JAN 1 8 2013

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 the context clearly requires otherwise: 8 "Traffic infraction" means the same as defined under 9 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 person admits the commission of the infraction without 15 16 requesting a hearing to explain mitigating circumstances and 17 pays or remits bail forfeiture by mail within thirty days.

S.B. NO. 557

1	S -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 the fines and forfeitures collected for uncontested
5	traffic infractions committed in that county that 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 fines and
9	forfeitures:
10	(1) For violations that occur on state off-street parking
11	facilities, parks, airports, and harbors that are
12	subject to enforcement by the State; or
13	(2) That are required by law to be paid into a special,
14	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 accessments collected valeting to the commission of

SB LRB 13-0490.doc

- 1 traffic infractions shall be paid to the state director of
- 2 finance [of the State].
- 3 The judiciary shall identify those uncontested traffic
- 4 infractions as defined in section -1. The disposition of
- 5 fines and forfeitures paid to the state director of finance
- 6 shall be subject to section -2."
- 7 SECTION 3. Statutory material to be repealed is bracketed
- 8 and stricken. New statutory material is underscored.
- 9 SECTION 4. This Act shall take effect on July 1, 2013.

10

INTRODUCED BY: Some French K.

By Request

S.B. NO. 551

Report Title:

Hawaii State Association of Counties Package; Uncontested Traffic Infractions; Transmittal of Fines and Forfeitures to Counties

Description:

Requires the state director of finance to transmit to the counties a percentage of fines and forfeitures collected for uncontested traffic infractions that are in excess of amounts required by the State for administrative costs of the traffic violations bureau.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.