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## A BILL FOR AN ACT

RELATING TO SPEEDING.

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 section to part X to be appropriately  
3 designated and to read as follows:  
4           "§291C-    Speeding violations; driver retraining;  
5 expungement of record; preservation of motor vehicle insurance  
6 premium rates. (a) Pursuant to section 291C-161(f), the court  
7 may order any person who is eligible under subsection (b) to  
8 attend a course of instruction in driver retraining. Upon  
9 successful completion of a course of instruction in driver  
10 retraining ordered pursuant to this section, the person may  
11 petition the court for an order to expunge all records relating  
12 to the applicable violation. As provided in section 431:10C-  
13 208, the person's premium rates for motor vehicle insurance  
14 shall not be affected by a violation that has been expunged  
15 pursuant to this section.  
16           (b) A person shall be eligible for driver retraining and  
17 expungement pursuant to this section if:



- 1        (1) The person has a valid Hawaii driver's license;
- 2        (2) The person is found guilty of speeding not more than  
3        twenty-five miles over the applicable maximum speed  
4        limit;
- 5        (3) The subject violation does not involve a vehicle for  
6        which a commercial driver's license or a commercial  
7        learner's permit issued pursuant to chapter 286 is  
8        required;
- 9        (4) The person has not been ordered to attend a course of  
10       instruction in driver retraining within the last  
11       eighteen months;
- 12       (5) The person's conviction of the violation did not  
13       result from a failure to appear in court;
- 14       (6) The subject violation is not related to alcohol use or  
15       possession of alcohol; and
- 16       (7) The subject violation is not related to drug use or  
17       possession of drugs."

18        SECTION 2. Section 431:10C-208, Hawaii Revised Statutes,  
19 is amended to read as follows:

20        "§431:10C-208 Increase in premiums prohibited. (a) No  
21 premium on any motor vehicle insurance policy shall be increased



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1 as a result of any accident if the insured is not at fault in  
 2 the accident. An accident in which the insured was not at fault  
 3 shall not be used in any way to affect any subsequent increases,  
 4 including loss of any discounts, in insurance premiums.

5 (b) No premium on any motor vehicle insurance policy shall  
 6 be increased as a result of a conviction that has been expunged  
 7 as provided in section 291C- . A conviction that has been  
 8 expunged pursuant to section 291C- shall not be used in any  
 9 way to affect any increases, including loss of any discounts, in  
 10 insurance premiums subsequent to entry of the order for  
 11 expungement."

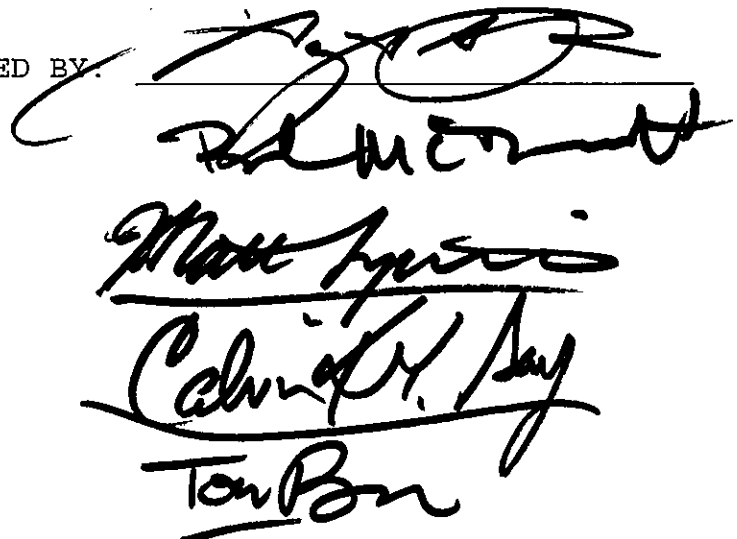
12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:



JAN 14 2016



# H.B. NO. 1563

**Report Title:**

Driver Retraining; Speeding; Expungement; Motor Vehicle  
Insurance Premium Retention

**Description:**

Allows a court to order a person who is found guilty of speeding not more than 25 miles over the maximum speed limit to attend driver retraining. Provides for expungement of the violation and retention of insurance premium rates upon successful completion.

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

