

JAN 20 2012

A BILL FOR AN ACT

RELATING TO TRAFFIC VIOLATION RECORDS.

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

1 SECTION 1. Section 287-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§287-3 Furnishing of operating records.** (a) The traffic
4 violations bureaus of the district courts, upon request, shall
5 furnish any person a certified abstract of the bureaus' record,
6 if any, of any person relating to all alleged moving violations
7 and any convictions resulting therefrom, arising from the
8 operation of a motor vehicle and any administrative license
9 revocation pursuant to chapter 291E, part III and chapter 286,
10 part XIV, as it was in effect on or before December 31, 2001.

11 The traffic violations bureaus may collect a fee, not to
12 exceed \$20, of which \$18 shall be deposited into the general
13 fund and \$2 shall be deposited into the judiciary computer
14 system special fund.

15 (b) Notwithstanding any provision to the contrary, all
16 alleged moving violations as well as any convictions resulting
17 therefrom or any administrative license suspension pursuant to



1 chapter 291A shall not be included in a certified abstract of
2 the bureaus' record.

3 (c) Notwithstanding any provision to the contrary,
4 beginning on December 1, 2012, all alleged moving violations for
5 which the disposition of the violation was "dismissed with
6 prejudice" or "not guilty", or which occurred more than ten
7 years prior to the date of the request for the abstract, shall
8 not be included in a certified abstract of the bureaus' record;
9 provided that this subsection shall not apply to a certified
10 abstract of a commercial driver licensed pursuant to part XIII,
11 chapter 286."

12 SECTION 2. The traffic violations bureaus of the district
13 courts shall not grant any person access to the traffic
14 violation record of any person, in any form, including an
15 electronic traffic violation record available through a website
16 approved by the State of Hawaii, unless the person requesting
17 the information provides the state driver's license number or
18 social security number of the person for whom the traffic
19 violation record is sought.

20 SECTION 3. (a) Information relating to all alleged moving
21 violations for which the disposition of the violation was
22 "dismissed with prejudice" or "not guilty", or which occurred



1 more than ten years prior to the date of the request for the
 2 abstract, shall be confidential; provided that information
 3 relating to all alleged moving violations of a commercial driver
 4 licensed pursuant to part XIII, chapter 286 shall not be
 5 confidential.

6 (b) A person who discloses confidential information in
 7 violation of this section shall be fined not more than \$500 for
 8 each separate disclosure. Any action taken to impose or collect
 9 the penalty provided for in this subsection shall be considered
 10 a civil action.

11 (c) The department of the attorney general shall
 12 investigate all alleged disclosures of confidential information
 13 for purposes of the enforcement of this Act.

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

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S.B. NO. 2517

Report Title:

Traffic Abstracts; Confidentiality; District Courts

Description:

Beginning on December 1, 2012, requires the removal of certain certified traffic abstracts records of all alleged moving violations for which the disposition of the case was "dismissed with prejudice" or "not guilty", or that occurred more than ten years prior to the date of the request for the abstract, with exceptions.

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

