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## A BILL FOR AN ACT

RELATING TO SPEEDING.

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

1           SECTION 1. Chapter 291C, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§291C-A Speed control special fund; established. (a)

5 There is established within the state treasury the speed control  
6 special fund to be administered by the director of  
7 transportation, into which shall be deposited all fines  
8 collected pursuant to section 291C-102(b).

9           (b) The director of transportation shall expend moneys  
10 from the fund to fund projects within the various counties to  
11 control noncompliance with speed limit prohibitions."

12          SECTION 2. Chapter 291C, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15          "§291C-B Speed control special fund; expenditures. The  
16 director of transportation shall expend moneys from the speed  
17 control special fund created under section 291C-A to fund



1 projects within the various counties to control noncompliance  
2 with speed limit prohibitions."

3 SECTION 3. Section 291C-102, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§291C-102 Noncompliance with speed limit prohibited.** (a)

6 A person violates this section if the person drives:

7 (1) A motor vehicle at a speed greater than the maximum  
8 speed limit other than provided in section 291C-105;

9 or

10 (2) A motor vehicle at a speed less than the minimum speed  
11 limit,

12 where the maximum or minimum speed limit is established by  
13 county ordinance or by official signs placed by the director of  
14 transportation on highways under the director's jurisdiction.

15 (b) A violation of this section shall be punishable by a  
16 fine of:

17 (1) Not less than \$200 and not more than \$300 for the  
18 first conviction;

19 (2) Not less than \$300 and not more than \$500 for a second  
20 conviction; and

21 (3) Not less than \$500 and not more than \$1,000 for a  
22 third conviction.



1 The fines collected under this subsection shall be deposited  
2 into the speed control special fund created under section  
3 291C-A.

4 [~~(b)~~] (c) If the maximum speed limit is exceeded by more  
5 than ten miles per hour, a surcharge of \$10 shall be imposed, in  
6 addition to any other penalties, and shall be deposited into the  
7 neurotrauma special fund."

8 SECTION 4. Section 36-27, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "**§36-27 Transfers from special funds for central service**  
11 **expenses.** Except as provided in this section, and  
12 notwithstanding any other law to the contrary, from time to  
13 time, the director of finance, for the purpose of defraying the  
14 prorated estimate of central service expenses of government in  
15 relation to all special funds, except the:

- 16 (1) Special out-of-school time instructional program fund
- 17 under section 302A-1310;
- 18 (2) School cafeteria special funds of the department of
- 19 education;
- 20 (3) Special funds of the University of Hawaii;
- 21 (4) State educational facilities improvement special fund;



- 1 (5) Convention center enterprise special fund under
- 2 section 201B-8;
- 3 (6) Special funds established by section 206E-6;
- 4 (7) Housing loan program revenue bond special fund;
- 5 (8) Housing project bond special fund;
- 6 (9) Aloha Tower fund created by section 206J-17;
- 7 (10) Funds of the employees' retirement system created by
- 8 section 88-109;
- 9 (11) Unemployment compensation fund established under
- 10 section 383-121;
- 11 (12) Hawaii hurricane relief fund established under chapter
- 12 431P;
- 13 (13) Hawaii health systems corporation special funds;
- 14 (14) Tourism special fund established under section
- 15 201B-11;
- 16 (15) Universal service fund established under chapter 269;
- 17 (16) Integrated tax information management systems special
- 18 fund under section 231-3.2;
- 19 (17) Emergency and budget reserve fund under section
- 20 328L-3;
- 21 (18) Public schools special fees and charges fund under
- 22 section 302A-1130(f);



- 1 (19) Sport fish special fund under section 187A-9.5;
- 2 (20) Neurotrauma special fund under section 321H-4;
- 3 (21) Deposit beverage container deposit special fund under
- 4 section 342G-104;
- 5 (22) Glass advance disposal fee special fund established by
- 6 section 342G-82;
- 7 (23) Center for nursing special fund under section [†]304A-
- 8 2163[†];
- 9 (24) Passenger facility charge special fund established by
- 10 section 261-5.5;
- 11 (25) Solicitation of funds for charitable purposes special
- 12 fund established by section 467B-15;
- 13 (26) Land conservation fund established by section 173A-5;
- 14 (27) Court interpreting services revolving fund under
- 15 section 607-1.5;
- 16 (28) Trauma system special fund under section 321-22.5;
- 17 (29) Hawaii cancer research special fund;
- 18 (30) Community health centers special fund; [~~and~~]
- 19 (31) Speed control special fund under section 291C-A; and
- 20 [~~(31)~~] (32) Emergency medical services special fund[†];
- 21 shall deduct five per cent of all receipts of all other special
- 22 funds, which deduction shall be transferred to the general fund



1 of the State and become general realizations of the State. All  
2 officers of the State and other persons having power to allocate  
3 or disburse any special funds shall cooperate with the director  
4 in effecting these transfers. To determine the proper revenue  
5 base upon which the central service assessment is to be  
6 calculated, the director shall adopt rules pursuant to chapter  
7 91 for the purpose of suspending or limiting the application of  
8 the central service assessment of any fund. No later than  
9 twenty days prior to the convening of each regular session of  
10 the legislature, the director shall report all central service  
11 assessments made during the preceding fiscal year.[+]"

12 SECTION 5. Section 36-30, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14 "(a) Each special fund, except the:

- 15 (1) Transportation use special fund established by section  
16 261D-1;
- 17 (2) Special out-of-school time instructional program fund  
18 under section 302A-1310;
- 19 (3) School cafeteria special funds of the department of  
20 education;
- 21 (4) Special funds of the University of Hawaii;
- 22 (5) State educational facilities improvement special fund;



- 1 (6) Special funds established by section 206E-6;
- 2 (7) Aloha Tower fund created by section 206J-17;
- 3 (8) Funds of the employees' retirement system created by
- 4 section 88-109;
- 5 (9) Unemployment compensation fund established under
- 6 section 383-121;
- 7 (10) Hawaii hurricane relief fund established under chapter
- 8 431P;
- 9 (11) Convention center enterprise special fund established
- 10 under section 201B-8;
- 11 (12) Hawaii health systems corporation special funds;
- 12 (13) Tourism special fund established under section
- 13 201B-11;
- 14 (14) Universal service fund established under chapter 269;
- 15 (15) Integrated tax information management systems special
- 16 fund under section 231-3.2;
- 17 (16) Emergency and budget reserve fund under section
- 18 328L-3;
- 19 (17) Public schools special fees and charges fund under
- 20 section 302A-1130(f);
- 21 (18) Sport fish special fund under section 187A-9.5;
- 22 (19) Neurotrauma special fund under section 321H-4;



- 1       (20) Center for nursing special fund under section [†]304A-
- 2               2163[†];
- 3       (21) Passenger facility charge special fund established by
- 4               section 261-5.5;
- 5       (22) Court interpreting services revolving fund under
- 6               section 607-1.5;
- 7       (23) Trauma system special fund under section 321-22.5;
- 8       (24) Hawaii cancer research special fund;
- 9       (25) Community health centers special fund; [~~and~~]
- 10       (26) Speed control special fund under section 291C-A; and
- 11       [~~(26)~~] (27) Emergency medical services special fund[†];
- 12 shall be responsible for its pro rata share of the
- 13 administrative expenses incurred by the department responsible
- 14 for the operations supported by the special fund concerned.[†]"

15       SECTION 6. In codifying the new sections added by sections

16 1 and 2 of this Act, the revisor of statutes shall substitute

17 appropriate section numbers for the letters used in designating

18 the new sections in this Act.

19       SECTION 7. Statutory material to be repealed is bracketed

20 and stricken. New statutory material is underscored.



# H.B. NO. 1484

1 SECTION 8. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

*Tommy H. De...*  
*Frank J. ...*  
*Anthony J. ...*

JAN 23 2007



**Report Title:**

Speeding; Fines; Speed Control Special Fund; Director of Transportation

**Description:**

Imposes graduated fines for violation of noncompliance with speed limit law for 1st to 3rd convictions and deposits fines into speed control special fund under the director of transportation to fund projects to control noncompliance with speeding laws.

