

ACT 33

H.B. NO. 2361

A Bill for an Act Relating to the Traffic Code.

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

SECTION 1. Act 214, Session Laws of Hawaii 1993, is amended by amending section 15 to read as follows:

“SECTION 15. Section 291C-161, Hawaii Revised Statutes, is amended [by amending subsection (c)] to read as follows:

“§291C-161 Penalties. (a) It is a violation for any person to violate any of the provisions of this chapter except as otherwise specified in subsection (c) of this section and unless the violation is by other law of this State declared to be a

felony, misdemeanor, or petty misdemeanor.

(b) Except as provided in subsection (c) of this section, every person who violates any provision of this chapter for which another penalty is not provided, shall [for a first conviction thereof be fined not] be fined:

- (1) Not more than \$100[;] for a first conviction thereof; [for conviction of a second offense committed within one year after the date of the first offense, the person shall be fined not]
- (2) Not more than \$200[;] for conviction of a second offense committed within one year after the date of the first offense; and [for conviction of a third or subsequent offense committed within one after the date of the first offense, the person shall be fined not]
- (3) Not more than \$500[;] for conviction of a third or subsequent offense committed within one year after the date of the first offense;

provided that upon a conviction for a violation of section 291C-12, 291C-12.5, or 291C-12.6, the person shall be sentenced in accordance with that section.

(c) Every person who violates section 291C-13 or 291C-18[, for a first conviction thereof, shall be] shall:

- (1) Be fined not more than \$100 or imprisoned not more than ten days[;] for a first conviction thereof; [for conviction of a second offense committed within one year after the date of the first offense, the person shall be]
- (2) Be fined not more than \$200 or imprisoned not more than twenty days or both[;] for conviction of a second offense committed within one year after the date of the first offense; and [for conviction of a third or subsequent offense committed within one year after the date of the first offense, the person shall be]
- (3) Be fined not more than \$500 or imprisoned not more than six months or both[.] for conviction of a third or subsequent offense committed within one year after the date of the first offense.

(d) The [courts] court may assess a sum not to exceed \$25 for the cost of issuing a penal summons upon any person who fails to appear at the place within the time specified in the citation issued to the person for any traffic violation.

(e) The court may require a person who violates any of the provisions of this chapter to attend a course of instruction in driver retraining as deemed appropriate by the court, in addition to any other penalties imposed."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 1994.

(Approved April 28, 1994.)