

## ACT 281

S.B. NO. 2523

A Bill for an Act Relating to Parking Violations.

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

SECTION 1. Section 612-8, Hawaii Revised Statutes, is amended to read as follows:

**“§612-8 Pay of jurors; mileage fee[.]; parking violations exemption.** (a) Each juror shall be paid \$30 for each day of actual attendance at court. In addition, each juror shall be paid 20 cents for each mile actually and necessarily traveled in going to and from court. A person who appears at the time for which that person is summoned to court for jury duty may be allowed the mileage fee although the person, upon that person’s request, is subsequently excused or exempted from jury service.

(b) In the discretion of the court, any juror who incurs expenses for transportation, board, and lodging as a result of the distance the juror resides from the location of the court, may be reimbursed for actual expenses.

(c) All jurors shall be exempt from any prosecution, penalty, or fine as a result of a parking violation committed in connection with the juror appearing at court for jury duty; provided that the juror shall present any parking citation received during this time to the court clerk of the circuit court or jury pool clerk, as appropriate, who shall verify that the juror was serving on jury duty at the time the citation was received. The clerk of the circuit court or the jury pool clerk, as appropriate, shall keep an attendance roll in which shall be entered each juror’s name, each date the juror was summoned and appeared for jury duty, and the date the juror was discharged from service. The supreme court shall adopt rules necessary to effect this section.”

SECTION 2. Section 621-8, Hawaii Revised Statutes, is amended to read as follows:

**“§621-8 Attendance roll[.]; parking violations exemption.** (a) The clerk of each circuit court shall keep an attendance roll, in which shall be entered the name of each witness subpoenaed for the prosecution in criminal cases in the circuit, the name of each witness subpoenaed for the defendant at the expense of the State under order of the court, where each witness was subpoenaed or summoned, the date of appearance, the date of discharge, the number of days’ attendance with the dates thereof, the place of residence of the witness and the number of miles necessarily traveled by the witness to the place of holding court. For all other witnesses in civil and criminal cases, including cases in family court, the clerk of each court shall keep an attendance roll in which shall be entered the name of each witness subpoenaed or summoned, each date the witness appeared, and the date of discharge.

(b) All witnesses summoned or subpoenaed to appear in any circuit court case shall be exempt from any prosecution, penalty, or fine as a result of a parking violation committed in connection with the witness appearing in court; provided that the witness shall present any parking citation received during this time to the clerk of the court and the clerk shall verify that the witness was present at the time the citation was received. The supreme court shall adopt rules necessary to effect this section.”

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SECTION 3. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§291C- Liability of lessee for parking citation.** Notwithstanding any other law to the contrary, if the registered owner of record is the lessor of a rental or U-drive motor vehicle, as defined in section 286-2 pursuant to a written lease agreement, the lessee at the time of the issuance of the parking citation shall be responsible for such summons or citation; provided, however, said lessor shall be responsible for such summons or citation if the lessor does not provide the court having jurisdiction over the summons or citation the name and address of the lessee within forty-five days after a notice containing the date, time, and location of the violation and the license number of the vehicle is sent to lessor; provided further that the administrative judge of the court having jurisdiction over the citation or summons may waive the requirement of providing the name and address of the lessee by the lessor and impose an administrative fee of five dollars per citation on the lessor.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval; except that it shall not apply to citations issued prior to the effective date of this Act.

(Approved June 13, 1988.)

**Note**

1. Edited pursuant to HRS §23G-16.5.