

JAN 18 2013

A BILL FOR AN ACT

RELATING TO CITATIONS.

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

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

4 "§291- Electronic citation surcharge. (a) In addition
5 to any other civil penalties ordered by the court, a person who
6 violates any provision under this part shall be ordered to pay
7 an electronic citation surcharge of \$5 unless the county in
8 which the citation was issued has, by ordinance, elected not to
9 be subject to this part.

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

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

17 "PART . **ELECTRONIC CITATION PROGRAM**

18 **§291C-A Definitions.** As used in this part:



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

4 **§291C-B Electronic citation surcharge.** (a) In addition
5 to any other civil penalties ordered by the court, a person who
6 violates any provision under this chapter shall be ordered to
7 pay an electronic citation surcharge of \$5 unless the county in
8 which the citation was issued has, by ordinance, elected not to
9 be subject to this part.

10 (b) The person shall pay the surcharge to the clerk of the
11 court. The surcharge shall be deposited with the director of
12 finance who shall credit the surcharge to the electronic
13 citation special fund established under section 291C-C.

14 **§291C-C Electronic citation program; electronic citation**
15 **special fund; establishment.** (a) There is established, within
16 the department of transportation, an electronic citation
17 program. This program shall be funded and sustained through the
18 electronic citation special fund.

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

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



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

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

5 (c) Moneys in the electronic citation special fund shall
6 be distributed by the director of transportation, in accordance
7 with rules adopted pursuant to subsection (d), to the respective
8 police departments and clerk of the court to defray expenses
9 related to the establishment and maintenance of the electronic
10 citation program.

11 (d) The director of transportation shall adopt rules
12 pursuant to chapter 91 to implement this section. The rules
13 shall establish a formula by which the moneys in the fund shall
14 be distributed to the respective police departments and clerk of
15 the court and provide how each shall expend the moneys for the
16 purposes of an electronic citation program."

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2013-2014 for
20 start-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 2 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.

10

INTRODUCED BY: _____



S.B. NO. 887

Report Title:

Electronic Citation Program; Appropriation

Description:

Creates an electronic citation program under the department of transportation.

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

