

ACT 58

H.B. NO. 2167

A Bill for an Act Relating to Traffic Enforcement.

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

SECTION 1. The traffic enforcement demonstration project originally authorized by Act 234, Session Laws of Hawaii 1998, as amended by Act 263, Session Laws of Hawaii 1999, and Act 240, Session Laws of Hawaii 2000, began operations in December, 2001. The system has caused numerous disruptions to drivers and pedestrians in the State, and the legislature finds that the photo traffic enforcement system should be discontinued as soon as possible so that further review of the system can occur.

The purpose of this Act is to repeal the law authorizing use of a photo traffic enforcement system, and to reenact all provisions of the Hawaii Revised Statutes in the manner they read prior to being amended to accommodate the photo traffic enforcement system.

SECTION 2. Act 234, Session Laws of Hawaii 1998, Act 263, Session Laws of Hawaii 1999, and Act 240, Session Laws of Hawaii 2000 are repealed. Sections 286-45, 286-172(a), 291C-38(c), 291C-163(a), 291C-165(b), and 291C-223, Hawaii Revised Statutes, are reenacted in the form in which they read on June 30, 1998.

SECTION 3. This Act does not affect citations or summonses that were issued, penalties that were incurred, or proceedings that were begun before its effective date.

SECTION 4. As soon as is legally possible following the effective date of this Act, the state department of transportation shall terminate all contracts with private entities for the provision of photo traffic enforcement services under Act 234, Session Laws of Hawaii 1998, Act 263, Session Laws of Hawaii 1999, or Act 240, Session Laws of Hawaii 2000.

SECTION 5. All moneys in the photo enforcement revolving fund established by Act 234, Session Laws of Hawaii 1998, section 17B, as added by Act 240, Session Laws of Hawaii 2000, section 7, as of the effective date of this Act shall be transferred to the general fund of the State; provided that all funds received on or after the effective date of this Act as a result of photo traffic citations or summonses issued prior to the effective date of this Act that would have been deposited into the photo enforcement revolving fund shall be deposited into the general fund.

SECTION 6. This Act shall take effect upon its approval.

(Approved April 30, 2002.)

Note

(Became law on April 30, 2002, without the governor's signature, pursuant to Art. III, §16, State Constitution.)