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# A BILL FOR AN ACT

RELATING TO SOBRIETY CHECKS.

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

1 PART I

2 SECTION 1. Chapter 353C, Hawaii Revised Statutes, is  
3 amended by adding a new section to be appropriately designated  
4 and to read as follows:

5 "§353C- Sobriety checkpoint special fund. (a) There  
6 is established within the state treasury a special fund to be  
7 known as the sobriety checkpoint special fund into which shall  
8 be deposited:

- 9 (1) \$1 from each annual motor vehicle registration fee  
10 pursuant to section 249-31(b);  
11 (2) Moneys appropriated to the special fund by the  
12 legislature;  
13 (3) All contributions from public or private partners;  
14 (4) All interest earned or accrued on moneys deposited in  
15 the special fund; and  
16 (5) Any other moneys made available to the special fund  
17 from other sources.



1        (b) Moneys in the sobriety checkpoint special fund shall  
 2 be administered by the department of transportation and  
 3 disbursed to law enforcement agencies responsible for staffing  
 4 of sobriety checkpoints and any processing of those arrested as  
 5 part of the sobriety checkpoints in each of the counties."

6        SECTION 2. Section 249-31, Hawaii Revised Statutes, is  
 7 amended to read as follows:

8        "**\$249-31 State registration fee.** (a) All vehicles and  
 9 motor vehicles in the State as defined in section 249-1,  
 10 including antique motor vehicles, except as otherwise provided  
 11 in sections 249-4, 249-6, and 249-31.5, shall be subject to a  
 12 [~~\$46~~] \$47 annual vehicle registration fee; provided that  
 13 electric vehicles and alternative fuel vehicles shall pay an  
 14 annual vehicle registration surcharge fee of \$50, which shall be  
 15 assessed and collected beginning with the first registration  
 16 renewal for every electric vehicle and alternative fuel vehicle  
 17 and shall be deposited into the state highway fund established  
 18 under section 248-8. The fee shall be paid each year together  
 19 with all other taxes and fees levied by this chapter on a  
 20 staggered basis as established by each county as authorized by  
 21 section 286-51, and the state registration for that county shall



1 likewise be staggered so that the state registration fee is due  
 2 and payable at the same time and shall be collected together  
 3 with the county fee. The state registration fee shall be deemed  
 4 delinquent if not paid with the county registration fee. The  
 5 respective counties shall collect this fee together with the  
 6 vehicle registration tax collected for the county and shall  
 7 transfer the moneys collected under this section to the State.

8 (b) In addition to the annual vehicle registration  
 9 surcharge fee, for each annual motor vehicle registration fee,  
 10 the director shall deposit \$1 into the sobriety checkpoint  
 11 special fund established pursuant to 353C-, \$40 into the  
 12 state highway fund, \$5 into the emergency medical services  
 13 special fund, and \$1 into the accessible parking special  
 14 account."

PART II

15 SECTION 3. Section 249-31, Hawaii Revised Statutes, is  
 16 amended by amending subsection (a) to read as follows:

17 "(a) All vehicles and motor vehicles in the State as  
 18 defined in section 249-1, including antique motor vehicles,  
 19 except as otherwise provided in sections 249-4, 249-6, and  
 20 249-31.5, shall be subject to a [~~\$46~~] \$47 annual vehicle  
 21



1 registration fee; provided that alternative fuel vehicles shall  
 2 pay an annual vehicle registration surcharge of \$50, which shall  
 3 be assessed and collected beginning with the first registration  
 4 renewal for every alternative fuel vehicle and shall be  
 5 deposited into the state highway fund established under section  
 6 248-8. The surcharge shall be paid each year together with all  
 7 other taxes and fees levied by this chapter on a staggered basis  
 8 as established by each county as authorized by section 286-51,  
 9 and the state registration for that county shall likewise be  
 10 staggered so that the state registration fee is due and payable  
 11 at the same time and shall be collected together with the county  
 12 fee. The state registration fee shall be deemed delinquent if  
 13 not paid with the county registration fee. The respective  
 14 counties shall collect this fee together with the vehicle  
 15 registration tax collected for the county and shall transfer the  
 16 moneys collected under this section to the State.

17 For the purposes of this subsection, "alternative fuel  
 18 vehicle" means a vehicle powered by a non-petroleum-based fuel,  
 19 but excludes an electric vehicle as defined in section 249-  
 20 36(g)."

21 PART III



1 SECTION 4. 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 2024-2025 to be  
 4 deposited into the sobriety checkpoint special fund.

5 SECTION 5. There is appropriated out of the sobriety  
 6 checkpoint special fund the sum of \$ or so much  
 7 thereof as may be necessary for fiscal year 2024-2025 as a  
 8 grant-in-aid for staffing of sobriety checks conducted by the  
 9 Honolulu police department.

10 The sum appropriated shall be expended by the city and  
 11 county of Honolulu for the purposes of this Act.

12 SECTION 6. There is appropriated out of the sobriety  
 13 checkpoint special fund the sum of \$ or so much  
 14 thereof as may be necessary for fiscal year 2024-2025 as a  
 15 grant-in-aid for staffing of sobriety checks conducted by the  
 16 Hawaii police department.

17 The sum appropriated shall be expended by the county of  
 18 Hawaii for the purposes of this Act.

19 SECTION 7. There is appropriated out of the sobriety  
 20 checkpoint special fund the sum of \$ or so much  
 21 thereof as may be necessary for fiscal year 2024-2025 as a



1 grant-in-aid for staffing of sobriety checks conducted by the  
2 Maui police department.

3 The sum appropriated shall be expended by the county of  
4 Maui for the purposes of this Act.

5 SECTION 8. There is appropriated out of the sobriety  
6 checkpoint special fund the sum of \$ or so much  
7 thereof as may be necessary for fiscal year 2024-2025 as a  
8 grant-in-aid for staffing of sobriety checks conducted by the  
9 Kauai police department.

10 The sum appropriated shall be expended by the county of  
11 Kauai for the purposes of this Act.

12 SECTION 9. In accordance with section 9 of article VII of  
13 the Hawaii State Constitution and sections 37-91 and 37-93,  
14 Hawaii Revised Statutes, the legislature has determined that the  
15 appropriations contained in H.B. No. , will cause the state  
16 general fund expenditure ceiling for fiscal year 2024-2025 to be  
17 exceeded by \$ or per cent. In addition, the  
18 appropriation contained in this Act will cause the general fund  
19 expenditure ceiling for fiscal year 2024-2025 to be further  
20 exceeded by \$ or per cent. The combined total  
21 amount of general fund appropriations contained in only these



1 two Acts will cause the state general fund expenditure ceiling  
 2 for fiscal year 2024-2025 to be exceeded by  
 3 \$             or             per cent. The reasons for exceeding the  
 4 general fund expenditure ceiling are that:

- 5         (1) The appropriation made in this Act is necessary to
- 6             serve the public interest; and
- 7         (2) The appropriation made in this Act meets the needs
- 8             addressed by this Act.

PART IV

10         SECTION 10. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

12         SECTION 11. This Act shall take effect on July 1, 3000;  
 13 provided that part II shall take effect on July 1, 2025.



# H.B. NO. 1933 H.D. 1

**Report Title:**

Department of Law Enforcement; Sobriety Checkpoints; Special Fund; State Vehicle Registration Fee; Counties; Appropriation; Grant-in-Aid; Expenditure Ceiling

**Description:**

Establishes a sobriety checkpoint special fund to provide funding to county law enforcement agencies for staffing for sobriety checks and processing of persons arrested at sobriety checkpoints. Increases the state vehicle registration fee and establishes the amount to be deposited into the sobriety checkpoint special fund. Appropriates funds into the sobriety checkpoint special fund and out of the special fund as grants-in-aid for the counties. Effective 7/1/3000. (HD1)

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

