

JAN 22 2010

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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1           SECTION 1. The legislature finds that, as a result of  
2 computer issues experienced by the judiciary as well as budget  
3 constraints, notices of traffic infractions to operators and  
4 owners of motor vehicles, at times, are not sent out in a timely  
5 manner. Consequently, these owners and operators of motor  
6 vehicles have experienced a variety of problems in responding to  
7 the late notices and are now faced with judgments or additional  
8 fines and penalties, or both, they could otherwise have avoided  
9 if they had received a timely notice, such as within thirty to  
10 forty-five days of a violation or infraction.

11           The legislature also finds that substantial sums of unpaid  
12 judgments, fines, and penalties remain outstanding and are owed  
13 to the judiciary.

14           The purpose of this Act is not to find fault with the  
15 judiciary due to such problems and constraints but to give the  
16 judiciary the flexibility and sole discretion to settle such  
17 resulting judgment amounts, fines, and penalties for not less



1 than what the operator or motor vehicle owner would have paid  
2 prior to any such default judgment.

3 SECTION 2. Notwithstanding any other law to the contrary,  
4 and for a period of fourteen months following the effective date  
5 of this Act, the judiciary shall have the sole discretion to  
6 settle, dispose of, and dismiss any unpaid judgment amount,  
7 fines, costs, and penalties owed by any operator or owner of a  
8 motor vehicle within the State of Hawaii as of the effective  
9 date of this Act, for an amount not less than what the operator  
10 or owner of the motor vehicle would have paid to the court or  
11 judiciary prior to the entering of any such judgment due to  
12 traffic infractions.

13 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

J. Alan Eglish

Clarence K. Nishihara

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**Report Title:**

Judiciary; Traffic Infractions; Judgments

**Description:**

Provides the Judiciary with sole discretion to settle, dispose of, and dismiss any unpaid judgment amount, fines, costs, and penalties owed by any operator or owner of a motor vehicle within the State of Hawaii as of the effective date of this Act, for an amount not less than what the operator or owner of the motor vehicle would have paid to the court or Judiciary prior to the entering of any such judgment due to traffic infractions.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

