

A Bill for an Act Establishing a Fund for Driver Education and Training by Levying a Penalty Assessment on Certain Offenses Relating to Vehicles or their Drivers or Owners.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

**“CHAPTER  
DRIVER EDUCATION AND TRAINING FUND**

**Sec. -1 Definitions.** As used in this chapter:

- (1) ‘Driver,’ ‘owner,’ ‘parking,’ ‘standing,’ ‘stopping,’ and ‘vehicle’ have the meanings defined by section 291C-1.
- (2) ‘Conviction’ includes, in the case of a minor, not only a conviction of the offense but also an adjudication of delinquency by a family court, and any disposition of the case which involves an admission on the commission of the offense.

**Sec. -2 Driver education and training fund.** There is established in the state treasury a special fund to be known as the driver education and training fund. All penalty assessments collected pursuant to this chapter shall be deposited in the driver education and training fund to be expended by the administrative director of the courts for driver education and training programs administered by the judiciary department, subject to part III of chapter 37 to the extent that the same applies to appropriations for the judiciary department.

**Sec. -3 Penalty Assessments.** (a) A penalty assessment of \$1 shall be levied on conviction or forfeiture of bail for any offense involving a violation of a statute or county ordinance relating to vehicles or their drivers or owners,

except (1) offenses relating to stopping (when prohibited), standing, or parking; (2) offenses relating to registration; and (3) offenses by pedestrians.

(b) The penalty assessment levied by subsection (a) shall be paid for each offense, in addition to any fine or sentence of imprisonment or amount of bail forfeiture fixed or imposed by the court, and whether or not sentence or imposition of sentence is suspended.

(c) When a deposit of or security for bail is made or given, the amount thereof shall be sufficient to include the penalty assessment, which shall be added to the amount of bail fixed by the court. If bail is forfeited, the amount of the penalty assessment shall be transmitted by the clerk of the court for deposit in the driver education and training fund.”

**SECTION 2. Special provisions as to application of this Act.** (a) Notwithstanding any other provision of this Act or any other law, all moneys deposited in the driver education and training fund (1) during the fiscal year 1973-74 shall be transferred to the general fund; (2) during the fiscal year 1974-75 are hereby authorized to be expended by the administrative director of the courts for driver education and training programs administered by the judiciary department, in lieu of any appropriation made from the general fund for the purpose for that fiscal year.

(b) Section -3 of the new chapter added by Section 1 of this Act shall not apply to any offense committed, or alleged to have been committed, prior to the taking effect of this Act.

**SECTION 3. Effective date.** This Act shall take effect on its approval.

(Approved May 31, 1974.)