

ACT 65

H.B. NO. 2295

A Bill for an Act Relating to the Traffic Code.

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

SECTION 1. Section 291C-111, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) With respect to highways and property under their respective jurisdictions, the director of transportation [is] shall be authorized to and the counties by ordinance may prohibit or restrict the stopping, standing, or parking of vehicles where the stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere [unduly] with the free movement of traffic; provided that the violation of any law or any ordinance, regardless of whether established under this or any other section, prohibiting or restricting the stopping, standing, or parking of vehicles shall constitute a traffic infraction. The counties may issue traffic infractions for violations of any law prohibiting or restricting the stopping, standing, or parking of vehicles on all highways and county property. The counties shall not provide any other penalty, civil or criminal, or any other charge, in the form of rental or otherwise, in place of or in addition to the fine to be imposed by the district court for any violation of any ordinance prohibiting or restricting the stopping, standing, or parking of vehicles.

This section shall not be construed as prohibiting the authority of the director of transportation or the counties to allow the stopping, standing, or parking of motor vehicles at a “T-shaped” intersection on highways under their

respective jurisdictions; provided that ~~[such]~~ the stopping, standing, or parking of motor vehicles is not dangerous to those using the highway or where the stopping, standing, or parking of motor vehicles would not unduly interfere with the free movement of traffic.

The appropriate police department or their designee, and county or prosecuting attorney of the various counties shall enforce any law or ordinance prohibiting or restricting the stopping, standing, or parking of vehicles, including but not limited to the issuance of parking tickets. Any person committing a violation of any law or ordinance, regardless of whether established under this or any other section, prohibiting or restricting the stopping, standing, or parking of vehicles shall be subject to a fine to be enforced and collected by the district courts of this State and to be deposited into the state general fund for state use.”

SECTION 2. Section 291C-165, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There shall be provided for use by authorized police officers, or ~~[county employees designated by]~~ designees of the county chiefs of police, a form of summons or citation for use in citing violators of those traffic laws that do not mandate the physical arrest of violators. The form and content of the summons or citation shall be as adopted or prescribed by the administrative judge of the district courts and shall be printed on a form commensurate with the form of other summonses or citations used in modern methods of arrest, so designed to include all necessary information to make the same valid within the laws and regulations of the State.”

SECTION 3. Section 291C-167, Hawaii Revised Statutes, is amended to read as follows:

“**§291C-167 Summons or citation on illegally parked vehicle.** Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions contained in the state traffic laws, the officer or ~~[designated county employee]~~ designee finding the vehicle shall take its registration number and may take any other information displayed on the vehicle that may identify its registered owner and ~~[conspicuously]~~ shall conspicuously affix to the vehicle a citation, as described in section 291C-165, for the registered owner of record to answer as provided in chapter 291D.”

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved June 21, 2024.)