

1 §291C-B Transmittal of fines from July 1, 2016. (a)
2 Beginning July 1, 2016, the director of finance shall transmit
3 to each county, not more than thirty days after the end of each
4 fiscal quarter, all the fines collected for uncontested traffic
5 infractions committed in that county that are in excess of
6 amounts required by the State to pay the administrative costs of
7 the traffic violations bureau. The fines shall be directed to
8 the law enforcement agency in the county in which the citations
9 were issued.

10 (b) This section shall not apply to:

11 (1) Fines for violations that occur on off-street parking
12 facilities, parks, airports, and harbors that are
13 subject to enforcement by the State; and

14 (2) Fines for violations that are required by law to be
15 paid into a special, revolving, or trust fund of the
16 State.

17 No county shall be entitled to any portion of the fines
18 described in this subsection."

19 SECTION 2. Section 291C-171, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:



1 "(a) All fines and forfeitures collected upon conviction
2 or upon the forfeiture of bail of any person charged with a
3 violation of any section or provision of the state traffic laws
4 and all assessments collected relating to the commission of
5 traffic infractions shall be paid to the director of finance of
6 the State[-]; provided that the judiciary shall identify those
7 fines paid for uncontested traffic infractions as defined in
8 section 291C-A and the disposition of those fines shall be paid
9 to the director of finance and subject to section 291C-B."

10 SECTION 3. Section 291D-6, Hawaii Revised Statutes, is
11 amended by amending subsection (b) to read as follows:

12 "(b) Provided that the notice of traffic infraction does
13 not require an appearance in person at [+]a[+] hearing as set
14 forth in section [+]291D-5(d)(10)[+], in answering a notice of
15 traffic infraction, a person shall have the following options:

16 (1) Admit the commission of the infraction in one of the
17 following ways:

18 (A) By mail or in person, by completing the
19 appropriate portion of the notice of traffic
20 infraction or preaddressed envelope and
21 submitting it to the authority specified on the



1 notice together with payment of the total amount
2 stated on the notice of traffic infraction.

3 Payment by mail shall be in the form of a check,
4 money order, or by an approved credit or debit
5 card. Payment in person shall be in the form of
6 United States currency, check, money order, or by
7 an approved credit or debit card; or

8 (B) Via the Internet or by telephone, by submitting
9 payment of the total amount stated on the notice
10 of traffic infraction. Payment via the Internet
11 or by telephone shall be by an approved credit or
12 debit card;

13 (2) Deny the commission of the infraction and request a
14 hearing to contest the infraction by completing the
15 appropriate portion of the notice of traffic
16 infraction or preaddressed envelope and submitting it,
17 either by mail or in person, to the authority
18 specified on the notice. In lieu of appearing in
19 person at a hearing, the person may submit a written
20 statement of grounds on which the person contests the
21 notice of traffic infraction, which shall be



1 considered by the court as a statement given in court
2 pursuant to section 291D-8(a); [~~or~~]

3 (3) Admit the commission of the infraction and request a
4 hearing to explain circumstances mitigating the
5 infraction by completing the appropriate portion of
6 the notice of traffic infraction or preaddressed
7 envelope and submitting it, either by mail or in
8 person, to the authority specified on the notice. In
9 lieu of appearing in person at a hearing, the person
10 may submit a written explanation of the mitigating
11 circumstances, which shall be considered by the court
12 as a statement given in court pursuant to section
13 291D-8(b) [~~-~~]; or

14 (4) Admit the commission of the infraction but without
15 requesting a hearing under paragraph (3), in which
16 case the infraction shall be deemed uncontested;
17 provided that fines paid shall be transmitted to the
18 counties as provided in part _____ of chapter 291C."

19 SECTION 4. In codifying the new sections added by section
20 1 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on July 1, 2016.

6

INTRODUCED BY:

Mike Gelbach

Clarena Kristina

to

Annunzio Sica

Michelle Sidani

Paul E. Rude

Al Chung

Lorraine G. Inouye



S.B. NO. 2650

Report Title:

Uncontested Traffic Fines; Transfer to Counties

Description:

Transfers fines collected for uncontested traffic infractions to the counties. Defines uncontested traffic infractions.

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

