



The Judiciary, State of Hawai‘i

**Testimony to the
Senate Committee on Judiciary and Labor**
The Honorable Gilbert S.C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair

Senate Committee on Transportation and Energy
The Honorable Lorraine R. Inouye, Chair
The Honorable Donovan M. Dela Cruz, Vice Chair

Monday, February 6, 2017, 9:00 a.m.
State Capitol, Conference Room 16

by
Calvin C. Ching,
Deputy Chief Court Administrator, District Court of the First Circuit

Bill No. and Title: Senate Bill No. 792, Relating to Unadjudicated Traffic Fines.

Purpose: Transfers certain fines and forfeitures collected for uncontested traffic infractions to the counties.

Judiciary's Position:

The Judiciary takes no position as to the merits of this bill, but wishes to comment on certain operational and technical aspects. The Judiciary respectfully recommends that reference to paying the “administrative costs of the traffic violations bureau” be removed, and, should this bill move forward, a specific amount to be transferred be established.

Determining the exact “administrative costs” incurred in operating the Traffic Violations Bureau (TVB) in four different circuits would be extremely complex and the accounting to do this would be expensive and time consuming. With respect to staff salaries, it is easy to identify the amounts for positions that are identified as dedicated to TVB positions; however, many of the District Court personnel, court administrators, and judges work in traffic violation activities but are not dedicated to those functions alone. With regard to support costs, they would include a large element of the Judiciary Information Management System (JIMS), the primary computer database for handling traffic offenses. In addition, there is the non-District Court “support staff” which plays an important role in TVB functions, such as JIMS staff, Information Technology



Senate Bill No. 792, Relating to Unadjudicated Traffic Fines
Senate Committee on Judiciary and Labor
Senate Committee on Transportation and Energy
Monday, February 6, 2017, 9:00 a.m.
Page 2

and Communications Division staff, and fiscal officers. It should also be noted that the costs related to the printing of statewide traffic citations was \$170,241.62 in 2016.

Thank you for the opportunity to testify on Senate Bill No. 792.

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Arryl Kaneshiro
Derek S.K. Kawakami
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
E-mail: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

February 3, 2017

TESTIMONY OF MEL RAPOZO
COUNCIL CHAIR, KAUA'I COUNTY COUNCIL
ON
SB 792, RELATING TO UNADJUDICATED TRAFFIC FINES
Senate Committee on Judiciary and Labor
Senate Committee on Transportation and Energy
Monday, February 6, 2017
9:00 a.m.
Conference Room 016

Dear Chair Keith-Agaran, Chair Inouye, and Members of the Committees:

Thank you for this opportunity to provide testimony in support of SB 792, Relating to Unadjudicated Traffic Fines. My testimony is submitted in my individual capacity as Council Chair of the Kaua'i County Council and as Secretary of the Hawai'i State Association of Counties (HSAC).

SB 792, Relating to Unadjudicated Traffic Fines, bears similarity with measures included in both the Kaua'i County and Hawai'i State Association of Counties Legislative Packages which directs funds to be transmitted to the respective county in which the citations were issued. SB 792 directs the transmittal of these uncontested traffic infractions fines and forfeiture moneys, after payment of administrative costs of the traffic violations bureau, to the law enforcement agency in the county in which the citations were issued, and enables the counties to redirect certain amounts of county funds to other priority projects.

For the reasons stated above, I urge the Senate Committee on Judiciary and Labor and Senate Committee on Transportation and Energy to support this measure. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,

MEL RAPOZO
Council Chair, Kaua'i County Council

AMK:aa