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# A BILL FOR AN ACT

RELATING TO ELECTRONIC TRAFFIC CITATIONS.

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

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new part to be appropriately designated and  
3 to read as follows:

4                       **"PART           .   ELECTRONIC CITATION PROGRAM**

5           **§291C-A Definitions.** As used in this part:

6           "Electronic citation" means the process of transmitting  
7 traffic, misdemeanor, or other citations and law enforcement  
8 data via electronic means to the clerk of the court.

9           **§291C-B Electronic citation surcharge.** (a) In addition  
10 to any other civil penalties ordered by the court, a person who  
11 violates any provision under this chapter shall be ordered to  
12 pay an electronic citation surcharge of \$5 unless the county in  
13 which the citation was issued has, by ordinance, elected not to  
14 be subject to this part.

15           (b) The person shall pay the surcharge to the clerk of the  
16 court. The surcharge shall be deposited with the director of  
17 finance who shall credit the surcharge to the electronic  
18 citation special fund established under section 291C-C.



1           **§291C-C Electronic citation program; electronic citation**  
2 **special fund; establishment.** (a) There is established, within  
3 the department of transportation, an electronic citation  
4 program. This program shall be funded and sustained through the  
5 electronic citation special fund.

6           (b) There is established in the state treasury the  
7 electronic citation special fund, into which shall be deposited:

8           (1) Electronic citation fees, charges, and other moneys  
9           collected pursuant to sections 291- and 291C-B;

10          (2) Appropriations by the legislature to the special fund;  
11          and

12          (3) All moneys received from public or private sources for  
13          the purposes of this fund.

14          (c) Moneys in the electronic citation special fund shall  
15 be distributed by the director of transportation, in accordance  
16 with rules adopted pursuant to subsection (d), to the respective  
17 police departments and clerk of the court to defray expenses  
18 related to the establishment and maintenance of the electronic  
19 citation program.

20          (d) The director of transportation shall adopt rules  
21 pursuant to chapter 91 to implement this section. The rules  
22 shall establish a formula by which the moneys in the fund shall



1 be distributed to the respective police departments and clerk of  
2 the court and provide how each shall expend the moneys for the  
3 purposes of an electronic citation program."

4 SECTION 2. Chapter 291, Hawaii Revised Statutes, is  
5 amended by adding a new section to part I to be appropriately  
6 designated and to read as follows:

7 "§291- Electronic citation surcharge. (a) In addition  
8 to any other civil penalties ordered by the court, a person who  
9 violates any provision under this part shall be ordered to pay  
10 an electronic citations surcharge of \$5 unless the county in  
11 which the citation was issued has, by ordinance, elected not to  
12 be subject to this part.

13 (b) The person shall pay the surcharge to the clerk of the  
14 court. The surcharge shall be deposited with the director of  
15 finance who shall credit the surcharge to the electronic  
16 citation special fund established under 291C-C."

17 SECTION 3. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so much  
19 thereof as may be necessary for fiscal year 2013-2014 for start-  
20 up costs associated with the electronic citation program.

21 The sum appropriated shall be expended by the department of  
22 transportation for the purposes of this Act.



1 SECTION 4. In codifying the new sections added by section  
2 1 of this Act, the revisor of statutes shall substitute  
3 appropriate section numbers for the letters used in designating  
4 the new sections in this Act.

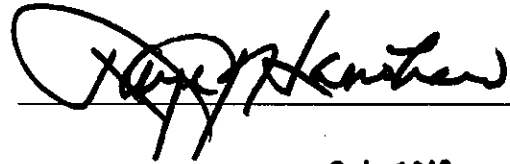
5 SECTION 5. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun before its effective date.

8 SECTION 6. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on July 1, 2013.

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INTRODUCED BY:



JAN 24 2013



# H.B. NO. 1442

**Report Title:**

Electronic Citation Program; Traffic Infractions; Appropriation

**Description:**

Creates an electronic citation program under the Department of Transportation. Effective July 1, 2013.

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

