
A BILL FOR AN ACT

RELATING TO SOBRIETY CHECKS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. Chapter 353C, Hawaii Revised Statutes, is
3 amended by adding a new section to be appropriately designated
4 and to read as follows:

5 "§353C- Sobriety checkpoint special fund. (a) There
6 is established within the state treasury a special fund to be
7 known as the sobriety checkpoint special fund into which shall
8 be deposited:

- 9 (1) \$ from each annual motor vehicle
10 registration fee pursuant to section 249-31(b);
11 (2) Moneys appropriated to the special fund by the
12 legislature;
13 (3) All contributions from public or private partners;
14 (4) All interest earned or accrued on moneys deposited in
15 the special fund; and
16 (5) Any other moneys made available to the special fund
17 from other sources.



1 (b) Moneys in the sobriety checkpoint special fund shall
2 be administered by the department and disbursed to the law
3 enforcement agency responsible for staffing of sobriety
4 checkpoints in each of the counties."

5 SECTION 2. Section 249-31, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§249-31 State registration fee.** (a) All vehicles and
8 motor vehicles in the State as defined in section 249-1,
9 including antique motor vehicles, except as otherwise provided
10 in sections 249-4, 249-6, and 249-31.5, shall be subject to a
11 [~~\$46~~] \$_____ annual vehicle registration fee; provided that
12 electric vehicles and alternative fuel vehicles shall pay an
13 annual vehicle registration surcharge fee of \$50, which shall be
14 assessed and collected beginning with the first registration
15 renewal for every electric vehicle and alternative fuel vehicle
16 and shall be deposited into the state highway fund established
17 under section 248-8. The fee shall be paid each year together
18 with all other taxes and fees levied by this chapter on a
19 staggered basis as established by each county as authorized by
20 section 286-51, and the state registration for that county shall
21 likewise be staggered so that the state registration fee is due



1 and payable at the same time and shall be collected together
2 with the county fee. The state registration fee shall be deemed
3 delinquent if not paid with the county registration fee. The
4 respective counties shall collect this fee together with the
5 vehicle registration tax collected for the county and shall
6 transfer the moneys collected under this section to the State.

7 (b) In addition to the annual vehicle registration
8 surcharge fee, for each annual motor vehicle registration fee,
9 the director shall deposit \$ _____ into the sobriety
10 checkpoint special fund established pursuant to 353C- , \$40
11 into the state highway fund, \$5 into the emergency medical
12 services special fund, and \$1 into the accessible parking
13 special account."

14 PART II

15 SECTION 3. Section 249-31, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) All vehicles and motor vehicles in the State as
18 defined in section 249-1, including antique motor vehicles,
19 except as otherwise provided in sections 249-4, 249-6, and
20 249-31.5, shall be subject to a [~~\$46~~] \$ _____ annual vehicle
21 registration fee; provided that alternative fuel vehicles shall



1 pay an annual vehicle registration surcharge of \$50, which shall
2 be assessed and collected beginning with the first registration
3 renewal for every alternative fuel vehicle and shall be
4 deposited into the state highway fund established under section
5 248-8. The surcharge shall be paid each year together with all
6 other taxes and fees levied by this chapter on a staggered basis
7 as established by each county as authorized by section 286-51,
8 and the state registration for that county shall likewise be
9 staggered so that the state registration fee is due and payable
10 at the same time and shall be collected together with the county
11 fee. The state registration fee shall be deemed delinquent if
12 not paid with the county registration fee. The respective
13 counties shall collect this fee together with the vehicle
14 registration tax collected for the county and shall transfer the
15 moneys collected under this section to the State.

16 For the purposes of this subsection, "alternative fuel
17 vehicle" means a vehicle powered by a non-petroleum-based fuel,
18 but excludes an electric vehicle as defined in section 249-
19 36(g)."

20

PART III



1 SECTION 4. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2024-2025 to be
4 deposited into the sobriety checkpoint special fund.

5 SECTION 5. There is appropriated out of the sobriety
6 checkpoint special fund the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2024-2025 as a
8 grant-in-aid for staffing of sobriety checks conducted by the
9 Honolulu police department; provided that no funds shall be
10 disbursed to the city and county of Honolulu unless matched by
11 the county on a dollar-for-dollar basis.

12 The sum appropriated shall be expended by the city and
13 county of Honolulu for the purposes of this Act.

14 SECTION 6. There is appropriated out of the sobriety
15 checkpoint special fund the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2024-2025 as a
17 grant-in-aid for staffing of sobriety checks conducted by the
18 Hawaii police department; provided that no funds shall be
19 disbursed to the county of Hawaii unless matched by the county
20 on a dollar-for-dollar basis.



1 The sum appropriated shall be expended by the county of
2 Hawaii for the purposes of this Act.

3 SECTION 7. There is appropriated out of the sobriety
4 checkpoint special fund the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2024-2025 as a
6 grant-in-aid for staffing of sobriety checks conducted by the
7 Maui police department; provided that no funds shall be
8 disbursed to the county of Maui unless matched by the county on
9 a dollar-for-dollar basis.

10 The sum appropriated shall be expended by the county of
11 Maui for the purposes of this Act.

12 SECTION 8. There is appropriated out of the sobriety
13 checkpoint special fund the sum of \$ or so much
14 thereof as may be necessary for fiscal year 2024-2025 as a
15 grant-in-aid for staffing of sobriety checks conducted by the
16 Kauai police department; provided that no funds shall be
17 disbursed to the county of Kauai unless matched by the county on
18 a dollar-for-dollar basis.

19 The sum appropriated shall be expended by the county of
20 Kauai for the purposes of this Act.



H.B. NO. 1933

1 SECTION 9. In accordance with section 9 of article VII of
2 the Hawaii State Constitution and sections 37-91 and 37-93,
3 Hawaii Revised Statutes, the legislature has determined that the
4 appropriations contained in H.B. No. , will cause the state
5 general fund expenditure ceiling for fiscal year 2024-2025 to be
6 exceeded by \$ or per cent. In addition, the
7 appropriation contained in this Act will cause the general fund
8 expenditure ceiling for fiscal year 2024-2025 to be further
9 exceeded by \$ or per cent. The combined total
10 amount of general fund appropriations contained in only these
11 two Acts will cause the state general fund expenditure ceiling
12 for fiscal year 2024-2025 to be exceeded by
13 \$ or per cent. The reasons for exceeding the
14 general fund expenditure ceiling are that:

- 15 (1) The appropriation made in this Act is necessary to
16 serve the public interest; and
17 (2) The appropriation made in this Act meets the needs
18 addressed by this Act.

19 PART IV

20 SECTION 10. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



H.B. NO. 1933

1 SECTION 11. This Act shall take effect on July 1, 2024;
2 provided that part II shall take effect on July 1, 2025.

3

INTRODUCED BY:



JAN 19 2024



H.B. NO. 1933

Report Title:

Department of Law Enforcement; Sobriety Checkpoints; Special Fund; State Vehicle Registration Fee; Counties; Appropriation; Grant-in-Aid; Expenditure Ceiling

Description:

Establishes a sobriety checkpoints special fund to provide funding to county law enforcement agencies for staffing for sobriety checks. Increases the state vehicle registration fee to be deposited into the sobriety checkpoints special fund. Appropriates funds into the sobriety checkpoints special fund and out of the special fund as grants-in-aid for the counties.

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