

JAN 21 2022

A BILL FOR AN ACT

RELATING TO HIGHWAYS.

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

1 SECTION 1. Section 291C-131, Hawaii Revised Statutes, is
2 amended by amending subsection (g) to read as follows:

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

8 (1) For a first violation, by a fine of not less than \$250
9 and not more than \$500.

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

12 (A) Suspension of the vehicle registration or
13 suspension of the license of the driver, or both,
14 for not less than five working days but not more
15 than ten working days; and

16 (B) A fine of not less than \$500 and not more than
17 \$750.



(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 and not more than \$1,000.

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.

In addition to any other penalty provided under this subsection, any state or county agency responsible for the maintenance of any highway may recover the actual cost of removal of any material dropped, sifted, leaked, blown, spilled, or otherwise escaped in violation of this section from the driver of the vehicle or the owner of the vehicle.

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."



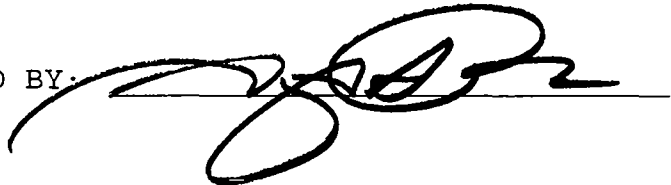
1 SECTION 2. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2022-2023 for
4 signage informing the public of laws pertaining to littering on
5 highways.

6 The sum appropriated shall be expended by the department of
7 transportation for the purposes of this Act.

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2022.

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INTRODUCED BY:

A handwritten signature in black ink, consisting of a series of loops and flourishes, is written over a horizontal line.

S.B. NO. 2400

Report Title:

Unsecured Loads; Highways; Removal of Materials; Recovery of Actual Costs; Appropriation

Description:

Allows any county or state agency responsible for maintenance of a highway to recover from the owner or driver of a vehicle the actual cost of removal of materials dropped or spilled on the highway. Makes an appropriation to the Department of Transportation for signage to inform the public about laws relating to littering.

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

