

JAN 23 2009

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, unless
8 the context clearly requires otherwise:

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

11 "Uncontested traffic infraction" means a traffic infraction
12 for which the person noticed under section 291D-5 does not
13 contest the infraction. A person "does not contest" an
14 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 more
 3 than thirty days after the end of each fiscal quarter _____ per
 4 cent of all fines and forfeitures collected for uncontested
 5 traffic infractions committed in that county which are in excess
 6 of amounts required by the State to pay the administrative costs
 7 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 state director of
2 finance [~~of the State~~].

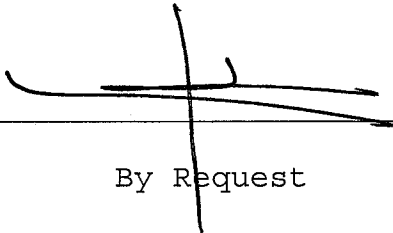
3 The judiciary shall identify those uncontested traffic
4 infractions as defined in section -1. The disposition of
5 finances and forfeitures paid to the state director of finance
6 shall be subject to section -2."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2009.

10

INTRODUCED BY:


By Request



Report Title:

Uncontested Traffic Infractions; Fines and Forfeitures to Counties

Description:

Requires director of finance to transmit a specified percentage of fines and forfeitures paid for uncontested traffic infractions to the counties.

