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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. 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 identified 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  
3 more than thirty days after the end of each fiscal quarter,  
4 \_\_\_\_\_ per cent of all fines and forfeitures collected for  
5 uncontested traffic infractions committed in that county which  
6 are in excess of amounts required by the State to pay the  
7 administrative cost 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 -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, 2012.

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INTRODUCED BY: Calvin K. Boy  
BY REQUEST

JAN 13 2012



# H.B. NO. 1749

**Report Title:**

Traffic Infractions; Fines and Forfeitures; HSAC Package

**Description:**

Requires the state director of finance to transmit, to each county, a percentage of all fines and forfeitures collected for uncontested traffic infractions committed in that county.

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