JAN 1 8 2012

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 identified 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.

1	§	-2 Transmittal of fines and forfeitures. (a) The	
2	state dir	ector of finance shall transmit to each county, not	
3	more than thirty days after the end of each fiscal quarter,		
4	per cent of all fines and forfeitures collected for		
5	uncontested traffic infractions committed in that county which		
6	are in excess of amounts required by the State to pay the		
7	administrative cost 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	forfeitur	es described in this subsection."	
17	SECT	ION 2. Section 291C-171, Hawaii Revised Statutes, is	
18	amended b	y amending subsection (a) to read as follows:	
19	"(a)	All fines and forfeitures collected upon conviction	
20	or upon t	he forfeiture of bail of any person charged with a	
21	violation	of any section or provision of the state traffic laws	
22	and all a	ssessments collected relating to the commission of	
	SB LRB 12	-0579.doc	

S.B. NO. 2046

BY REQUEST

1 traffic infractions shall be paid to the state director of 2 finance [of the State]. 3 The judiciary shall identify those uncontested traffic infractions as defined in section -1. The disposition of 4 5 fines and forfeitures paid to the state director of finance 6 shall be subject to -2." SECTION 3. Statutory material to be repealed is bracketed 7 and stricken. New statutory material is underscored. 8 9 SECTION 4. This Act shall take effect on July 1, 2012. 10 INTRODUCED BY:

S.B. NO. 2046

Report Title:

Traffic Infractions; Fines and Forfeitures; HSAC Package

Description:

Requires the state director of finance to transmit, to each county, a percentage of all fines and forfeitures collected for uncontested traffic infractions committed in that county.

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