

JAN 22 2021

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## A BILL FOR AN ACT

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RELATING TO TRAFFIC VIOLATIONS.

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

1       SECTION 1. Section 249-11, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3       "(a) Any person who manufactures, sells, or distributes  
4 vehicle number plates, tags, or emblems of a design and size  
5 similar to the currently issued series of number plates, tags,  
6 or emblems authorized by the director of finance, or who  
7 attaches to and uses on any vehicle plates, tags, or emblems not  
8 furnished in accordance with sections 249-1 to 249-13 or 286-53,  
9 or who fraudulently uses such number plates, tags, or emblems  
10 upon any vehicle other than the one for which the number plates,  
11 tags, or emblems were issued, or who molests or disturbs any  
12 vehicle which has been seized pursuant to sections 249-1 to  
13 249-13, or any person who knowingly uses a motor vehicle, the  
14 tax upon which is delinquent, upon public highways of this  
15 State, or any director of finance who issues a certificate of  
16 registration or number plates, tags, or emblems to any person  
17 who has not paid the tax required by sections 249-1 to 249-13,



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1 or any person who violates any of the provisions of such  
2 sections, shall be fined not more than [~~\$500.~~] \$600."

3 SECTION 2. Section 261-17.6, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) The director may enforce airport rules pertaining to  
6 vehicle parking at airports by imposing fines not to exceed  
7 [~~\$50~~] \$60 per violation or by removing the vehicle of the  
8 offender from the area within the airport's jurisdiction, or  
9 both; provided that a person violating any provision of part III  
10 of chapter 291, or any rule adopted thereunder, shall be guilty  
11 of a traffic infraction under chapter 291D and shall be fined or  
12 otherwise penalized in accordance with part III of chapter 291."

13 SECTION 3. Section 261-21, Hawaii Revised Statutes, is  
14 amended by amending subsection (b) to read as follows:

15 "(b) Except as provided in subsection (c), any person  
16 violating any rule relating to motor vehicles and traffic  
17 control or the operation of any equipment or motor vehicle in or  
18 on the operational area of the airport shall be guilty of an  
19 offense as defined under the Penal Code and be fined not more  
20 than [~~\$500.~~] \$600."



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1       SECTION 4.   Section 286-12, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3       "(c)   Any person who violates this section shall be fined  
4 [~~\$250~~] \$300 for each violation."

5       SECTION 5.   Section 286-25, Hawaii Revised Statutes, is  
6 amended to read as follows:

7       "**§286-25   Operation of a vehicle or moped without a**  
8 **certificate of inspection.**   Whoever operates, permits the  
9 operation of, causes to be operated, or parks any vehicle or  
10 moped on a public highway without a current official certificate  
11 of inspection, issued under section 286-26, shall be fined not  
12 more than [~~\$100-~~] \$120."

13       SECTION 6.   Section 286-30, Hawaii Revised Statutes, is  
14 amended to read as follows:

15       "**§286-30   False certificates.**   Any person who makes,  
16 issues, or knowingly uses any imitation or counterfeit of an  
17 official certificate of inspection, or any person who displays  
18 or causes or permits to be displayed upon any vehicle any  
19 certificate of inspection knowing the same to be issued for  
20 another vehicle or issued without an inspection having been made  
21 or issued without authority as provided herein shall be fined



1 not more than [~~\$1,000~~] \$1,200 or imprisoned not more than thirty  
2 days, or both."

3 SECTION 7. Section 286-136, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 **"§286-136 Penalty.** (a) Except as provided in subsection  
6 (b), any person who violates section 286-102, 286-122, 286-130,  
7 286-131, 286-132, 286-133, or 286-134 shall be fined not more  
8 than \$1,000 or imprisoned not more than thirty days, or both.  
9 Any person who violates any other section in this part shall be  
10 fined not more than [~~\$1,000~~] \$1,200.

11 (b) Any person who is convicted of violating section  
12 286-102, 286-122, 286-130, 286-131, 286-132, 286-133, or 286-134  
13 shall be subject to a minimum fine of [~~\$500~~] \$600 and a maximum  
14 fine of [~~\$1,000~~] \$1,200, or imprisoned not more than one year,  
15 or both, if the person has two or more prior convictions for the  
16 same offense in the preceding five-year period.

17 (c) Notwithstanding subsections (a) and (b), a minor under  
18 the age of eighteen under the jurisdiction of the family court  
19 who is subject to this section shall either lose the right to  
20 drive a motor vehicle until the age of eighteen or be subject to  
21 a fine of [~~\$500~~] \$600."



1       SECTION 8. Section 286-181, Hawaii Revised Statutes, is  
2 amended by amending subsection (g) to read as follows:

3       "(g) Any person operating a school vehicle who fails to  
4 comply with any rule adopted pursuant to this section shall be  
5 fined not more than [~~\$500~~] \$600 or imprisoned not more than six  
6 months, or both."

7       SECTION 9. Section 286-202.8, Hawaii Revised Statutes, is  
8 amended by amending subsection (b) to read as follows:

9       "(b) Violation of this section shall be subject to a fine  
10 of [~~\$507~~] \$60, notwithstanding section 286-206."

11       SECTION 10. Section 286-210, Hawaii Revised Statutes, is  
12 amended to read as follows:

13       "**§286-210 Operation of a motor carrier vehicle without a**  
14 **safety inspection decal.** Whoever operates, permits the  
15 operation of, causes to be operated, or parks any motor carrier  
16 vehicle on a public highway without a current motor carrier  
17 vehicle safety inspection decal, issued under section 286-209,  
18 shall be fined [~~\$100~~] \$120 for each day of the violation."

19       SECTION 11. Section 286-214, Hawaii Revised Statutes, is  
20 amended to read as follows:



1        "[~~+~~§286-214~~+~~]    **False certificates.** Any person who makes,  
2 issues, or knowingly uses any imitation or counterfeit of an  
3 official certificate of inspection, or any person who displays  
4 or causes or permits to be displayed upon any vehicle any  
5 certificate of inspection knowing the same to be issued for  
6 another vehicle or issued without an inspection having been made  
7 or issued without authority as provided herein shall be fined  
8 not more than [~~\$1,000~~] \$1,200 or imprisoned not more than one  
9 year, or both."

10        SECTION 12. Section 286-234, Hawaii Revised Statutes, is  
11 amended as follows:

12        1. By amending subsection (c) to read:

13        "(c) Any employer who violates subsection (a) or (b)(1) or  
14 (2) shall for a first conviction be fined not more than [~~\$100+~~]  
15 \$120; for conviction of a second offense committed within one  
16 year after the date of the prior conviction, the employer shall  
17 be fined not more than [~~\$300+~~] \$360; for conviction of a third  
18 or subsequent offense committed within two years after the date  
19 of the second conviction, the employer shall be fined not more  
20 than [~~\$1,000.~~] \$1,200."

21        2. By amending subsection (e) to read:



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1        "(e) Any employer who is convicted of a violation of  
2 subsection (b) (4) shall be subject to a civil penalty of not  
3 more than [~~\$10,000~~] \$12,000."

4        SECTION 13. Section 286-249, Hawaii Revised Statutes, is  
5 amended as follows:

6        1. By amending subsection (a) to read

7        "(a) Any person who drives a commercial motor vehicle in  
8 the State without a valid commercial driver's license or  
9 commercial learner's permit, or while the person's driving  
10 privileges are suspended, revoked, or canceled, or while  
11 disqualified from driving a commercial motor vehicle, shall be:

12        (1) Disqualified from driving a commercial motor vehicle  
13        for a period of not less than one year and up to life;

14        (2) Fined not less than [~~\$500~~] \$600 but not more than  
15        [~~\$1,000~~] \$1,200; and

16        (3) Imprisoned not more than one year;

17 provided that the court shall have discretion to impose either a  
18 fine or imprisonment, or both."

19        2. By amending subsections (c) and (d) to read:

20        "(c) Any person convicted under or found in violation of  
21 section 286-242(a) shall be fined not more than [~~\$200~~] \$240."



1 (d) Notwithstanding subsection (a)(2), any person  
2 convicted under or found in violation of section 286-242(c)  
3 shall be fined not more than [~~\$500-~~] \$600."

4 SECTION 14. Section 290-12, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 **"§290-12 Leaving abandoned or derelict vehicles.** The  
7 registered owner of an abandoned vehicle, as defined in section  
8 290-1, or a derelict vehicle, as defined in section 290-8, found  
9 on any roadway, alley, street, way, lane, trail, bridge, or  
10 highway or other public property or on private property without  
11 authorization of the owner or occupant shall be fined not more  
12 than [~~\$1,000-~~] \$1,200; provided that the registered owner shall  
13 not be fined if the abandoned or derelict vehicle has been  
14 stolen or taken from the registered owner without permission or  
15 authorization."

16 SECTION 15. Section 291-2, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 **"§291-2 Reckless driving of vehicle or riding of animals;**  
19 **penalty.** Whoever operates any vehicle or rides any animal  
20 recklessly in disregard of the safety of persons or property is  
21 guilty of reckless driving of vehicle or reckless riding of an





1 animal, as appropriate, and shall be fined not more than  
2 [~~\$1,000~~] \$1,200 or imprisoned not more than thirty days, or  
3 both."

4 SECTION 16. Section 291-3.1, Hawaii Revised Statutes, is  
5 amended by amending subsection (c) to read as follows:

6 "(c) Any person violating this section shall be fined not  
7 more than [~~\$2,000~~] \$2,400 or imprisoned not more than thirty  
8 days, or both."

9 SECTION 17. Section 291-3.2, Hawaii Revised Statutes, is  
10 amended by amending subsection (c) to read as follows:

11 "(c) Any person violating this section shall be guilty of  
12 a petty misdemeanor[+] and shall be fined not less than \$120 nor  
13 more than \$600."

14 SECTION 18. Section 291-3.3, Hawaii Revised Statutes, is  
15 amended by amending subsection (d) to read as follows:

16 "(d) Any person violating this section shall be guilty of  
17 a violation[+] and shall be fined not less than \$6 nor more than  
18 \$180."

19 SECTION 19. Section 291-4.6, Hawaii Revised Statutes, is  
20 amended by amending subsection (b) to read as follows:



"(b) Any person convicted of violating this section shall  
be sentenced as follows:

(1) For a first offense, or any offense not preceded  
within a five-year period by a conviction under this  
section:

(A) A term of imprisonment at least three consecutive  
days but not more than thirty days;

(B) A fine not less than [~~\$250~~] \$300 but not more  
than [~~\$1,000;~~] \$1,200; and

(C) License suspension or denial shall continue until  
written authorization of compliance is issued by  
the child support enforcement agency, the office  
of child support hearings, or the family court;  
and

(2) For an offense which occurs within five years of a  
prior conviction under this section:

(A) Thirty days' imprisonment;

(B) A fine of [~~\$1,000;~~] \$1,200; and

(C) License suspension or denial shall continue until  
written authorization of compliance pursuant to  
section 576D-13 [†]is[†] issued by the child



1 support enforcement agency, the office of child  
2 support hearings, or the family court."

3 SECTION 20. Section 291-10, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§291-10 Penalty.** Any person violating any of the  
6 provisions of sections 291-8 and 291-9 shall be fined not less  
7 than [~~\$5~~] \$6 nor more than [~~\$150.~~] \$180."

8 SECTION 21. Section 291-11, Hawaii Revised Statutes, is  
9 amended by amending subsection (c) to read as follows:

10 "(c) A motorcycle or motor scooter driver who violates  
11 this section shall be fined not more than [~~\$200.~~] \$240."

12 SECTION 22. Section 291-11.5, Hawaii Revised Statutes, is  
13 amended by amending subsection (e) to read as follows:

14 "(e) Violation of this section shall be considered an  
15 offense as defined under section 701-107(5) and shall subject  
16 the violator to the following penalties:

17 (1) For a first conviction, the person shall:

18 (A) Be fined not more than [~~\$100.~~] \$120;

19 (B) Be required by the court to attend a child  
20 passenger restraint system safety class conducted



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1 by the division of driver education; provided  
2 that:

3 (i) The class may include video conferences as  
4 determined by the administrator of the  
5 division of driver education as an  
6 alternative method of education; and

7 (ii) The class shall not exceed four hours;

8 (C) Pay a \$50 driver education assessment as provided  
9 in section 286G-3;

10 (D) Pay a \$10 surcharge to be deposited into the  
11 neurotrauma special fund; and

12 (E) Pay up to a \$10 surcharge to be deposited into  
13 the trauma system special fund if the court so  
14 orders;

15 (2) For a conviction of a second offense committed within  
16 three years of any other conviction under this  
17 section, the person shall:

18 (A) Be fined not less than [~~\$100~~] \$120 but not more  
19 than [~~\$200~~] \$240;

20 (B) Be required by the court to attend a child  
21 passenger restraint system safety class not to



1           exceed four hours in length conducted by the  
2           division of driver education if the person has  
3           not previously attended such a class;

4           (C) Pay a \$50 driver education assessment as provided  
5           in section 286G-3 if the person has not  
6           previously attended a child passenger restraint  
7           system safety class conducted by the division of  
8           driver education;

9           (D) Pay a \$10 surcharge to be deposited into the  
10          neurotrauma special fund; and

11          (E) Pay up to a \$10 surcharge to be deposited into  
12          the trauma system special fund if the court so  
13          orders;

14          (3) For a conviction of a third or subsequent offense  
15          committed within three years of any other conviction  
16          under this section, the person shall:

17          (A) Be fined not less than [~~\$200~~] \$240 but not more  
18          than [~~\$500~~] \$600;

19          (B) Be required by the court to attend a child  
20          passenger restraint system safety class not to  
21          exceed four hours in length conducted by the



division of driver education if the person has  
not previously attended such a class;

(C) Pay a \$50 driver education assessment as provided  
in section 286G-3 if the person has not  
previously attended a child passenger restraint  
system safety class conducted by the division of  
driver education;

(D) Pay a \$10 surcharge to be deposited into the  
neurotrauma special fund; and

(E) Pay up to a \$10 surcharge to be deposited into  
the trauma system special fund if the court so  
orders."

SECTION 23. Section 291-11.6, Hawaii Revised Statutes, is  
amended by amending subsection (e) to read as follows:

"(e) A person who fails to comply with the requirements of  
this section:

(1) Shall be subject to:

(A) A fine of [~~\$45~~] \$54 for each violation; and

(B) A surcharge of \$10 that shall be deposited into  
the neurotrauma special fund; and



(2) May be subject to a surcharge of up to \$10 that shall be deposited into the trauma system special fund."

SECTION 24. Section 291-12, Hawaii Revised Statutes, is amended to read as follows:

**"§291-12 Inattention to driving.** Whoever operates any vehicle negligently as to cause a collision with, or injury or damage to, as the case may be, any person, vehicle or other property shall be fined not more than [~~\$500~~] \$600 or imprisoned not more than thirty days, or both, and may be subject to a surcharge of up to \$100, which shall be deposited into the trauma system special fund."

SECTION 25. Section 291-14, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) Any person who violates this section shall be subject to a fine of [~~\$25~~] \$30 for each violation; provided that any person who violates subsection (c) shall be subject to a fine of [~~\$50~~] \$60 for each separate violation."

SECTION 26. Section 291-17, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:



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1       "(d) Any person who is convicted of violating subsection  
2       (a) shall be fined not more than [~~\$2,750~~] \$3,300 in addition to  
3       the driving disqualification of section 286-240(e)."

4       SECTION 27. Section 291-21.5, Hawaii Revised Statutes, is  
5       amended by amending subsection (e) to read as follows:

6       "(e) Any person who violates this section shall be fined:

7       (1) Not less than [~~\$250~~] \$300 or more than [~~\$500~~] \$600 for  
8       each separate offense if the person is the owner of  
9       the motor vehicle which is in violation; and

10      (2) Not less than [~~\$500~~] \$600 nor more than [~~\$1,000~~]  
11      \$1,200 for each separate offense if the person or  
12      business entity is the installer of any sun screening  
13      device which does not meet the requirements of this  
14      section. The installer shall also reinstall sun  
15      protective devices which comply with this section,  
16      free of charge, or reimburse the motor vehicle owner  
17      for the cost of installing sun protective devices by  
18      another installer which comply with this section.

19      The receipt from the installer in the possession of the person  
20      in the motor vehicle at the time of the issuance of the citation  
21      shall be prima facie evidence of the identity of the installer.





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1 The installer shall issue a certificate to the vehicle owner at  
2 the time the sunscreen device is installed certifying that the  
3 device complies with law. The certificate shall be stored in  
4 the motor vehicle at all times."

5 SECTION 28. Section 291-23, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 **"§291-23 Penalty.** Whoever is convicted of violating any  
8 of the provisions of section 291-22 shall be fined not more than  
9 [~~\$100.~~] \$120."

10 SECTION 29. Section 291-24, Hawaii Revised Statutes, is  
11 amended by amending subsection (c) to read as follows:

12 "(c) Whoever violates this section shall be fined not more  
13 than [~~\$100.~~] \$120."

14 SECTION 30. Section 291-24.5, Hawaii Revised Statutes, is  
15 amended by amending subsection (b) to read as follows:

16 "(b) Any violation of this section shall constitute a  
17 violation and shall be enforceable by police officers. The fine  
18 for this violation shall be not less than [~~\$25~~] \$30 nor more  
19 than [~~\$250~~] \$300 for each separate offense. Any person who  
20 violates the provisions of this section may be issued a summons  
21 or citation for such violation."



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1       SECTION 31. Section 291-24.6, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3       "(b) If a motor vehicle alarm system installed in a motor  
4 vehicle is activated and emits a sound for more than five  
5 continuous minutes, the registered owner of the motor vehicle  
6 shall be fined not more than [~~\$100~~] \$120; provided that after  
7 the third violation within a five-year period, the fine shall  
8 be:

9       (1) [~~\$250~~] \$300 for the fourth violation;

10       (2) [~~\$375~~] \$450 for the fifth violation; and

11       (3) [~~\$500~~] \$600 for a sixth or subsequent violation."

12       SECTION 32. Section 291-31.5, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14       "(b) Any violation of this section shall be punished by a  
15 fine not exceeding [~~\$1,000~~] \$1,200, or by imprisonment not  
16 exceeding one year, or both."

17       SECTION 33. Section 291-32, Hawaii Revised Statutes, is  
18 amended by amending subsection (b) to read as follows:

19       "(b) Whoever violates any of the provisions of this  
20 section, or of sections 291-25 to 291-31, shall be fined not  
21 more than [~~\$10~~] \$12. Each violation shall be deemed a separate



1 offense, and a subsequent violation of the same provision within  
 2 a one-year period shall be subject to twice the fine imposed  
 3 upon the prior conviction therefor."

4 SECTION 34. Section 291-37, Hawaii Revised Statutes, is  
 5 amended by amending subsection (a) to read as follows:

6 "(a) Any person who omits to perform any of the acts  
 7 required by, or who commits any of the acts prohibited by,  
 8 sections 291-2 to 291-33, or any rules adopted to enforce those  
 9 sections, shall be guilty of a violation and shall be fined not  
 10 less than [~~\$25~~] \$30 nor more than [~~\$1,800~~] \$2,160, except as  
 11 otherwise provided.

12 Any person who omits to perform any of the acts required  
 13 by, or who commits any of the acts prohibited by, section 291-  
 14 34, 291-35, or 291-36 shall be fined in accordance with the  
 15 following tables:

If the excess weight is:	The fine for a violation shall be:
100 to 1,500 pounds	[ <del>\$250</del> ] <u>\$300</u>
1,501 to 2,000 pounds	[ <del>260</del> ] <u>312</u>
2,001 to 2,500 pounds	[ <del>280</del> ] <u>336</u>
2,501 to 3,000 pounds	[ <del>320</del> ] <u>384</u>



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1	3,001 to 3,500 pounds	<del>[360]</del> <u>432</u>
2	3,501 to 4,000 pounds	<del>[400]</del> <u>480</u>
3	4,001 to 4,500 pounds	<del>[450]</del> <u>540</u>
4	4,501 to 5,000 pounds	<del>[500]</del> <u>600</u>
5	5,001 to 5,500 pounds	<del>[550]</del> <u>660</u>
6	5,501 to 6,000 pounds	<del>[600]</del> <u>720</u>
7	6,001 to 6,500 pounds	<del>[660]</del> <u>792</u>
8	6,501 to 7,000 pounds	<del>[720]</del> <u>864</u>
9	7,001 to 7,500 pounds	<del>[780]</del> <u>936</u>
10	7,501 to 8,000 pounds	<del>[840]</del> <u>1008</u>
11	8,001 to 8,500 pounds	<del>[910]</del> <u>1092</u>
12	8,501 to 9,000 pounds	<del>[980]</del> <u>1176</u>
13	9,001 to 9,500 pounds	<del>[1050]</del> <u>1260</u>
14	9,501 to 10,000 pounds	<del>[1120]</del> <u>1334</u>
15	10,001 pounds and over	<del>[1160]</del> <u>1392</u>
16	If the excess dimension is:	The fine shall be:
17	Up to 5 feet	\$ <del>[50]</del> <u>60</u>
18	Over 5 feet and up to 10 feet	<del>[100]</del> <u>120</u>
19	Over 10 feet and up to 15 feet	<del>[150]</del> <u>180</u>
20	Over 15 feet	<del>[200]</del> <u>240</u>
21		



1        For the purposes of this section, "person" means the driver  
2 of the vehicle unless the driver is an employee in the scope and  
3 course of employment, in which case "person" means the employer  
4 of the driver. In the case of the transportation of a sealed  
5 container or transportation by flatrack, "person" means:

6        (1) The individual or company the cargo is consigned to;

7                or

8        (2) The individual or company located in the State

9                shipping the cargo.

10       The consignee or the shipper shall not be cited if the power  
11 units' drive axle group is overweight, and the weight is not  
12 more than that allowed for a tandem axle with any applicable  
13 tolerances.

14       All penalties imposed and collected for violations of  
15 sections 291-33 to 291-36 shall be paid into the state highway  
16 fund.

17       The department of transportation shall institute a system  
18 where the fine, based on the tables in this subsection, may be  
19 mailed in when the citation or penalty is not to be contested.  
20 This system shall include an ability for the owner of the  
21 vehicle or combination of vehicles to request the operator be



1 held harmless and the citation be transferred to that owner of  
2 the vehicle or combination of vehicles."

3 SECTION 35. Section 291-57, Hawaii Revised Statutes, is  
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) Any person who uses a parking space reserved for  
6 persons with disabilities who:

7 (1) Fails to properly display a disability parking permit;

8 (2) Displays an invalid disability parking permit;

9 (3) Uses a disability parking permit that was not issued

10 to that person or to any passengers occupying the

11 vehicle in the parking space; or

12 (4) With or without a disability parking permit:

13 (A) Parks in an access aisle; or

14 (B) Obstructs the ingress or egress to a parking

15 space reserved for a person with a disability;

16 shall be guilty of a traffic infraction under chapter 291D and

17 shall be fined no less than [~~\$250~~] \$300 nor more than [~~\$500~~]

18 \$600 and pay any costs incurred by the court related to

19 assessing the fine; provided that a person with a disability who

20 has been issued a valid disability parking permit that is

21 currently in effect, and who has failed to display the



1 disability parking permit while parking in a space reserved for  
2 persons with disabilities, shall pay a fine of no less than  
3 [~~\$25~~] \$30 nor more than [~~\$100~~] \$120 and any costs incurred by  
4 the court related to assessing the fine.

5 (b) Any person who uses a parking space reserved for  
6 persons with disabilities and refuses or fails to present an  
7 identification card issued under this chapter or the rules  
8 adopted thereunder to an enforcement officer upon request shall  
9 be guilty of a traffic infraction under chapter 291D and shall  
10 be fined no less than [~~\$250~~] \$300 nor more than [~~\$500~~] \$600."

11 SECTION 36. Section 291-72, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13 "(b) Beginning July 1, 2013, any person who parks a  
14 non-electric vehicle in a space designated and marked as  
15 reserved for electric vehicles shall be guilty of a traffic  
16 infraction under chapter 291D and shall be fined not less than  
17 [~~\$50~~] \$60 nor more than [~~\$100~~] \$120, and shall pay any costs  
18 incurred by the court related to assessing the fine."

19 SECTION 37. Section 291C-72, Hawaii Revised Statutes, is  
20 amended by amending subsection (e) to read as follows:



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"(e) Every person who violates this section shall be subject to the following penalties:

(1) For a first infraction, or any infraction not preceded within one year by a prior violation of this section, a fine of [~~\$150,~~] \$180;

(2) For an infraction that occurs within one year of a prior violation of this section, a fine of [~~\$300~~] \$360 and revocation of the person's driver's license and privilege to operate a vehicle for a period of ninety days; and

(3) For an infraction that occurs within two years of two prior violations of this section, and for the fourth and each additional infraction of this section, regardless of when committed, a fine of [~~\$1,000,~~] \$1,200, and revocation of the person's driver's license and privilege to operate a vehicle for a period of one hundred eighty days."

SECTION 38. Section 291C-95, Hawaii Revised Statutes, is amended by amending subsection (h) to read as follows:

"(h) Any person who violates this section shall be fined not more than [~~\$500~~] \$600 or sentenced to perform community





1 service, or both; provided that any person who violates  
2 subsection (a) on a state highway shall be fined not more than  
3 [~~\$1,000~~] \$1,200 or sentenced to perform community service, or  
4 both."

5 SECTION 39. Section 291C-103, Hawaii Revised Statutes, is  
6 amended by amending subsections (e) and (f) to read as follows:

7 "(e) Any person who violates this section, except  
8 subsection (d), shall be fined not more than [~~\$500~~] \$600 or  
9 imprisoned not more than six months, or both. Any person who  
10 violates subsection (d) shall be fined not more than [~~\$500~~] \$600  
11 or be sentenced to perform community service, or both.

12 (f) Any person who violates this section while operating a  
13 vehicle at a speed exceeding the posted speed limit by thirty  
14 miles per hour or more shall be subject to a fine of not more  
15 than [~~\$2,000,~~] \$2,400, a term of imprisonment of not more than  
16 one year, or both; provided that the following additional  
17 penalties shall also apply:

18 (1) For an offense that occurs within five years of a  
19 prior conviction, a one-year license suspension;

20 (2) For an offense that occurs within five years of two  
21 prior convictions:



- 1           (A) A three-year license suspension; and
- 2           (B) A vehicle owned by the defendant and used in the
- 3                 commission of the offense which has been used in
- 4                 at least two prior offenses that resulted in
- 5                 convictions may be ordered by the court to be
- 6                 subject to forfeiture under chapter 712A;
- 7           (3) For all offenses under this section, a surcharge of up
- 8                 to \$100 may be deposited in the trauma system special
- 9                 fund if the court so orders."

10           SECTION 40. Section 291C-104, Hawaii Revised Statutes, is

11 amended by amending subsection (c) to read as follows:

12           "(c) Any person who violates this section shall be fined

13 [~~\$250~~] \$300, may be charged with a surcharge of up to \$100 to

14 be deposited into the trauma system special fund, and, where the

15 violation involves speeding in a school zone, shall be charged

16 with a surcharge of \$25 to be deposited into the safe routes to

17 school program special fund."

18           SECTION 41. Section 291C-105, Hawaii Revised Statutes, is

19 amended by amending subsection (c) to read as follows:



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1       "(c) Any person who violates this section shall be guilty  
2 of a petty misdemeanor and shall be sentenced as follows without  
3 the possibility of probation or suspension of sentence:

4       (1) For a first offense not preceded by a prior conviction  
5 for an offense under this section in the preceding  
6 five years:

7       (A) A fine of not less than [~~\$500~~] \$600 and not more  
8 than [~~\$1,000,~~] \$1,200;

9       (B) Thirty-day prompt suspension of license and  
10 privilege to operate a vehicle during the  
11 suspension period, or the court may impose, in  
12 lieu of the thirty-day prompt suspension of  
13 license, a minimum fifteen-day prompt suspension  
14 of license with absolute prohibition from  
15 operating a vehicle and, for the remainder of the  
16 thirty-day period, a restriction on the license  
17 that allows the person to drive for limited work-  
18 related purposes;

19       (C) Attendance in a course of instruction in driver  
20 retraining;



- 1 (D) A surcharge of \$25 to be deposited into the
- 2 neurotrauma special fund;
- 3 (E) May be charged a surcharge of up to \$100 to be
- 4 deposited into the trauma system special fund if
- 5 the court so orders;
- 6 (F) An assessment for driver education pursuant to
- 7 section 286G-3; and
- 8 (G) Either one of the following:
- 9 (i) Thirty-six hours of community service work;
- 10 or
- 11 (ii) Not less than forty-eight hours and not more
- 12 than five days of imprisonment;
- 13 (2) For an offense that occurs within five years of a
- 14 prior conviction for an offense under this section,
- 15 by:
- 16 (A) A fine of not less than [~~\$750~~] \$900 and not more
- 17 than [~~\$1,000~~] \$1,200;
- 18 (B) Prompt suspension of license and privilege to
- 19 operate a vehicle for a period of thirty days
- 20 with an absolute prohibition from operating a
- 21 vehicle during the suspension period;



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- 1 (C) Attendance in a course of instruction in driver  
2 retraining;
- 3 (D) A surcharge of \$25 to be deposited into the  
4 neurotrauma special fund;
- 5 (E) May be charged a surcharge of up to \$100 to be  
6 deposited into the trauma system special fund if  
7 the court so orders;
- 8 (F) An assessment for driver education pursuant to  
9 section 286G-3; and
- 10 (G) Either one of the following:
- 11 (i) Not less than one hundred twenty hours of  
12 community service work; or
- 13 (ii) Not less than five days but not more than  
14 fourteen days of imprisonment of which at  
15 least forty-eight hours shall be served  
16 consecutively; and
- 17 (3) For an offense that occurs within five years of two  
18 prior convictions for offenses under this section, by:
- 19 (A) A fine of [~~\$1,000;~~] \$1,200;



- 1 (B) Revocation of license and privilege to operate a
- 2 vehicle for a period of not less than ninety days
- 3 but not more than one year;
- 4 (C) Attendance in a course of instruction in driver
- 5 retraining;
- 6 (D) No fewer than ten days but no more than thirty
- 7 days of imprisonment of which at least forty-
- 8 eight hours shall be served consecutively;
- 9 (E) A surcharge of \$25 to be deposited into the
- 10 neurotrauma special fund;
- 11 (F) May be charged a surcharge of up to \$100 to be
- 12 deposited into the trauma system special fund if
- 13 the court so orders; and
- 14 (G) An assessment for driver education pursuant to
- 15 section 286G-3."

16 SECTION 42. Section 291C-123, Hawaii Revised Statutes, is  
 17 amended by amending subsection (b) to read as follows:

18 "(b) Any person violating the parking prohibition in  
 19 subsection (a) shall be fined [~~\$200.~~] \$240. Fines collected  
 20 pursuant to this section shall be deposited into the state  
 21 highway fund."



1       SECTION 43. Section 291C-130, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3       "(c) Any person who violates this section shall be fined  
4 not more than [~~\$500.~~] 600."

5       SECTION 44. Section 291C-131, Hawaii Revised Statutes, is  
6 amended by amending subsection (g) to read as follows:

7       "(g) Violation of this section shall be considered an  
8 offense as defined in section 701-107(5), shall not be subject  
9 to the provisions of chapter 291D, and shall subject the owner  
10 or driver of the vehicle, or both, to the following penalties  
11 without possibility of probation or suspension of sentence:

12       (1) For a first violation, by a fine of not less than  
13       ~~[\$250]~~ \$300 and not more than [~~\$500.~~] \$600.

14       (2) For a second violation involving a vehicle or driver  
15 previously cited under this section within one year:

16       (A) Suspension of the vehicle registration or  
17 suspension of the license of the driver, or both,  
18 for not less than five working days but not more  
19 than ten working days; and

20       (B) A fine of not less than [~~\$500~~] \$600 and not more  
21 than [~~\$750.~~] \$900.



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(3) For a third or subsequent violation involving a vehicle or driver previously cited under this section within one year:

(A) Suspension of the vehicle registration or suspension of the license of the driver, or both, for a period of thirty calendar days; and

(B) A fine of not less than [~~\$750~~] \$900 and not more than [~~\$1,000~~] \$1,200.

In imposing a fine under this subsection, the court, in its discretion, may apportion payment of the fine between the driver of the vehicle and the owner of the vehicle according to the court's determination of the degree of fault for the violation.

For the purposes of this subsection, a truck-trailer combination and tractor-semitrailer combination, as they are defined in section 286-2, shall be considered as one vehicle."

SECTION 45. Section 291C-132, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) The court shall fine the person convicted of committing the offense of littering at least [~~\$100~~] \$120, but not more than [~~\$500~~] \$600."





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1       SECTION 46. Section 291C-137, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:

3       "(f) Every person who violates this section shall be  
4 subject to a fine of [~~\$250~~] \$300 that shall be deposited into  
5 the state highway fund; provided that if a person violates this  
6 section while operating a motor vehicle in a school zone or  
7 construction area, as defined in section 291C-104, the fine  
8 shall be [~~\$300,~~] \$360, which shall be paid to the director of  
9 finance pursuant to section 291C-171."

10       SECTION 47. Section 291C-138, Hawaii Revised Statutes, is  
11 amended by amending subsection (b) to read as follows:

12       "(b) Violation of this section shall subject the driver of  
13 the vehicle to a fine of [~~\$250,~~] \$300."

14       SECTION 48. Section 291C-161, Hawaii Revised Statutes, is  
15 amended as follows:

16       1. By amending subsection (b) to read :

17       "(b) Except as provided in subsections (c) and (d), every  
18 person who is determined to have violated any provision of this  
19 chapter for which another penalty is not provided shall be  
20 fined:



- 1           (1) Not more than [~~\$200~~] \$240 for a first violation  
2           thereof;
- 3           (2) Not more than [~~\$300~~] \$360 for a second violation  
4           committed within one year after the date of the first  
5           violation; and
- 6           (3) Not more than [~~\$500~~] \$600 for a third or subsequent  
7           violation committed within one year after the date of  
8           the first violation."

9           2. By amending subsection (d) to read:

10          "(d) Every person who violates section 291C-13 or 291C-18  
11 shall:

- 12          (1) Be fined not more than [~~\$200~~] \$240 or imprisoned not  
13          more than ten days for a first conviction thereof;
- 14          (2) Be fined not more than [~~\$300~~] \$360 or imprisoned not  
15          more than twenty days or both for conviction of a  
16          second offense committed within one year after the  
17          date of the first offense; and
- 18          (3) Be fined not more than [~~\$500~~] \$600 or imprisoned not  
19          more than six months or both for conviction of a third  
20          or subsequent offense committed within one year after  
21          the date of the first offense."



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1       SECTION 49. Section 291C-204, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       **"§291C-204 Defacing serial numbers, etc., of mopeds.** No  
4 person shall wilfully deface, destroy, or alter the serial  
5 number, a component part number, or identification mark placed  
6 on any moped by the manufacturer thereof.

7       This section shall not prohibit the restoration by an owner  
8 of an original mark or number when the restoration is authorized  
9 in writing by the director of finance, nor prohibit any  
10 manufacturer from placing in the ordinary course of business  
11 numbers or marks upon new mopeds or new parts thereof.  
12 Violation of this section shall be a misdemeanor and shall  
13 result in a fine of not more than [~~\$500.~~] \$600."

14       SECTION 50. Section 291C-205, Hawaii Revised Statutes, is  
15 amended to read as follows:

16       **"§291C-205 Unlawful to possess certain mopeds and moped**  
17 **parts.** It shall be unlawful for any person to possess a moped,  
18 a moped motor, or any moped part knowing that the serial or  
19 identification number placed thereon by the manufacturer has  
20 been changed, altered, erased or mutilated.



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1        This section shall not prohibit the possession of a moped,  
2        a moped motor, or any moped part whose original mark or number  
3        has been restored when the restoration is authorized in writing  
4        by the director of finance, nor prohibit any manufacturer from  
5        placing in the ordinary course of business numbers or marks upon  
6        new mopeds or new parts thereof. Violation of this section  
7        shall be a misdemeanor and shall result in a fine of not more  
8        than [~~\$500-~~] \$600."

9        SECTION 51. Section 291C-206, Hawaii Revised Statutes, is  
10       amended by amending subsection (b) to read as follows:

11        "(b) Any person who violates this section shall be fined  
12       not more than [~~\$500-~~] \$600."

13        SECTION 52. Section 291C-227, Hawaii Revised Statutes, is  
14       amended to read as follows:

15        "**§291C-227 Penalty.** A person who violates any provision  
16       of this part shall for a first conviction thereof be fined  
17       [~~\$75-~~] \$90; for conviction of a second offense committed within  
18       one year after the date of the first offense, the person shall  
19       be fined [~~\$150-~~] \$180; for conviction of a third or subsequent  
20       offense committed within one year after the date of the first  
21       offense, the person shall be fined [~~\$200-~~] \$240."



1       SECTION 53. Section 291E-61, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3       "(b) A person committing the offense of operating a  
4 vehicle under the influence of an intoxicant shall be sentenced  
5 without possibility of probation or suspension of sentence as  
6 follows:

7       (1) For the first offense, or any offense not preceded  
8 within a ten-year period by a conviction for an  
9 offense under this section or section 291E-4(a):

10       (A) A fourteen-hour minimum substance abuse  
11 rehabilitation program, including education and  
12 counseling, or other comparable program deemed  
13 appropriate by the court;

14       (B) One-year revocation of license and privilege to  
15 operate a vehicle during the revocation period  
16 and installation during the revocation period of  
17 an ignition interlock device on any vehicle  
18 operated by the person;

19       (C) Any one or more of the following:

20       (i) Seventy-two hours of community service work;



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- 1 (ii) No less than forty-eight hours and no more
- 2 than five days of imprisonment; or
- 3 (iii) A fine of no less than [~~\$250~~] \$300 but no
- 4 more than [~~\$1,000~~] \$1,200;
- 5 (D) A surcharge of \$25 to be deposited into the
- 6 neurotrauma special fund; and
- 7 (E) A surcharge, if the court so orders, of up to \$25
- 8 to be deposited into the trauma system special
- 9 fund;
- 10 (2) For an offense that occurs within ten years of a prior
- 11 conviction for an offense under this section or
- 12 section 291E-4(a):
- 13 (A) Revocation for no less than twenty-four months
- 14 nor more than three years of license and
- 15 privilege to operate a vehicle during the
- 16 revocation period and installation during the
- 17 revocation period of an ignition interlock device
- 18 on any vehicle operated by the person;
- 19 (B) Either one of the following:
- 20 (i) No less than two hundred forty hours of
- 21 community service work; or



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(ii) No less than five days but no more than thirty days of imprisonment, of which at least forty-eight hours shall be served consecutively;

(C) A fine of no less than [~~\$1,000~~] \$1,200 but no more than [~~\$3,000~~] \$3,600;

(D) A surcharge of \$25 to be deposited into the neurotrauma special fund; and

(E) A surcharge of up to \$50, if the court so orders, to be deposited into the trauma system special fund;

(3) In addition to a sentence imposed under paragraphs (1) and (2), any person eighteen years of age or older who is convicted under this section and who operated a vehicle with a passenger, in or on the vehicle, who was younger than fifteen years of age, shall be sentenced to an additional mandatory fine of [~~\$500~~] \$600 and an additional mandatory term of imprisonment of forty-eight hours; provided that the total term of imprisonment for a person convicted under this paragraph shall not exceed the maximum term of



1 imprisonment provided in paragraph (1) or (2), as  
2 applicable. Notwithstanding paragraphs (1) and (2),  
3 the revocation period for a person sentenced under  
4 this paragraph shall be no less than two years; and

5 (4) If the person demonstrates to the court that the  
6 person:

7 (A) Does not own or have the use of a vehicle in  
8 which the person can install an ignition  
9 interlock device during the revocation period; or

10 (B) Is otherwise unable to drive during the  
11 revocation period,

12 the person shall be absolutely prohibited from driving  
13 during the period of applicable revocation provided in  
14 paragraphs (1) to (3); provided that the court shall  
15 not issue an ignition interlock permit pursuant to  
16 subsection (i) and the person shall be subject to the  
17 penalties provided by section 291E-62 if the person  
18 drives during the applicable revocation period."

19 SECTION 54. Section 291E-61.5, Hawaii Revised Statutes, is  
20 amended by amending subsection (c) to read as follows:





"(c) For a conviction under this section, the sentence shall be either:

(1) An indeterminate term of imprisonment of five years;

or

(2) A term of probation of five years, with conditions to include:

(A) Mandatory revocation of license and privilege to operate a vehicle for a period no less than three years but no more than five years;

(B) No less than ten days imprisonment, of which at least forty-eight hours shall be served consecutively;

(C) A fine of no less than [~~\$2,000~~] \$2,400 but no more than [~~\$5,000~~] \$6,000;

(D) Referral to a certified substance abuse counselor as provided in subsection (d);

(E) A surcharge of \$25 to be deposited into the neurotrauma special fund; and

(F) May be charged a surcharge of up to \$50 to be deposited into the trauma system special fund if the court so orders.



1 In addition to the foregoing, any vehicle owned and operated by  
2 the person committing the offense shall be subject to forfeiture  
3 pursuant to chapter 712A; provided that the department of  
4 transportation shall provide storage for vehicles forfeited  
5 under this subsection."

6 SECTION 55. Section 291E-62, Hawaii Revised Statutes, is  
7 amended by amending subsection (c) to read as follows:

8 "(c) Any person convicted of violating this section shall  
9 be sentenced as follows without possibility of probation or  
10 suspension of sentence:

11 (1) For a first offense, or any offense not preceded  
12 within a five-year period by conviction for an offense  
13 under this section, section 291E-66, or section  
14 291-4.5 as that section was in effect on December 31,  
15 2001:

16 (A) A term of imprisonment of not less than three  
17 consecutive days but not more than thirty days;

18 (B) A fine of not less than [~~\$250~~] \$300 but not more  
19 than [~~\$1,000~~] \$1,200;

20 (C) Revocation of license and privilege to operate a  
21 vehicle for an additional year; and



- 1 (D) Loss of the privilege to operate a vehicle
- 2 equipped with an ignition interlock device, if
- 3 applicable;
- 4 (2) For an offense that occurs within five years of a
- 5 prior conviction for an offense under this section,
- 6 section 291E-66, or section 291-4.5 as that section
- 7 was in effect on December 31, 2001:
- 8 (A) Thirty days imprisonment;
- 9 (B) A [~~\$1,000~~] \$1,200 fine;
- 10 (C) Revocation of license and privilege to operate a
- 11 vehicle for an additional two years; and
- 12 (D) Loss of the privilege to operate a vehicle
- 13 equipped with an ignition interlock device, if
- 14 applicable; and
- 15 (3) For an offense that occurs within five years of two or
- 16 more prior convictions for offenses under this
- 17 section, section 291E-66, or section 291-4.5 as that
- 18 section was in effect on December 31, 2001, or any
- 19 combination thereof:
- 20 (A) One year imprisonment;
- 21 (B) A [~~\$2,000~~] \$2,400 fine;



(C) Permanent revocation of the person's license and  
privilege to operate a vehicle; and

(D) Loss of the privilege to operate a vehicle  
equipped with an ignition interlock device, if  
applicable."

SECTION 56. Section 291E-64, Hawaii Revised Statutes, is  
amended by amending subsection (b) to read as follows:

"(b) A person who violates this section shall be sentenced  
as follows:

(1) For a first violation or any violation not preceded  
within a five-year period by a prior alcohol  
enforcement contact:

(A) The court shall impose:

(i) A requirement that the person and, if the  
person is under the age of eighteen, the  
person's parent or guardian attend an  
alcohol abuse education and counseling  
program for not more than ten hours; and

(ii) A one hundred eighty-day prompt suspension  
of license and privilege to operate a  
vehicle with absolute prohibition from



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1 operating a vehicle during the suspension  
2 period, or in the case of a person eighteen  
3 years of age or older, the court may impose,  
4 in lieu of the one hundred eighty-day prompt  
5 suspension of license, a minimum thirty-day  
6 prompt suspension of license with absolute  
7 prohibition from operating a vehicle and,  
8 for the remainder of the one hundred  
9 eighty-day period, a restriction on the  
10 license that allows the person to drive for  
11 limited work-related purposes and to  
12 participate in alcohol abuse education and  
13 treatment programs; and

14 (B) In addition, the court may impose any one or more  
15 of the following:

16 (i) Not more than thirty-six hours of community  
17 service work; or

18 (ii) A fine of not less than [~~\$150~~] \$180 but not  
19 more than [~~\$500;~~] \$600;

20 (2) For a violation that occurs within five years of a  
21 prior alcohol enforcement contact:



1 (A) The court shall impose prompt suspension of  
2 license and privilege to operate a vehicle for a  
3 period of one year with absolute prohibition from  
4 operating a vehicle during the suspension period;  
5 and

6 (B) In addition, the court may impose any of the  
7 following:

8 (i) Not more than fifty hours of community  
9 service work; or

10 (ii) A fine of not less than [~~\$200~~] \$360 but not  
11 more than [~~\$1,000~~] \$1,200; and

12 (3) For a violation that occurs within five years of two  
13 prior alcohol enforcement contacts:

14 (A) The court shall impose revocation of license and  
15 privilege to operate a vehicle for a period of  
16 two years; and

17 (B) In addition, the court may impose any of the  
18 following:

19 (i) Not more than one hundred hours of community  
20 service work; or



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1 (ii) A fine of not less than [~~\$300~~] \$360 but not  
2 more than [~~\$1,000~~] \$1,200."

3 SECTION 57. Section 291E-66, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5 "(b) Any person required under subsection (a) to drive  
6 using an ignition interlock device, who violates subsection (a)  
7 shall be sentenced without possibility of probation or  
8 suspension of sentence as follows:

9 (1) For a first offense, or any offense not preceded  
10 within a five-year period by conviction under this  
11 section or section 291E-62(a)(3):

12 (A) A term of imprisonment of not less than three  
13 consecutive days but not more than thirty days;

14 (B) A fine of not less than [~~\$250~~] \$300 but not more  
15 than [~~\$1,000~~] \$1,200; and

16 (C) Loss of the privilege to operate a vehicle  
17 equipped with an ignition interlock device;

18 (2) For an offense that occurs within five years of a  
19 prior conviction for an offense under this section or  
20 section 291E-62(a)(3):

21 (A) Thirty days imprisonment;



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(B) A [~~\$1,000~~] \$1,200 fine; and

(C) Loss of the privilege to operate a vehicle

equipped with an ignition interlock device; and

(3) For an offense that occurs within five years of two or more prior convictions for offenses under this section or section 291E-62(a)(3), or any combination thereof:

(A) One year imprisonment;

(B) A [~~\$2,000~~] \$2,400 fine; and

(C) Loss of the privilege to operate a vehicle

equipped with an ignition interlock device."

SECTION 58. Section 291E-67, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Any person who violates this section shall be:

(1) Fined not more than [~~\$1,000~~] \$1,200 or imprisoned not more than thirty days, or both, for any offense that does not occur within five years of two prior convictions for this offense; and

(2) Fined not less than [~~\$500~~] \$600 but not more than [~~\$1,000~~] \$1,200 or imprisoned not more than one year, or both, if the person has two or more prior





1 convictions for the offense in the preceding five-year  
2 period."

3 SECTION 59. Section 302A-1152, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "~~[+]§302A-1152[+]~~ **Unauthorized vehicles on school or**  
6 **public library grounds.** Any unauthorized vehicle parked on  
7 school or public library grounds may be towed away at the  
8 owner's expense, or the owner or driver of the vehicle may be  
9 arrested by any police officer without warrant, on complaint of  
10 the principal, librarian, or other person in charge of the  
11 school or library. Notwithstanding any other law to the  
12 contrary, upon conviction for parking an unauthorized vehicle on  
13 school or public library grounds, the owner or driver of the  
14 vehicle shall be fined not more than ~~[\$50.]~~ \$60."

15 SECTION 60. Section 304A-2602, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "~~[+]§304A-2602[+]~~ **Fines and other penalties.** The board of  
18 regents may enforce its rules by imposing fines not to exceed  
19 ~~[\$100]~~ \$120 per violation, or by removing the vehicle of the  
20 offender from the area within the university's jurisdiction, or  
21 both; provided that a person violating any provision of part III



1 of chapter 291, or any rule adopted thereunder, shall be guilty  
2 of a traffic infraction under chapter 291D and shall be fined or  
3 otherwise penalized in accordance with part III of chapter 291.  
4 The owner of any vehicle so towed away shall be responsible for  
5 and pay all costs incurred in the towing and storage. Any  
6 vehicle towed away and unclaimed thirty days thereafter shall be  
7 sold at public auction by the university. The university shall  
8 pay all costs of towing and storage and other costs connected  
9 with the sale out of the university parking revolving fund  
10 established under section [†]304A-2275[†]. The fund shall be  
11 reimbursed for the costs from the proceeds of the sale, and the  
12 remaining balance, if any, shall be paid to the owner of the  
13 vehicle; provided that if the proceeds of the sale are not  
14 claimed by the owner of the vehicle within sixty days after  
15 notice, the proceeds shall be deposited in the university  
16 parking revolving fund."

17 SECTION 61. Section 342B-47, Hawaii Revised Statutes, is  
18 amended by amending subsection (a) to read as follows:

19 "(a) Any person who violates the vehicular smoke emission  
20 rules adopted by the department pursuant to this chapter shall  
21 be fined not less than [~~\$25~~] \$30 nor more than [~~\$2,500~~] \$3,000



# S.B. NO. 377

1 for each separate offense. Each day of each violation  
2 constitutes a separate offense."

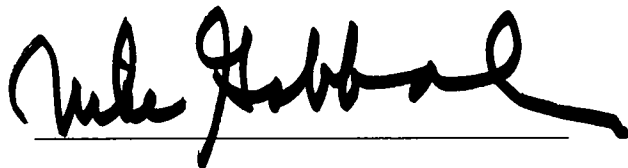
3 SECTION 62. This Act does not affect rights and duties  
4 that matured, penalties that were incurred, and proceedings that  
5 were begun before its effective date.

6 SECTION 63. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 64. This Act shall take effect upon its approval.

9

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Mike Hubbard", is written over a horizontal line.

# S.B. NO. 377

**Report Title:**

Traffic Violations; Traffic Code; Fines; Increase

**Description:**

Increases all fines for traffic violations relating to the operation or ownership of a vehicle by twenty per cent.

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

