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## A BILL FOR AN ACT

RELATING TO GASOLINE DEALERS.

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

1 SECTION 1. Section 486H-10.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~§486H-10.5 Violation; penalties.~~ ~~[Any]~~ (a) The  
4 commission shall assess against any person who violates section  
5 486H-10.4 ~~[shall be assessed]~~ a civil penalty of \$1,000 per day  
6 for each violation.

7 (b) If the civil penalty under subsection (a) is not paid  
8 within such period as the commission may direct, the attorney  
9 general shall institute a civil action for recovery of same in  
10 circuit court."

11 SECTION 2. Section 486H-11, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13 "(a) ~~[The]~~ In addition to carrying out section 486H-  
14 10.5(b), the attorney general shall commence a civil action to  
15 enforce section 486H-10.4 by seeking injunctive or any other  
16 appropriate relief. The civil action shall be brought in the  
17 circuit court of the circuit where the alleged violation  
18 occurred, or where the defendant resides or is doing business."



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

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Paul Chung

JAN 24 2011



**Report Title:**

Gasoline dealers; Public Utilities Commission; Civil Penalty

**Description:**

Allows the Public Utilities Commission to impose a civil penalty against gasoline dealers who violate the law without the instituting of a civil action.

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

