
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 [~~of~~] 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;

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

8 (C) Conviction of a driver who was operating a
9 commercial motor vehicle without a commercial
10 driver's license when such a license was
11 required.

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

20 SECTION 2. Section 287-3, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) The traffic violations bureaus of the district
2 courts, upon request, shall furnish any person a certified
3 abstract of the bureaus' record, if any, of any person relating
4 to [~~all alleged~~] convictions or civil judgments for moving
5 violations [~~and any convictions resulting therefrom~~], arising
6 from the operation of a motor vehicle and any administrative
7 license revocation pursuant to chapter 291E, part III and
8 chapter 286, part XIV, as it was in effect on or before December
9 31, 2001. The traffic violations bureaus may collect a fee, not
10 to exceed \$20, of which \$18 shall be deposited into the general
11 fund and \$2 shall be deposited into the judiciary computer
12 system special fund."

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

16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on October 1, 2012.



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. Specifies that only convictions or civil judgments for moving violations and administrative driver's license revocations be released on a certified traffic abstract. Effective October 1, 2012. (HB14 HD1)

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

