
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 defined 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 more
3 than thirty days after the end of each fiscal quarter per
4 cent of all the fines and forfeitures collected for uncontested
5 traffic infractions committed in that county that are in excess
6 of amounts required by the State to pay the administrative costs
7 of the traffic violations bureau.

8 (b) Subsection (a) shall not apply to fines and
9 forfeitures:

10 (1) For violations that occur on state off-street parking
11 facilities, parks, airports, and harbors that are
12 subject to enforcement by the State; or

13 (2) That are required by law to be paid into a special,
14 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 section -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, 2013.

10

INTRODUCED BY: *[Signature]*

JAN 17 2013

By Request



H.B. NO. 214

Report Title:

Hawaii State Association of Counties Package; Uncontested Traffic Infractions; Transmittal of Fines and Forfeitures to Counties

Description:

Requires the state director of finance to transmit to the counties a percentage of fines and forfeitures collected for uncontested traffic infractions that are in excess of amounts required by the State for administrative costs of the traffic violations bureau.

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