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
 amended by adding a new part to be appropriately designated and
- 3 to read as follows:
- 4 "PART . TRANSMITTAL OF TRAFFIC FINES AND FORFEITURES TO
- 5 COUNTIES
- 6 §291C-A Definitions. As used in this part, unless the
- 7 context clearly requires otherwise:
- 8 "Traffic infraction" means the same as defined under
- 9 section 291D-2.
- "Uncontested traffic infraction" means a traffic infraction
- 11 for which the person noticed under section 291D-5 admits the
- 12 commission of the infraction without requesting a hearing to
- 13 explain mitigating circumstances and pays or remits bail
- 14 forfeiture by mail, via the internet, or by telephone within
- 15 thirty days in accordance with section 291D-6(b)(1).
- 16 §291C-B Transmittal of fines and forfeitures. Beginning
- 17 on July 1, 2019, no more than thirty days after the end of each

- 1 fiscal quarter, the director of finance shall transmit to each
- 2 county no less than \$ of all the fines and forfeitures
- 3 collected during the previous fiscal quarter for uncontested
- 4 traffic infractions committed in that county. The amount of the
- 5 fines and forfeitures set aside pursuant to this subsection
- 6 shall be transmitted to the county in which the citations were
- 7 issued. This section shall not apply to:
- **8** (1) Fines and forfeitures for violations that occur on
- 9 state off-street parking facilities, parks, airports,
- and harbors that are subject to enforcement by the
- 11 State; and
- 12 (2) Fines and forfeitures that are required by law to be
- paid into a special, revolving, or trust fund.
- 14 Except as provided by this section, no county shall be
- 15 entitled to any portion of the fines and forfeitures described
- 16 in this section."
- 17 SECTION 2. Section 291C-171, Hawaii Revised Statutes, is
- 18 amended by amending subsection (a) to read as follows:
- "(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

- 1 and all assessments collected relating to the commission of
- 2 traffic infractions shall be paid to the director of finance of
- 3 the State. The judiciary shall identify those fines paid for
- 4 uncontested traffic infractions as defined in section 291C-A.
- 5 The disposition of fines and forfeitures paid to the director of
- 6 finance shall be subject to section 291C-B."
- 7 SECTION 3. In codifying the new sections added by section
- 8 1 of this Act, the revisor of statutes shall substitute
- 9 appropriate section numbers for the letters used in designating
- 10 the new sections in this Act.
- 11 SECTION 4. New statutory material is underscored.
- 12 SECTION 5. This Act shall take effect on July 1, 2019.

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S.B. NO. 50. 1

Report Title:

Hawaii State Association of Counties Package; Uncontested Traffic Fines; Transfer to Counties

Description:

Transfers certain fines and forfeitures collected for uncontested traffic infractions to the counties. (SD1)

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