
A BILL FOR AN ACT

RELATING TO EXPUNGEMENT.

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

1 SECTION 1. The legislature finds that court records for an
2 arrest or case that has been dismissed or expunged from a
3 person's record may still be accessed by prospective employers,
4 landlords, lenders, educational institutions, and others.
5 Though dismissed or expunged, these records can be regarded
6 negatively and have a significant and long-lasting impact on a
7 person's future.

8 The legislature further finds that no process exists to
9 request traffic citations that have been dismissed not be
10 included on a person's record, such as a traffic abstract. For
11 a person who has received an expungement order, the current
12 process to have their records and other information pertaining
13 to the arrest or case sealed or removed from the judiciary's
14 publicly accessible electronic database requires yet another
15 petition.

16 The purpose of this Act is to:



1 (1) Prohibit the director of transportation and traffic
2 and emergency period violations bureaus of the
3 district courts from furnishing information related to
4 dismissed traffic citations; and

5 (2) Require the court to automatically seal or remove from
6 the judiciary's publicly accessible databases any
7 information relevant to the arrest or case of a person
8 for whom an expungement order has been entered and
9 transmitted to the court.

10 The legislature notes that all law enforcement agencies,
11 including the department of the attorney general, sheriff
12 division, county prosecuting attorneys, and county police
13 departments, will continue to have access to information
14 regarding dismissed and expunged cases, regardless of whether
15 those agencies utilize publicly accessible or other types of
16 electronic databases.

17 SECTION 2. Section 286-172, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) Subject to authorization granted by the chief justice
20 with respect to the traffic records of the violations bureaus of
21 the district courts and of the circuit courts, the director of



1 transportation shall furnish information contained in the
2 statewide traffic records system in response to[+] any request
3 from:

4 (1) [~~Any request from a~~] A state, [~~a~~] political
5 subdivision of a state, or [~~a~~] federal department or
6 agency, or any other authorized person pursuant to
7 rules adopted by the director of transportation under
8 chapter 91;

9 (2) [~~Any request from a~~] A person having a legitimate
10 reason, as determined by the director, as provided
11 under the rules adopted by the director under
12 paragraph (1), to obtain the information for
13 verification of vehicle ownership, traffic safety
14 programs, or [~~for~~] research or statistical reports;

15 (3) [~~Any request from a~~] A person required or authorized
16 by law to give written notice by mail to owners of
17 vehicles; or

18 (4) [~~Any request from the~~] The chief energy officer of the
19 Hawaii state energy office to track the number and
20 type of vehicles in use and the effectiveness of



1 efforts to increase the efficiency and diversify the
2 fuel needs of Hawaii's transportation sector[-];
3 provided that the information from any driver's record shall not
4 include any traffic citation that has been dismissed."

5 SECTION 3. Section 287-3, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) The traffic and emergency period violations bureaus
8 of the district courts, upon request, shall furnish any person a
9 certified abstract of the bureaus' record, if any, of any person
10 relating to all alleged moving violations, except for any
11 traffic citations that have been dismissed, and any convictions
12 resulting therefrom, arising from the operation of a motor
13 vehicle and any administrative license revocation pursuant to
14 chapter 291E, part III and chapter 286, part XIV, as it was in
15 effect on or before December 31, 2001. The traffic and
16 emergency period violations bureaus may collect a fee, not to
17 exceed \$20, of which \$18 shall be deposited into the general
18 fund and \$2 shall be deposited into the judiciary computer
19 system special fund."

20 SECTION 4. Section 831-3.2, Hawaii Revised Statutes, is
21 amended by amending subsection (f) to read as follows:



1 "(f) [~~Any person for whom an expungement order has been~~
2 ~~entered may request in writing that the~~] The court shall seal or
3 otherwise remove from the judiciary's publicly accessible
4 electronic databases all judiciary files and other information
5 pertaining to the applicable arrest or case [~~from the~~
6 ~~judiciary's publicly accessible electronic databases.~~] of any
7 person for whom an expungement order listing the court case
8 number has been entered and transmitted to the court. The court
9 shall make good faith diligent efforts to seal or otherwise
10 remove the applicable files and information within a reasonable
11 time."

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2025.



Report Title:

Dismissed Traffic Citations; Driver's Record; Public Record;
Abstract Report; Expungement; Judiciary; Examiner of Drivers

Description:

Prohibits the director of transportation and traffic and emergency period violations bureaus of the district courts from furnishing information related to dismissed traffic citations. Requires the court to automatically seal or remove from the judiciary's publicly accessible databases any information relevant to the arrest or case of a person for whom an expungement order has been entered and transmitted to the court. Effective 7/1/2025. (HD2)

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

