

JAN 22 2007

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# A BILL FOR AN ACT

RELATING TO TRAFFIC INFRACTIONS.

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

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

4                           **"PART . UNCONTESTED TRAFFIC FINES**

5           **§291D-A Definitions.** For the purposes of this part,  
6 unless the context clearly requires otherwise:

7           "Traffic infraction" means the same as defined under  
8 section 291D-2.

9           "Uncontested traffic infraction" means a traffic infraction  
10 for which the person receiving notice under section 291D-5 does  
11 not contest the infraction. A person does not contest an  
12 infraction if, in accordance with section 291D-6(b)(1), the  
13 person admits to the commission of the infraction without  
14 requesting a hearing to explain any mitigating circumstances and  
15 pays or remits bail forfeiture by mail within thirty days.

16           **§291D-B Transmittal of fines and forfeitures from July 1,**  
17 **2007, to June 30, 2008.** (a) From July 1, 2007, to June 30,



1 2008, the state director of finance shall transmit to each  
2 county, not more than thirty days after the end of each fiscal  
3 quarter, fifty per cent of all fines and forfeitures collected  
4 for uncontested traffic infractions committed in that county  
5 that are in excess of amounts that are required by the State to  
6 pay the administrative costs of the traffic violations bureau.

7 (b) Subsection (a) shall not apply to:

8 (1) Fines and forfeitures for violations that occur on  
9 state off-street parking facilities, parks, airports,  
10 and harbors that are subject to enforcement by the  
11 State; or

12 (2) Fines and forfeitures that are required by law to be  
13 paid into a special, revolving, or trust fund.

14 No county shall be entitled to any portion of the fines and  
15 forfeitures described under this subsection.

16 **§291D-C Transmittal of fines and forfeitures from July 1,**  
17 **2008.** (a) From July 1, 2008, the state director of finance  
18 shall transmit to each county, not more than thirty days after  
19 the end of each fiscal quarter, all fines and forfeitures  
20 collected for uncontested traffic infractions committed in that  
21 county that are in excess of amounts required by the State to  
22 pay the administrative costs of the traffic violations bureau.



1 (b) Subsection (a) shall not apply to:

2 (1) Fines and forfeitures for violations that occur on  
3 state off-street parking facilities, parks, airports,  
4 and harbors that are subject to enforcement by the  
5 State; or

6 (2) Fines and forfeitures that are required by law to be  
7 paid into a special, revolving, or trust fund.

8 No county shall be entitled to any portion of the fines and  
9 forfeitures described under this subsection."

10 SECTION 2. Section 291C-171, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12 "(a) All fines and forfeitures collected upon conviction  
13 or upon the forfeiture of bail of any person charged with a  
14 violation of any section or provision of the state traffic laws  
15 and all assessments collected relating to the commission of  
16 traffic infractions shall be paid to the director of finance of  
17 the State.

18 The judiciary shall identify those uncontested traffic  
19 infractions as defined in section 291D-A. The disposition of  
20 fines and forfeitures paid to the state director of finance  
21 shall be subject to sections 291D-B and 291D-C."



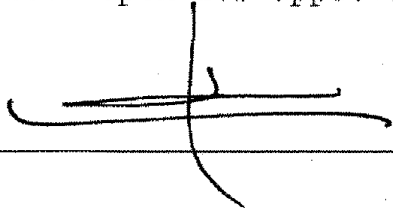
1 SECTION 3. In codifying the new sections added by section  
2 1 of this Act, the revisor of statutes shall substitute  
3 appropriate section numbers for the letter used in designating  
4 the new sections in this Act.

5 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_

 (A/C)



**Report Title:**

Traffic Infractions; Fines; Counties

**Description:**

Requires payment to the counties of 50% of all fines and forfeitures collected for uncontested traffic infractions committed in that county from 7/1/07 to 6/30/08, and 100% after 7/1/08.

