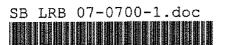
JAN 2 4 2007

A BILL FOR AN ACT

RELATING TO UNADJUDICATED TRAFFIC FINES.

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

- SECTION 1. Chapter 291C, Hawaii Revised Statutes, is 1 amended by adding a new part to be appropriately designated and 2 3 to read as follows: TRANSMITTAL OF TRAFFIC FINES "PART 4 5 AND FORFEITURES TO COUNTIES §291C-A Definitions. As used in this part, unless the 6 context clearly requires otherwise: 7 "Traffic infraction" means the same as defined under 8 9 section 291D-2. 10 "Uncontested traffic infraction" means a traffic infraction 11 for which the person notified under section 291D-5 does not contest the infraction. A person "does not contest" an
- 12
- 13 infraction if, in accordance with section 291D-6(b)(1), the
- person admits the commission of the infraction without 14
- requesting a hearing to explain mitigating circumstances and 15
- pays or remits bail forfeiture by mail, via the internet, or by 16
- 17 telephone within thirty days.



S.B. NO. 1618

1	§291C-B Transmittal of fines from July 1, 2007. (a)
2	Beginning July 1, 2007, the state director of finance shall
3	transmit to each county, not more than thirty days after the end
4	of each fiscal quarter, all the fines and forfeitures collected
5	for uncontested traffic infractions committed in that county
6	that are in excess of amounts required by the State to pay the
7	administrative costs of the traffic violations bureau. The
8	fines and forfeitures shall be directed to the law enforcement
9	agency in the county in which the citations were issued.
10	(b) This section shall not apply to:
11	(1) Fines and forfeitures for violations that occur on
12	off-street parking facilities, parks, airports, and
13	harbors that are subject to enforcement by the State;
14	and
15	(2) Fines and forfeitures that are required by law to be
16	paid into a special, revolving, or trust fund.
17	No county shall be entitled to any portion of the fines and
18	forfeitures described in this subsection."
19	SECTION 2. Section 291C-171, Hawaii Revised Statutes, is
20	amended by amending subsection (a) to read as follows:
21	"(a) All fines and forfeitures collected upon conviction
22	or upon the forfeiture of bail of any person charged with a
	SB LRB 07-0700-1.doc

- 1 violation of any section or provision of the state traffic laws
- 2 and all assessments collected relating to the commission of
- 3 traffic infractions shall be paid to the director of finance of
- 4 the State. The judiciary shall identify those fines paid for
- 5 uncontested traffic infractions as defined in section 291C-A.
- 6 The disposition of fines and forfeitures paid to the state
- 7 director of finance shall be subject to section 291C-B."
- 8 SECTION 3. In codifying the new sections added by section
- 9 1 of this Act, the revisor of statutes shall substitute
- 10 appropriate section numbers for the letters used in designating
- 11 the new sections in this Act.
- 12 SECTION 4. New statutory material is underscored.
- 13 SECTION 5. This Act shall take effect on July 1, 2007.

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INTRODUCED BY:

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Report Title:

Unadjudicated Traffic Fines; Transfer to Counties

Description:

Transfers all fines and forfeitures collected for uncontested traffic infractions to the counties.