

ACT 239

H.B. NO. 118

A Bill for an Act Relating to Traffic Fines.

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

SECTION 1. The legislature finds that many popular scenic areas draw thousands of visitors who overburden state and county roads and highways and contribute to illegal parking that causes traffic gridlock and complaints from local communities.

The legislature also finds that Act 250, Session Laws of Hawaii 2019, established the state highway enforcement program, which added a surcharge for illegal parking violations. Act 250 required that fifty per cent of the surcharge revenue be distributed to county police departments, which are vital to the enforcement of parking violations but have limited resources.

The purpose of this Act is to clarify that counties may, by ordinance, designate county highways where the stopping, standing, or parking of vehicles are restricted or prohibited.

SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§46- Prohibitions or restrictions on stopping, standing, or parking of vehicles on county highways. Each county, by ordinance, may prohibit or restrict the stopping, standing, or parking of vehicles by designating specific sections of county highways that shall be subject to section 291C-111; provided that any federal or state agency authorizing a road closure shall preempt a county ordinance. Upon adoption of the ordinance, the county shall submit to the judiciary notice of the adoption of the ordinance and a copy of the ordinance.”

SECTION 3. Section 291C-111, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Any person committing a violation of any law or ordinance prohibiting or restricting the stopping, standing, or parking of vehicles on state highways or designated county highways shall be charged, in addition to any other applicable penalties and fines, a state highway enforcement program surcharge of \$200 to be enforced and collected by the district courts and to be deposited into the state highway fund; provided that fifty per cent of each surcharge collected shall be disbursed to the police department of the county in which the violation occurred.”

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 2023.

(Approved July 6, 2023.)

Note

1. Edited pursuant to HRS §23G-16.5.