H.B. NO. 219

A BILL FOR AN ACT

RELATING TO TRAFFIC INFRACTIONS.

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

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



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1	§ -2 Transmittal of fines and forfeitures. (a) The						
2	state director of finance shall transmit to each county not more						
3	than thirty days after the end of each fiscal quarter per						
4	cent of all fines and forfeitures collected for uncontested						
5	traffic infractions committed in that county which are in excess						
6	of amounts required by the State to pay the administrative costs						
7	of the traffic violations bureau.						
8	(b) Subsection (a) shall not apply to:						
9	(1) Fines and forfeitures for violations that occur on						
10	state off-street parking facilities, parks, airports,						
11	and harbors that are subject to enforcement by the						
12	State; and						
13	(2) Fines and forfeitures that are required by law to be						
14	paid into a special, revolving, or trust fund.						
15	No county shall be entitled to any portion of the fines and						
16	forfeitures described in this subsection."						
17	SECTION 2. Section 291C-171, Hawaii Revised Statutes, is						
18	amended by amending subsection (a) to read as follows:						
19	"(a) All fines and forfeitures collected upon conviction						
20	or upon the forfeiture of bail of any person charged with a						
21	violation of any section or provision of the state traffic laws						
22	and all assessments collected relating to the commission of						
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2 finance [of the State]. The judiciary shall identify those uncontested traffic 3 4 infractions as defined in section -1. The disposition of 5 fines and forfeitures paid to the state director of finance shall be subject to section -2." 6 7 SECTION 3. Statutory material to be repealed is bracketed 8 and stricken. New statutory material is underscored. SECTION 4. This Act shall take effect on July 1, 2009. 9

traffic infractions shall be paid to the state director of

10 INTRODUCED BY: Colvid Man By Request

JAN 2 2 2009



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Report Title:

Uncontested Traffic Infractions; Fines and Forfeitures to Counties

Description:

Requires director of finance to transmit a specified percentage of fines and forfeitures paid for uncontested traffic infractions to the counties.

