
A BILL FOR AN ACT

RELATING TO TRAFFIC VIOLATIONS.

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

1 SECTION 1. The legislature finds that the development of
2 an electronic citation system for traffic and other types of
3 violations would significantly enhance public safety and law
4 enforcement services. While an increasing number of law
5 enforcement agencies throughout the nation are implementing
6 electronic citation systems, the costs are prohibitive for
7 individual jurisdictions. For the city and county of Honolulu
8 alone, the cost of implementing an electronic system comprised
9 of hardware, software, and programming to capture, manage, and
10 share citation data has been estimated at \$1,500,000.

11 The legislature also finds that an electronic citation
12 system, particularly for traffic violations, would provide
13 timely information for law enforcement agencies and make
14 available electronic information on a real-time basis for
15 criminal investigations, thereby resulting in a fast, efficient
16 citation process that allows for electronic information sharing
17 among law enforcement, transportation, and judicial agencies.



1 The purpose of this Act is to provide a source of funding
2 for the establishment and maintenance of an electronic citation
3 system through an administrative fee of \$4 per citation issued
4 for any violation of the statewide traffic code.

5 SECTION 2. Chapter 291C, Hawaii Revised Statutes, is
6 amended by adding two new sections to be appropriately
7 designated and to read as follows:

8 **"§291C-A Traffic violation administrative fee established.**

9 Effective July 1, 2007, an administrative fee of \$4 shall be
10 assessed on each citation issued for a violation of the
11 statewide traffic code pursuant to chapters 291C and 291D.
12 Revenue from the administrative fee shall fund the establishment
13 and maintenance of an electronic citation system. All revenue
14 collected pursuant to this section shall be deposited into the
15 electronic citation system special fund established in section
16 291C-B.

17 **"§291C-B Electronic citation system special fund;**

18 **establishment and disbursement.** (a) There is established in
19 the state treasury a special fund to be known as the electronic
20 citation system special fund. The administrative fee for each
21 citation provided for in section 291C-A shall be shared equally



1 by the judiciary and the respective county police department
2 that issued the citation.

3 (b) Effective July 1, 2008, the state director of finance
4 shall transmit not more than thirty days after the end of each
5 fiscal quarter, fifty per cent of the administrative fee
6 assessed each citation issued pursuant to section 291C-A:

7 (1) The respective county police department that issued
8 the citation; and

9 (2) The judiciary."

10 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
11 amended to read as follows:

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

18 (1) Special out-of-school time instructional program fund
19 under section 302A-1310;

20 (2) School cafeteria special funds of the department of
21 education;

22 (3) Special funds of the University of Hawaii;



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



- 1 (18) Public schools special fees and charges fund under
2 section 302A-1130(f);
- 3 (19) Sport fish special fund under section 187A-9.5;
- 4 (20) Neurotrauma special fund under section 321H-4;
- 5 (21) Deposit beverage container deposit special fund under
6 section 342G-104;
- 7 (22) Glass advance disposal fee special fund established by
8 section 342G-82;
- 9 (23) Center for nursing special fund under section [†]304A-
10 2163[†];
- 11 (24) Passenger facility charge special fund established by
12 section 261-5.5;
- 13 (25) Solicitation of funds for charitable purposes special
14 fund established by section 467B-15;
- 15 (26) Land conservation fund established by section 173A-5;
- 16 (27) Court interpreting services revolving fund under
17 section 607-1.5;
- 18 (28) Trauma system special fund under section 321-22.5;
- 19 (29) Hawaii cancer research special fund;
- 20 (30) Community health centers special fund; [~~and~~]
- 21 (31) Emergency medical services special fund[†]; and



1 (32) Electronic citation system special fund established by
2 section 291C-B;

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

16 SECTION 4. Section 36-30, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "**§36-30 Special fund reimbursements for departmental**
19 **administrative expenses.** (a) Each special fund, except the:

20 (1) Transportation use special fund established by section
21 261D-1;



- 1 (2) Special out-of-school time instructional program fund
- 2 under section 302A-1310;
- 3 (3) School cafeteria special funds of the department of
- 4 education;
- 5 (4) Special funds of the University of Hawaii;
- 6 (5) State educational facilities improvement special fund;
- 7 (6) Special funds established by section 206E-6;
- 8 (7) Aloha Tower fund created by section 206J-17;
- 9 (8) Funds of the employees' retirement system created by
- 10 section 88-109;
- 11 (9) Unemployment compensation fund established under
- 12 section 383-121;
- 13 (10) Hawaii hurricane relief fund established under chapter
- 14 431P;
- 15 (11) Convention center enterprise special fund established
- 16 under section 201B-8;
- 17 (12) Hawaii health systems corporation special funds;
- 18 (13) Tourism special fund established under section
- 19 201B-11;
- 20 (14) Universal service fund established under chapter 269;
- 21 (15) Integrated tax information management systems special
- 22 fund under section 231-3.2;



- 1 (16) Emergency and budget reserve fund under section
2 328L-3;
- 3 (17) Public schools special fees and charges fund under
4 section 302A-1130(f);
- 5 (18) Sport fish special fund under section 187A-9.5;
- 6 (19) Neurotrauma special fund under section 321H-4;
- 7 (20) Center for nursing special fund under section [†]304A-
8 2163[†];
- 9 (21) Passenger facility charge special fund established by
10 section 261-5.5;
- 11 (22) Court interpreting services revolving fund under
12 section 607-1.5;
- 13 (23) Trauma system special fund under section 321-22.5;
- 14 (24) Hawaii cancer research special fund;
- 15 (25) Community health centers special fund; [~~and~~]
- 16 (26) Emergency medical services special fund[†]; and
- 17 (27) Electronic citation system special fund established by
18 section 291C-B;"
- 19 shall be responsible for its pro rata share of the
20 administrative expenses incurred by the department responsible
21 for the operations supported by the special fund concerned.[†]



1 SECTION 5. In codifying the new sections added by section
2 of this Act, the revisor of statutes shall substitute
3 appropriate section numbers for the letters used in designating
4 the new sections in this Act.

5 SECTION 6. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 7. This Act shall take effect on July 1, 2007.

8

INTRODUCED BY:

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JAN 23 2007



Report Title:

Traffic Violations; Administrative Fee; Electronic Citations

Description:

Authorizes a \$4 administrative fee on all citations for traffic code violations to be shared by the judiciary and the counties for the establishment and maintenance of an electronic citation system. Establishes the electronic citation system special fund. Provides for the disbursement of the funds to the counties and the judiciary.

