

JAN 18 2008

A BILL FOR AN ACT

RELATING TO TRAFFIC INFRACTIONS.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 **"CHAPTER**

5 **TRANSMITTAL OF UNCONTESTED TRAFFIC FINES**

6 **AND FORFEITURES TO COUNTIES**

7 **§ -1 Definitions.** For purposes of this chapter,
8 unless the context clearly requires otherwise:

9 "Traffic infraction" means the same as defined
10 under section 291D-2.

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



1 **§ -2 Transmittal of fines and forfeitures.** (a) The
2 state director of finance shall transmit to each county, not
3 later than thirty days after the end of each fiscal quarter,
4 per cent of all the fines and forfeitures collected for
5 uncontested traffic infractions committed in that county that
6 are in excess of amounts required by the State to pay the
7 administrative costs of the traffic violations bureau.

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

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

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

15 No county shall be entitled to any portion of the fines and
16 forfeitures described in this subsection."

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

19 "(a) All fines and forfeitures collected upon conviction
20 or upon the forfeiture of bail of any person charged with a
21 violation of any section or provision of the state traffic laws
22 and all assessments collected relating to the commission of



1 traffic infractions shall be paid to the director of finance of
2 the State.

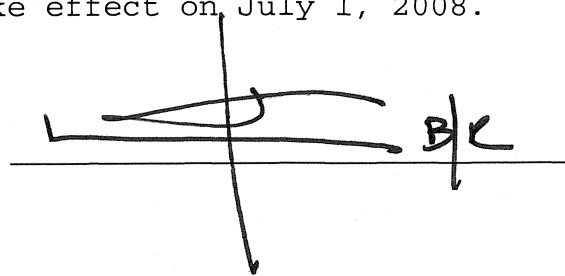
3 The judiciary shall identify those uncontested traffic
4 infractions as defined in section -1. The disposition of
5 finances and forfeitures paid to the state director of finance
6 shall be subject to section -2."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2008.

9

INTRODUCED BY:

A handwritten signature, possibly "L. J.", is written over a horizontal line. To the right of the signature, the initials "B/K" are written vertically.



Report Title:

Traffic Fines and Forfeitures; HSAC Package

Description:

Transfers a percentage of uncontested traffic fines and forfeitures to the county in which the violation occurred.

