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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. Section 286-137, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§286-137 District courts to keep records[-]; disclosure.

4 (a) The district court of each circuit shall keep, maintain,  
5 and control or shall otherwise provide for the keeping,  
6 maintaining, and controlling of proper and accurate records of  
7 each conviction or bail forfeiture or any other disposition of  
8 each violation [ef] by a licensee coming within this part. The  
9 district court shall delete from the licensee's record any  
10 reference to a violation that the licensee has been found by the  
11 court not to have committed.

12 (b) The district court shall not disclose, other than to a  
13 law enforcement agency or the licensee, a disposition in which  
14 the licensee was found to have committed a traffic infraction if  
15 that disposition precedes the request for disclosure by more  
16 than \_\_\_\_\_ years; provided that:

17 (1) If at the time of the request for disclosure, there is  
18 present in the licensee's record an outstanding



1           traffic infraction, the disclosure shall not exceed  
 2           the three years preceding the date of the oldest  
 3           outstanding infraction; and

4           (2) The limitation on disclosure shall not apply to the  
 5           record of any:

6           (A) Criminal conviction; or

7           (B) Holder of a commercial driver's license.

8           (c) The district court of each circuit shall [~~also~~]  
 9 establish procedures for the accounting, control, and  
 10 disposition of each traffic citation, notice, or summons used or  
 11 issued, whether the use or issuance of the same is authorized by  
 12 the court or by any other governmental agency under applicable  
 13 laws or ordinances, which may include the keeping of an accurate  
 14 citation, notice, or summons control ledger or form in a  
 15 numerical, chronological, or other accountable manner."

16           SECTION 2. This Act does not affect rights and duties that  
 17 matured, penalties that were incurred, and proceedings that were  
 18 begun before its effective date.

19           SECTION 3. Statutory material to be repealed is bracketed  
 20 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on October 1, 2011.

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INTRODUCED BY:

*Cynthia Thielen*  
*By Request*

JAN 19 2011



**Report Title:**

Traffic Abstract; Expungement; Limitation on Disclosure

**Description:**

Requires district court to delete from a driver's traffic abstract any violation that the driver is found not to have committed. Prohibits disclosure of dispositions of infractions that precede the date of request by more than        years.

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

