
A BILL FOR AN ACT

RELATING TO TRAFFIC VIOLATIONS.

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

1 SECTION 1. The legislature finds that section 291C-172,
2 Hawaii Revised Statutes, regarding refusal to provide
3 identification, does not adequately address situations in which
4 the violator of a traffic law is stopped by a police officer and
5 refuses to provide any personal identifying information, or
6 provides obviously false information. Currently, this section
7 only allows a law enforcement officer to issue a citation for
8 this violation. However, if the violator is not providing the
9 officer with their identifying information, a citation cannot be
10 issued, making this law impractical. This impracticality
11 hinders law enforcement in the performance of the critical duty
12 of traffic enforcement, especially in relation to pedestrians or
13 bicycles. It is critical that police officers have the option
14 to arrest a violator of section 291C-172, Hawaii Revised
15 Statutes, when the person refuses to identify themselves, as a
16 deterrent to this type of behavior.



1 The legislature further finds that section 291C-23, Hawaii
2 Revised Statutes, regarding obedience to police officers, covers
3 similar traffic situations in which a person wilfully fails or
4 refuses to comply with any lawful order or direction of a police
5 officer who is controlling traffic. Violating section 291C-23,
6 Hawaii Revised Statutes, is a petty misdemeanor.

7 Accordingly, the purpose of this Act is to amend section
8 291C-172, Hawaii Revised Statutes, to change the penalty for
9 violation of this section from a traffic infraction to a petty
10 misdemeanor. This adjustment will allow a functional
11 progression for officers to follow in the event a traffic law
12 violator refuses to provide a police officer with their
13 information.

14 SECTION 2. Section 291C-172, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§291C-172 Refusal to provide identification.** (a) Except
17 as provided in subsection (b), any person detained for a
18 violation of this chapter shall provide the person's name and
19 address~~[, or]~~, and any proof thereof, ~~[or both]~~ upon the lawful
20 order or direction of any police officer in the course and scope
21 of the officer's duties pursuant to this chapter.



1 (b) A pedestrian who is detained for violating part VII of
2 this chapter shall provide the person's name and address upon
3 the lawful order or direction of a police officer in the course
4 and scope of the officer's duties. If the officer has
5 reasonable grounds to believe that the person is being deceptive
6 or misleading in providing the person's name and address, the
7 person shall provide such proof thereof, upon the lawful order
8 or direction of the police officer.

9 (c) Refusal to provide identification is a petty
10 misdemeanor."

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

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect on January 1, 2222.
17



Report Title:

Honolulu Police Department Package; Traffic Code; Refusal to
Provide Identifying Information

Description:

Specifies that refusing to provide identifying information to a
police officer when being detained for a traffic offense is a
petty misdemeanor. Effective 1/1/2222. (HD1)

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

