

JAN 15 2014

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# A BILL FOR AN ACT

RELATING TO DRIVER EDUCATION AND TRAINING FUND.

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

1           SECTION 1.   Section 286G-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§286G-2 Driver education and training fund.** There is  
4 established in the state treasury a special fund to be known as  
5 the driver education and training fund. All driver education  
6 assessments collected pursuant to this chapter shall be  
7 deposited in the driver education and training fund to be  
8 expended by the administrative director of the courts for driver  
9 education and training programs and services administered by the  
10 judiciary, subject to part III of chapter 37 to the extent that  
11 the same applies to appropriations for the judiciary."

12           SECTION 2.   Section 286G-3, Hawaii Revised Statutes, is  
13 amended to read as follows:

14           "**§286G-3 Driver education assessments.** (a) A driver  
15 education assessment of \$7 shall be levied on a finding that a  
16 violation of a statute or county ordinance relating to vehicles  
17 or their drivers or owners occurred, except for:



- 1 (1) Offenses relating to stopping (when prohibited),  
2 standing, or parking;
- 3 (2) Offenses relating to registration; and
- 4 (3) Offenses by pedestrians.
- 5 (b) ~~[Driver]~~ To defray the costs of programs and services  
6 provided by the division of driver education, driver education  
7 assessments of:
- 8 (1) \$100 shall be levied on persons ~~[convicted]~~:
- 9 (A) Convicted under section 291E-61 ~~[or]~~, 291E-61.5  
10 ~~[to defray costs of services provided by the~~  
11 ~~driver education and training program]~~, or  
12 291E-64; or
- 13 (B) Required to attend or enrolled in an alcohol and  
14 drug education/driving under the influence of  
15 intoxicants program;
- 16 (2) \$50 shall be levied on persons required to attend or  
17 enrolled in a child passenger restraint system safety  
18 class, including persons convicted under section 291-  
19 11.5; and
- 20 (3) \$75 shall be levied on persons required to attend or  
21 enrolled in a driver retraining program, including  
22 persons convicted under section 291C-105 ~~[to defray~~



1 ~~costs of services provided by the driver education and~~  
2 ~~training program].~~

3 (c) The driver education assessments levied by subsections  
4 (a) and (b) shall be paid for each violation in addition to any  
5 fine imposed by the court, ~~[and]~~ regardless of whether a fine is  
6 suspended ~~[; provided that the driver education assessment of~~  
7 ~~\$100 levied on a person convicted under section 291E-61 or 291E-~~  
8 ~~61.5 may be waived by the court if the court determines that the~~  
9 ~~person is unable to pay the driver education assessment].~~

10 (d) Except for persons who are provided programs or  
11 services by the division in order to satisfy the requirements of  
12 another jurisdiction, an assessment levied under subsection (b)  
13 may be waived by the court if the court determines that the  
14 person is unable to pay the driver education assessment.

15 ~~[(d)]~~ (e) The amount of each driver education assessment  
16 levied by subsections (a) and (b) shall be transmitted by the  
17 clerk of the court for deposit in the driver education and  
18 training fund."

19 SECTION 3. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



# S.B. NO. 2083

1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY: *James Mercedo K.*  
BY REQUEST



# S.B. NO. 2083

**Report Title:**

Judiciary Package; Driver Education and Training Fund

**Description:**

Clarifies purpose of driver education and training fund.  
Imposes assessment on all persons provided programs and services by the division of driver education. Allows the court to waive assessments for persons unable to pay, except for persons who obtain programs or services from the Hawaii division of driver education to fulfill the requirements of another jurisdiction.

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

