccounts of its regional system boards;
- 19 (14) Tourism special fund established under section
20 201B-11;
- 21 (15) Universal service fund established under chapter 269;



- 1 (16) Emergency and budget reserve fund under section
2 328L-3;
- 3 (17) Public schools special fees and charges fund under
4 section 302A-1130(f);
- 5 (18) Sport fish special fund under section 187A-9.5;
- 6 (19) Neurotrauma special fund under section 321H-4;
- 7 (20) Deposit beverage container deposit special fund under
8 section 342G-104;
- 9 (21) Glass advance disposal fee special fund established by
10 section 342G-82;
- 11 (22) Center for nursing special fund under section 304A-
12 2163;
- 13 (23) Passenger facility charge special fund established by
14 section 261-5.5;
- 15 (24) Solicitation of funds for charitable purposes special
16 fund established by section 467B-15;
- 17 (25) Land conservation fund established by section 173A-5;
- 18 (26) Court interpreting services revolving fund under
19 section 607-1.5;
- 20 (27) Trauma system special fund under section 321-22.5;
- 21 (28) Hawaii cancer research special fund;
- 22 (29) Community health centers special fund; [and]



1 (30) Emergency medical services special fund; and
2 (31) Electronic citation system special fund established by
3 section 291C-B,
4 shall deduct five per cent of all receipts of all other special
5 funds, which deduction shall be transferred to the general fund
6 of the State and become general realizations of the State. All
7 officers of the State and other persons having power to allocate
8 or disburse any special funds shall cooperate with the director
9 in effecting these transfers. To determine the proper revenue
10 base upon which the central service assessment is to be
11 calculated, the director shall adopt rules pursuant to chapter
12 91 for the purpose of suspending or limiting the application of
13 the central service assessment of any fund. No later than
14 twenty days prior to the convening of each regular session of
15 the legislature, the director shall report all central service
16 assessments made during the preceding fiscal year."

17 SECTION 4. Section 36-30, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) Each special fund, except the:

20 (1) Transportation use special fund established by section
21 261D-1;



- 1 (2) Special out-of-school time instructional program fund
- 2 under section 302A-1310;
- 3 (3) School cafeteria special funds of the department of
- 4 education;
- 5 (4) Special funds of the University of Hawaii;
- 6 (5) State educational facilities improvement special fund;
- 7 (6) Special funds established by section 206E-6;
- 8 (7) Aloha Tower fund created by section 206J-17;
- 9 (8) Funds of the employees' retirement system created by
- 10 section 88-109;
- 11 (9) Unemployment compensation fund established under
- 12 section 383-121;
- 13 (10) Hawaii hurricane relief fund established under chapter
- 14 431P;
- 15 (11) Convention center enterprise special fund established
- 16 under section 201B-8;
- 17 (12) Hawaii health systems corporation special funds and
- 18 the subaccounts of its regional system boards;
- 19 (13) Tourism special fund established under section
- 20 201B-11;
- 21 (14) Universal service fund established under chapter 269;



- 1 (15) Emergency and budget reserve fund under section
2 328L-3;
- 3 (16) Public schools special fees and charges fund under
4 section 302A-1130(f);
- 5 (17) Sport fish special fund under section 187A-9.5;
- 6 (18) Neurotrauma special fund under section 321H-4;
- 7 (19) Center for nursing special fund under section 304A-
8 2163;
- 9 (20) Passenger facility charge special fund established by
10 section 261-5.5;
- 11 (21) Court interpreting services revolving fund under
12 section 607-1.5;
- 13 (22) Trauma system special fund under section 321-22.5;
- 14 (23) Hawaii cancer research special fund;
- 15 (24) Community health centers special fund; ~~and~~
- 16 (25) Emergency medical services special fund; and
- 17 (26) Electronic citation system special fund established by
18 section 291C-B,
- 19 shall be responsible for its pro rata share of the
20 administrative expenses incurred by the department responsible
21 for the operations supported by the special fund concerned."



1 SECTION 5. In codifying the new sections added by section
2 2 of this Act, the revisor of statutes shall substitute
3 appropriate section numbers for the letters used in designating
4 the new sections in this Act.

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

7 SECTION 7. This Act shall take effect on January 1, 2009.



Report Title:

Traffic Violations; Administrative Fee; Electronic Citations

Description:

Authorizes a \$4 administrative fee on all citations for traffic code violations to be shared by the judiciary and the counties for the establishment and maintenance of an electronic citation system. Establishes the electronic citation system special fund. Provides alternative payment for rental car companies. Provides for the disbursement of the funds to the counties and the Judiciary Computer Special Fund. Effective January 1, 2009.
(HB2343 HD1)

