
A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

PART I

1
2 SECTION 1. The legislature finds that the prevalence of
3 drivers violating Hawaii's traffic laws, especially on the
4 island of Oahu, has become intolerable, particularly drivers who
5 run red lights. These violations endanger the lives of
6 motorists and pedestrians and compound the already hazardous
7 conditions on Hawaii's roads and highways. It has become
8 increasingly common to hear reports of hit-and-run drivers who
9 have run over children or the elderly. Disregarding traffic
10 signals has also been the common denominator in recent highly-
11 publicized motor vehicle crashes that have claimed lives.
12 The legislature further finds that in other jurisdictions
13 in the United States, in Canada, in Europe, and in other
14 countries throughout the world, a technological innovation, the
15 photo red light imaging detector system, has already
16 demonstrated its reliability, efficiency, and effectiveness in
17 identifying and deterring those who run red lights.



1 Photo red light imaging detector systems are safe, quick,
2 cost-effective, and efficient. No traffic stop is involved, and
3 a police officer is not at risk from passing traffic or
4 violators who are armed or dangerous. For photo red light
5 imaging detector systems, a camera is positioned at
6 intersections where red light violations are a major cause of
7 collisions and serves as a twenty-four hour deterrent. Sensors
8 are buried under a crosswalk and lead to a self-contained camera
9 system mounted on a nearby structure. When a vehicle enters the
10 intersection and the traffic light is red, the camera takes a
11 telephoto color picture of the rear of the car, capturing the
12 license plate. A second wide-angle photograph takes in the
13 entire intersection, including other traffic.

14 These systems provide numerous benefits. Not only are
15 streets safer, but police officers are freed from time-consuming
16 traffic enforcement activities and have more time to respond to
17 priority calls. A violator is less likely to go to court, since
18 the color photograph of the violation, imprinted with the time,
19 date, and location of the violation, and the number of seconds
20 the light had been red before the violator entered the
21 intersection, can be used as evidence in court. Few cases are
22 contested in other jurisdictions using this system, and officers



1 make fewer court appearances, saving court, overtime, and other
2 costs.

3 The system may also result in lower insurance costs for
4 safe drivers through an overall reduction in crashes and
5 injuries. System costs are placed on the violators who have
6 created the need for the program, rather than law-abiding
7 taxpayers. Traffic laws are enforced without partiality, and
8 safety and efficiency are increased by reducing the number of
9 chases and the number of personnel required for traffic accident
10 clean-up, investigation, and court testimony.

11 The legislature additionally finds that the photo speed
12 imaging detector system created by Act 234, Session Laws of
13 Hawaii 1998, and implemented in January 2002, generated intense
14 public opposition to this program. As a result of this
15 opposition, the legislature repealed Act 234 in its entirety by
16 Act 58, Session Laws of Hawaii 2002. However, the majority of
17 the opposition to this program resulted from the method in which
18 the program was implemented. The public perceived that the
19 program operated more to maximize revenue for the vendor
20 administering the program, rather than to improve traffic
21 safety. In particular, vans in which the cameras were mounted
22 were often placed at locations that did not necessarily have a



1 history of speed-related accidents and instead were used to
2 monitor locations with heavy traffic flow at lower speeds. This
3 permitted the vendor to issue the maximum number of citations in
4 the shortest period of time and at the least cost, thereby
5 maximizing the potential return to the vendor without
6 necessarily maximizing traffic safety.

7 The purpose of this Act is to:

- 8 (1) Establish a three-year pilot photo red light imaging
9 detector system program to improve enforcement of the
10 traffic signal laws in all counties with a population
11 in excess of 600,000; and
12 (2) Make other amendments regarding highway safety.

13 **PART II**

14 **SECTION 2. Definitions.** As used in this Act, unless the
15 context otherwise requires:

16 "County" means any county with a population in excess of
17 600,000.

18 "County highway" has the same meaning as used in section
19 264-1, Hawaii Revised Statutes.

20 "Department" means the department of transportation.

21 "Motor vehicle" has the same meaning as defined in section
22 291C-1, Hawaii Revised Statutes.



1 "Photo red light imaging detector" means a device used for
2 traffic enforcement that includes a vehicle sensor that works in
3 conjunction with a traffic-control signal and a camera or
4 similar device to automatically produce a photographic, digital,
5 or other visual image of a vehicle that has disregarded a steady
6 red traffic-control signal in violation of section
7 291C-32(a)(3), Hawaii Revised Statutes, and a photographic,
8 digital, or other visual image of the driver of the motor
9 vehicle.

10 "State highway" has the same meaning as used in section
11 264-1, Hawaii Revised Statutes.

12 "Traffic-control signal" has the same meaning as defined in
13 section 291C-1, Hawaii Revised Statutes.

14 **SECTION 3. Photo red light imaging detector system**
15 **program; established.** There is established a pilot photo red
16 light imaging detector system program, which may be implemented
17 by any county on state or county highways within the respective
18 county to enforce the traffic-control signal laws of the State.
19 The program shall cease to operate on July 1, 2016.

20 **SECTION 4. County powers and duties.** Each county may
21 establish and implement, in accordance with this Act, a photo
22 red light imaging detector system program imposing monetary



1 liability on the registered owner of a motor vehicle for failure
2 to comply with traffic-control signal laws. Each county may
3 provide for the procurement, location, installation, operation,
4 maintenance, and repair of the photo red light imaging detector
5 system within the program. Where the photo red light imaging
6 detector system affects state property, the department shall
7 cooperate with and assist the county as needed to install,
8 maintain, and repair the photo red light imaging detector system
9 established pursuant to this Act.

10 SECTION 5. **Photo red light imaging detector system program**
11 **requirements.** (a) Photo red light imaging detector system
12 program equipment shall be operated from a fixed pole, post, or
13 other fixed structure on a state or county highway.

14 (b) Signs and other official traffic-control devices
15 indicating that traffic signal laws are enforced by a photo red
16 light imaging detector system shall be posted on all major
17 routes entering the area in question to provide, as far as
18 practicable, notice to drivers of the existence and operation of
19 the system.

20 (c) Proof of a traffic-control signal violation shall be
21 as evidenced by information obtained from the photo red light
22 imaging detector system authorized pursuant to this Act. A



1 certificate, sworn to or affirmed by the county's agent or
2 employee, or a facsimile thereof, based upon inspection of
3 photographs, microphotographs, videotape, or other recorded
4 images produced by the system, shall be prima facie evidence of
5 the facts contained therein. Any photographs, microphotographs,
6 videotape, or other recorded images evidencing a violation shall
7 be available for inspection in any proceeding to adjudicate the
8 liability for that violation.

9 (d) No summons or citation issued pursuant to the photo
10 red light imaging detector system program shall be issued unless
11 it contains a clear and unobstructed photographic, digital, or
12 other visual image of the driver of the motor vehicle.

13 (e) The conditions specified in this section shall not
14 apply when the information gathered is used for highway safety
15 research or to issue warning citations not involving a fine,
16 court appearance, or a person's driving record.

17 SECTION 6. **Summons or citations.** (a) Notwithstanding any
18 law to the contrary, whenever any motor vehicle is determined to
19 have disregarded a steady red signal in violation of section
20 291C-32(a)(3), Hawaii Revised Statutes, by a photo red light
21 imaging detector system, the county shall send a summons or
22 citation, as described in this section, to the registered owner



1 of the vehicle at the address on record at the vehicle licensing
2 division, by certified or registered mail with a return receipt
3 that is postmarked within seventy-two hours of the time of the
4 incident. If the end of the seventy-two hour period falls on a
5 Saturday, Sunday, or holiday, then the ending period shall run
6 until the end of the next day that is not a Saturday, Sunday, or
7 holiday.

8 (b) The form and content of the summons or citation shall
9 be as adopted or prescribed by the administrative judge of the
10 district courts and shall be printed on a form identical with
11 the form of other summonses or citations used in modern methods
12 of arrest, so designed to include all necessary information to
13 make the summons or citation valid within the laws of the State;
14 provided that any summons or citation pursuant to the photo red
15 light imaging detector system program shall contain a clear and
16 unobstructed photographic, digital, or other visual image of the
17 driver of the motor vehicle that is to be used as evidence of
18 the violation.

19 (c) Every citation shall be consecutively numbered and
20 each copy thereof shall bear the number of its respective
21 original.



1 (d) Upon receipt of the summons or citation, the
2 registered owner shall respond as provided for in chapter 291D,
3 Hawaii Revised Statutes. A mail receipt signed by the
4 registered owner is prima facie evidence of notification. The
5 registered owner shall be determined by the identification of
6 the vehicle's registration plates.

7 (e) The county, or the county's agent or employee, shall
8 be available to testify as to the authenticity of the
9 information provided pursuant to this section.

10 **SECTION 7. Registered owner's responsibility for a summons**
11 **or citation.** In any proceeding for a violation of this Act, the
12 information contained in the summons or citation mailed in
13 accordance with section 6 shall be deemed evidence that the
14 registered vehicle violated section 291C-32(a)(3), Hawaii
15 Revised Statutes.

16 **SECTION 8. Prima facie evidence.** (a) Whenever the photo
17 red light imaging detector system determines a motor vehicle to
18 be in violation of section 291C-32(a)(3), Hawaii Revised
19 Statutes, evidence that the motor vehicle described in the
20 citation or summons issued pursuant to this Act was operated in
21 violation of that section, together with proof that the person
22 to whom the summons or citation was sent was the registered



1 owner of the motor vehicle at the time of the violation, shall
2 constitute prima facie evidence that the registered owner of the
3 motor vehicle was the person who committed the violation.

4 (b) The registered owner of the vehicle may rebut the
5 evidence in subsection (a) by:

6 (1) Submitting a written statement as provided in section
7 291D-6(b)(2), Hawaii Revised Statutes;

8 (2) Testifying in open court under oath that the
9 registered owner was not the person operating the
10 motor vehicle at the time of the alleged violation;

11 (3) Calling witnesses to testify in open court under oath
12 that the registered owner was not the person operating
13 the motor vehicle at the time of the alleged
14 violation;

15 (4) Extrinsic evidence that the registered owner was not
16 the person operating the motor vehicle at the time of
17 the alleged violation; or

18 (5) Presenting to the court adjudicating the alleged
19 violation, prior to the return date established on the
20 citation or summons issued pursuant to this Act, a
21 letter of verification of loss from the police



1 department indicating the vehicle had been reported
2 stolen.

3 SECTION 9. **Failure to comply with summons or citation;**
4 **rebuttal of identification of operator.** (a) If the registered
5 owner of the vehicle does not return an answer in response to a
6 summons or citation within a period of fifteen days upon receipt
7 of the summons or citation, the district court shall issue,
8 pursuant to section 291D-7(e), Hawaii Revised Statutes, a notice
9 of entry of judgment of default to the registered owner of the
10 vehicle, except if the registered owner rebuts the
11 identification of the operator of the vehicle.

12 (b) The registered owner shall be given an opportunity by
13 the district court to rebut the identification of the registered
14 owner of the vehicle as provided in section 8(b).

15 SECTION 10. **Liability for rental or U-drive motor vehicle.**
16 Notwithstanding any law to the contrary, if the registered owner
17 of record is the lessor of a rental or U-drive motor vehicle, as
18 defined in section 286-2, Hawaii Revised Statutes, pursuant to a
19 written lease agreement, the lessee at the time of the violation
20 shall be responsible for the summons or citation; provided:

21 (1) The lessor shall be responsible for the summons or
22 citation if the lessor does not provide the court



1 having jurisdiction over the summons or citation with
2 the name and address of the lessee within thirty days
3 after a notice containing the date, time, and location
4 of the violation and the license number of the vehicle
5 is sent to the lessor; and

6 (2) The administrative judge of the court having
7 jurisdiction over the summons or citation may waive
8 the requirement of providing the name and address of
9 the lessee and impose on the lessor an administrative
10 fee of \$50 per citation.

11 SECTION 11. **Penalty.** The penalties for all consequences
12 of a violation for disregarding a steady red signal initiated by
13 the use of a photo red light imaging detector system shall be as
14 provided in section 291C-161, Hawaii Revised Statutes.

15 SECTION 12. **Fines for unauthorized disclosure.** (a) The
16 information obtained by a photo red light imaging detector, and
17 any other information arising therefrom, shall be confidential
18 for purposes of law enforcement and court proceedings.

19 (b) Any officer, employee, or agent of a county who
20 intentionally discloses or provides a copy of personal and
21 confidential information obtained from a photo red light imaging
22 detector to any person or agency, with actual knowledge that



1 disclosure is prohibited by the statutory provisions set forth
2 in this Act, shall be fined up to \$1,000; provided that the fine
3 shall not preclude the application of penalties or fines
4 otherwise provided for by law.

5 SECTION 13. **Photo red light imaging detector program**
6 **revenue from fines.** Revenue derived from fines pursuant to this
7 Act shall be deposited into the general fund.

8 SECTION 14. **Rules.** The department shall adopt rules
9 pursuant to chapter 91, Hawaii Revised Statutes, as may be
10 necessary to implement this Act.

11 **PART III**

12 SECTION 15. Section 249-7, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) Upon an original registration the director of finance
15 shall fix, and shall charge to the owner, a fee equal to the
16 cost of the number plate and tag or emblem plus the
17 administrative cost of furnishing the plate and tag or emblem
18 and effecting the registration. Upon the issuance of a new
19 series of number plates as determined by the directors of
20 finance of each county through majority consent, the director of
21 finance shall charge the owner a fee equal to the costs of the
22 number plate plus the administrative cost of furnishing the



1 plates. Upon issuing a tag or emblem, the director of finance
2 shall charge the owner a fee of 50 cents. The owner shall
3 securely fasten the number plates on the vehicle[7] or
4 motorcycle, one on the front and the other on the rear, at a
5 location provided by the manufacturer or in the absence of such
6 a location upon the bumpers of the vehicle and in conformance
7 with section 291-31, in such a manner as to prevent the plates
8 from swinging. Number plates shall at all times be displayed
9 entirely unobscured and be kept reasonably clean. In the case
10 of trailers[7] and semitrailers[~~7~~ ~~or motorcycles~~], one plate
11 shall be used and it shall be fastened to the rear thereof at a
12 location provided by the manufacturer or in the absence of such
13 a location at the rear thereof, and in the case of motorcycles
14 in conformance with section 291-31."

15 SECTION 16. Section 291C-32, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) Whenever traffic is controlled by traffic-control
18 signals exhibiting different colored lights, or colored lighted
19 arrows, successively one at a time or in combination, only the
20 colors green, red, and yellow shall be used, except for special
21 pedestrian signals carrying a word or symbol legend, and the



1 lights shall indicate and apply to drivers of vehicles and
2 pedestrians as follows:

3 (1) Green indication:

4 (A) Vehicular traffic facing a circular green signal
5 may proceed straight through or turn right or
6 left unless a sign at the place prohibits either
7 such turn. But vehicular traffic, including
8 vehicles turning right or left, shall yield the
9 right-of-way to other vehicles and to pedestrians
10 lawfully within the intersection or an adjacent
11 crosswalk at the time such signal is
12 exhibited[-];

13 (B) Vehicular traffic facing a green arrow signal,
14 shown alone or in combination with another
15 indication, may cautiously enter the intersection
16 only to make the movement indicated by such
17 arrow, or such other movement as is permitted by
18 other indications shown at the same time. Such
19 vehicular traffic shall yield the right-of-way to
20 pedestrians lawfully within an adjacent crosswalk
21 and to other traffic lawfully using the
22 intersection[-]; and



1 (C) Unless otherwise directed by a pedestrian-control
2 signal, as provided in section 291C-33,
3 pedestrians facing any green signal, except when
4 the sole green signal is a turn arrow, may
5 proceed across the roadway within any marked or
6 unmarked crosswalk[-];

7 (2) Steady yellow indication:

8 (A) Vehicular traffic facing a steady yellow signal
9 is thereby warned that the related green movement
10 is being terminated or that a red indication will
11 be exhibited immediately thereafter when
12 vehicular traffic shall not enter the
13 intersection[-]; provided that the length of the
14 steady yellow indication shall be sufficient to
15 allow trucks to pass through the intersection in
16 a reasonable amount of time before a steady red
17 indication commences; and

18 (B) Pedestrians facing a steady yellow signal, unless
19 otherwise directed by a pedestrian-control signal
20 as provided in section 291C-33, are thereby
21 advised that there is insufficient time to cross
22 the roadway before a red indication is shown and



1 no pedestrian shall then start to cross the
2 roadway[-]; and

3 (3) Steady red indication:

4 (A) Vehicular traffic facing a steady red signal
5 alone shall stop at a clearly marked stop line,
6 but if none, before entering the crosswalk on the
7 near side of the intersection or, if none, then
8 before entering the intersection and shall remain
9 standing until an indication to proceed is shown,
10 except as provided in the next succeeding
11 paragraphs[-]; provided that the steady red
12 signal shall not commence until trucks have
13 sufficient time to pass through the intersection
14 on a steady yellow indication;

15 (B) The driver of a vehicle which is stopped in
16 obedience to a steady red indication may make a
17 right turn but shall yield the right-of-way to
18 pedestrians and other traffic proceeding as
19 directed by the signal at said intersection,
20 except that counties by ordinance may prohibit
21 any such right turn against a steady red
22 indication, which ordinance shall be effective



1 when a sign is erected at such intersection
 2 giving notice thereof[-];
 3 (C) The driver of a vehicle on a one-way street which
 4 intersects another one-way street on which
 5 traffic moves to the left shall stop in obedience
 6 to a steady red indication but may then make a
 7 left turn into said one-way street, but shall
 8 yield right-of-way to pedestrians, proceeding as
 9 directed by the signal at said intersection
 10 except that counties by ordinance may prohibit
 11 any such left turn as above described which
 12 ordinance shall be effective when a sign is
 13 erected at such intersection giving notice
 14 thereof[-]; and
 15 (D) Unless otherwise directed by a pedestrian-control
 16 signal as provided in section 291C-33,
 17 pedestrians facing a steady red signal alone
 18 shall not enter the roadway."

19 SECTION 17. Section 291C-161, Hawaii Revised Statutes, is
 20 amended to read as follows:

21 "§291C-161 Penalties[-]; photo red light imaging detector
 22 system fine. (a) It is a violation for any person to violate

1 any of the provisions of this chapter, except as otherwise
2 specified in subsections (c) and (d) and unless the violation is
3 by other law of this State declared to be a felony, misdemeanor,
4 or petty misdemeanor.

5 (b) Except as provided in subsections (c) and (d), every
6 person who is determined to have violated any provision of this
7 chapter for which another penalty is not provided shall be
8 fined:

9 (1) Not more than \$200 for a first violation thereof;

10 (2) Not more than \$300 for a second violation committed
11 within one year after the date of the first violation;
12 and

13 (3) Not more than \$500 for a third or subsequent violation
14 committed within one year after the date of the first
15 violation.

16 (c) Every person convicted under or found in violation of
17 section 291C-12, 291C-12.5, 291C-12.6, 291C-13, 291C-14,
18 291C-15, 291C-16, 291C-72, 291C-73, 291C-95, 291C-102, 291C-103,
19 291C-104, or 291C-105 shall be sentenced or fined in accordance
20 with [~~these sections.~~] that section.

21 (d) Every person who violates section 291C-13 or 291C-18
22 shall:



- 1 (1) Be fined not more than \$200 or imprisoned not more
- 2 than ten days for a first conviction thereof;
- 3 (2) Be fined not more than \$300 or imprisoned not more
- 4 than twenty days or both for conviction of a second
- 5 offense committed within one year after the date of
- 6 the first offense; and
- 7 (3) Be fined not more than \$500 or imprisoned not more
- 8 than six months or both for conviction of a third or
- 9 subsequent offense committed within one year after the
- 10 date of the first offense.

11 (e) The court may assess a sum not to exceed \$50 for the
12 cost of issuing a penal summons upon any person who fails to
13 appear at the place within the time specified in the citation
14 issued to the person for any traffic violation.

15 (f) The court may require a person who violates any of the
16 provisions of this chapter to attend a course of instruction in
17 driver retraining as deemed appropriate by the court, in
18 addition to any other penalties imposed.

19 (g) Fines collected for violations of section
20 291C-32(a)(3) pursuant to the photo red light imaging detector
21 system program established pursuant to Act _____, Session Laws
22 of Hawaii 2013, shall be deposited into the general fund."



1 SECTION 18. Section 291C-163, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) This chapter shall not be deemed to prevent counties
4 with respect to streets and highways under their jurisdiction
5 from:

- 6 (1) Regulating or prohibiting stopping, standing, or
7 parking except as provided in section 291C-111;
- 8 (2) Regulating traffic by means of police officers or
9 official traffic-control devices;
- 10 (3) Regulating or prohibiting processions or assemblages
11 on the highways;
- 12 (4) Designating particular highways or roadways for use by
13 traffic moving in one direction;
- 14 (5) Establishing speed limits for vehicles in public
15 parks;
- 16 (6) Designating any highway as a through highway or
17 designating any intersection as a stop or yield
18 intersection;
- 19 (7) Restricting the use of highways;
- 20 (8) Regulating the operation and equipment of and
21 requiring the registration and inspection of bicycles,
22 including the requirement of a registration fee;



- 1 (9) Regulating or prohibiting the turning of vehicles or
- 2 specified types of vehicles;
- 3 (10) Altering or establishing speed limits;
- 4 (11) Requiring written accident reports;
- 5 (12) Designating no-passing zones;
- 6 (13) Prohibiting or regulating the use of controlled-access
- 7 roadways by any class or kind of traffic;
- 8 (14) Prohibiting or regulating the use of heavily traveled
- 9 streets by any class or kind of traffic found to be
- 10 incompatible with the normal and safe movement of
- 11 traffic;
- 12 (15) Establishing minimum speed limits;
- 13 (16) Designating hazardous railroad grade crossing;
- 14 (17) Designating and regulating traffic on play streets;
- 15 (18) Prohibiting pedestrians from crossing a roadway in a
- 16 business district or any designated highway except in
- 17 a crosswalk;
- 18 (19) Restricting pedestrian crossing at unmarked
- 19 crosswalks;
- 20 (20) Regulating persons propelling push carts;
- 21 (21) Regulating persons upon skates, coasters, sleds, and
- 22 other toy vehicles;



- 1 (22) Adopting and enforcing such temporary or experimental
2 regulations as may be necessary to cover emergencies
3 or special conditions;
- 4 (23) Adopting maximum and minimum speed limits on streets
5 and highways within their respective jurisdictions;
- 6 (24) Adopting requirements on stopping, standing, and
7 parking on streets and highways within their
8 respective jurisdictions except as provided in section
9 291C-111;
- 10 (25) Prohibiting or regulating electric personal assistive
11 mobility devices on sidewalks and bicycle paths; [~~and~~]
- 12 (26) Implementing a photo red light imaging detector system
13 pursuant to Act _____, Session Laws of Hawaii 2013; or
- 14 [~~(26)~~] (27) Adopting [~~such~~] other traffic regulations as
15 [~~are~~] specifically authorized by this chapter."

16 SECTION 19. Section 291C-165, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) In every case when a citation is issued, the original
19 of the citation shall be given to the violator; provided that:

- 20 (1) In the case of an unattended vehicle, the original of
21 the citation shall be affixed to the vehicle as
22 provided for in section 291C-167; [~~or~~]



1 (2) In the case of:

2 (A) A vehicle utilizing the high occupancy vehicle

3 lane illegally; or

4 (B) A vehicle illegally utilizing a parking space

5 reserved for persons with disabilities, where the

6 violator refuses the citation; or

7 (3) In the case of a motor vehicle determined by a photo

8 red light imaging detector system established pursuant

9 to Act _____, Session Laws of Hawaii 2013, to have

10 disregarded a steady red signal in violation of

11 section 291C-32(a)(3);

12 the original of the citation shall be sent by certified or

13 registered mail, with a return receipt that is postmarked within

14 forty-eight hours of the time of the incident, as provided in

15 section 291C-223 for vehicles illegally utilizing the high

16 occupancy vehicle lane[-]; or within seventy-two hours of the

17 time of the incident for vehicles illegally utilizing a parking

18 space reserved for persons with disabilities, to the registered

19 owner of the vehicle at the address on record at the vehicle

20 licensing division[-]; or within seventy-two hours of the time

21 of the incident to the registered owner of the vehicle at the

22 address on record at the vehicle licensing division for vehicles

1 disregarding a steady red signal in violation of section
 2 291C-32(a)(3), as determined by means of a photo red light
 3 imaging detector system. If the end of the applicable forty-
 4 eight or seventy-two hour period falls on a Saturday, Sunday, or
 5 holiday, then the ending period shall run until the end of the
 6 next day which is not a Saturday, Sunday, or holiday; provided
 7 that the administrative judge of the district courts may allow a
 8 carbon copy of the citation to be given to the violator or
 9 affixed to the vehicle and provide for the disposition of the
 10 original and any other copies of the citation."

PART IV

12 SECTION 20. It is the intent of this Act not to jeopardize
 13 the receipt of any federal aid nor to impair the obligation of
 14 the State or any agency thereof to the holders of any bond
 15 issued by the State or by any such agency, and to the extent,
 16 necessary to effectuate this intent, the governor may modify the
 17 strict provisions of this Act, but shall promptly report any
 18 such modification with reasons therefore to the legislature at
 19 its next session for review.

20 SECTION 21. If any provision of this Act, or the
 21 application thereof to any person or circumstance, is held
 22 invalid, the invalidity does not affect other provisions or



1 applications of the Act that can be given effect without the
2 invalid provision or application, and to this end the provisions
3 of this Act are severable.

4 SECTION 22. This Act does not affect rights and duties
5 that matured, penalties that were incurred, and proceedings that
6 were begun before its effective date.

7 SECTION 23. Upon enactment, the revisor of statutes shall
8 insert the number of this Act into sections 291C-161, 291C-163,
9 and 291C-165, Hawaii Revised Statutes, where indicated in
10 sections 17, 18, and 19 of this Act, respectively.

11 SECTION 24. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 25. This Act shall take effect on July 1, 2050,
14 and shall be repealed on July 1, 2016; provided that sections
15 249-7(b), 291C-32(a), 291C-161, 291C-163(a), and 291C-165(b),
16 Hawaii Revised Statutes, shall be reenacted in the form in which
17 they read on the day before the effective date of this Act.

18



Report Title:

Highway Safety; Pilot Program; Photo Red Light Imaging Detector System Program

Description:

Establishes a three-year pilot photo red light imaging detector system program. Authorizes counties to administer the program. Makes other amendments regarding highway safety. Effective 7/1/2050. Repeals 7/1/2016. (SD1)

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

