

JAN 22 2016

A BILL FOR AN ACT

RELATING TO TRAFFIC ABSTRACTS.

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

1 SECTION 1. Section 287-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§287-3~~ **Furnishing of operating records.** (a) The traffic
4 violations bureaus of the district courts, upon request, shall
5 furnish to any person a certified abstract of the bureaus'
6 record, if any, of any person [~~relating to all alleged moving~~
7 ~~violations and any convictions resulting therefrom, arising from~~
8 ~~the operation of a motor vehicle and any administrative license~~
9 ~~revocation pursuant to chapter 291E, part III and chapter 286,~~
10 ~~part XIV, as it was in effect on or before December 31, 2001]~~.

11 The abstract shall report all:

12 (1) Unadjudicated allegations against the person for
13 infractions or offenses arising from the operation of
14 a motor vehicle;

15 (2) Infractions or offenses arising from the operation of
16 a motor vehicle that the person was adjudged to have



- 1 committed and for which penalties imposed against the
2 person have not been fully satisfied;
- 3 (3) Infractions or offenses arising from the operation of
4 a motor vehicle that the person was adjudged to have
5 committed and for which penalties imposed against the
6 person have been fully satisfied, for a period of
7 three years from the date of satisfaction; except that
8 drug- or alcohol-related offenses arising from the
9 operation of a motor vehicle that the person was
10 adjudged to have committed shall be reported for a
11 period of ten years from the date of satisfaction;
- 12 (4) Judgments permanently revoking the person's driver's
13 license;
- 14 (5) Administrative revocations of the person's driver's
15 license pursuant to chapter 291E, part III;
- 16 (6) Administrative revocations of the person's driver's
17 license pursuant to chapter 286, part XIV, as it was
18 in effect on or before December 31, 2001; and
- 19 (7) Convictions of drivers resulting from operating a
20 commercial motor vehicle without a commercial driver's
21 license when such license was required.



1 Penalties imposed against a person for an infraction or
2 offense arising from the operation of a motor vehicle, whether
3 civil or criminal, are fully satisfied when all court-ordered
4 finest, fees, surcharges, costs, or monetary assessments imposed
5 against the person for the infraction or offense have been paid
6 and all court-ordered non-monetary sanctions have been complied
7 with.

8 (b) For any abstract furnished, the traffic violations
9 bureaus may collect a fee, not to exceed \$20, of which \$18 shall
10 be deposited into the general fund and \$2 shall be deposited
11 into the judiciary computer system special fund.

12 [~~b~~] (c) Notwithstanding any provision to the contrary,
13 all [~~alleged-moving-violations~~] allegations against a person for
14 infractions or offenses arising from the operation of a motor
15 vehicle, as well as any convictions [~~resulting therefrom~~],
16 adjudications that the person committed the infractions or
17 offenses, or [~~any~~] administrative [~~license-suspension~~]
18 suspensions of the person's driver's license resulting therefrom
19 pursuant to chapter 291A, shall not be included in a certified
20 abstract of the bureaus' record.



1 (d) In determining whether an infraction or offense arises
 2 from the operation of a motor vehicle, the statutory definition
 3 of "motor vehicle" shall be applicable to the particular
 4 infraction or offense."

5 SECTION 2. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect on January 1, 2017.

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INTRODUCED BY:

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S.B. NO. 2348

Report Title:

Traffic Abstracts

Description:

Clarifies the content requirements for traffic abstracts.

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