
A BILL FOR AN ACT

RELATING TO HIGHWAY SAFETY.

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

1 SECTION 1. Section 291C-105, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Any person who violates this section shall be guilty
4 of a petty misdemeanor and shall be sentenced as follows without
5 the possibility of probation or suspension of sentence:

6 (1) For a first offense not preceded by a prior conviction
7 for an offense under this section in the preceding
8 five years:

9 (A) A fine of not less than \$500 and not more than
10 \$1,000;

11 (B) Thirty-day prompt suspension of license and
12 privilege to operate a vehicle during the
13 suspension period, or the court may impose, in
14 lieu of the thirty-day prompt suspension of
15 license, a minimum fifteen-day prompt suspension
16 of license with absolute prohibition from
17 operating a vehicle and, for the remainder of the



- 1 thirty-day period, a restriction on the license
- 2 that allows the person to drive for limited work-
- 3 related purposes;
- 4 (C) Attendance in a course of instruction in driver
- 5 retraining;
- 6 (D) A surcharge of \$25 to be deposited into the
- 7 neurotrauma special fund;
- 8 (E) May be charged a surcharge of up to \$100 to be
- 9 deposited into the trauma system special fund if
- 10 the court so orders;
- 11 (F) An assessment for driver education pursuant to
- 12 section 286G-3; and
- 13 (G) Either one of the following:
- 14 (i) Thirty-six hours of community service work;
- 15 or
- 16 (ii) Not less than forty-eight hours and not more
- 17 than five days of imprisonment;
- 18 (2) For an offense that occurs within five years of a
- 19 prior conviction for an offense under this section,
- 20 by:



- 1 (A) A fine of not less than [~~\$750~~] \$1,000 and not
2 more than [~~\$1,000,~~] \$1,500;
- 3 (B) Prompt suspension of license and privilege to
4 operate a vehicle for a period of thirty days
5 with an absolute prohibition from operating a
6 vehicle during the suspension period;
- 7 (C) Attendance in a course of instruction in driver
8 retraining;
- 9 (D) A surcharge of \$25 to be deposited into the
10 neurotrauma special fund;
- 11 (E) May be charged a surcharge of up to \$100 to be
12 deposited into the trauma system special fund if
13 the court so orders; ,
- 14 (F) An assessment for driver education pursuant to
15 section 286G-3; and
- 16 (G) Either one of the following:
 - 17 (i) Not less than one hundred twenty hours of
18 community service work; or
 - 19 (ii) Not less than five days but not more than
20 fourteen days of imprisonment of which at



- 1 least forty-eight hours shall be served
2 consecutively; and
- 3 (3) For an offense that occurs within five years of two
4 prior convictions for offenses under this section, by:
- 5 (A) A fine of [~~\$1,000,~~] \$2,000;
- 6 (B) Revocation of license and privilege to operate a
7 vehicle for a period of not less than ninety days
8 but not more than one year;
- 9 (C) Attendance in a course of instruction in driver
10 retraining;
- 11 (D) No fewer than ten days but no more than thirty
12 days of imprisonment of which at least forty-
13 eight hours shall be served consecutively;
- 14 (E) A surcharge of \$25 to be deposited into the
15 neurotrauma special fund;
- 16 (F) May be charged a surcharge of up to \$100 to be
17 deposited into the trauma system special fund if
18 the court so orders; and
- 19 (G) An assessment for driver education pursuant to
20 section 286G-3."



1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.



Report Title:
Highway Safety

Description:
Increases the fines for violations of driving a motor vehicle at an excessive speed. (HB723 HD1)

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

